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

Enquiries: **A KAHUIKA**

21 January 2026

The Chairperson and Members
of the Municipal Council
Municipality
SWAKOPMUND

Dear Sir / Madam

NOTICE: ORDINARY COUNCIL MEETING

Notice is hereby given in terms of Section 14 (1) (c) of the Local Authority Act, Act 23 of 1992 as amended, of an **ORDINARY COUNCIL MEETING** to be held:

DATE : **THURSDAY, 29 JANUARY 2026**

VENUE : **COUNCIL CHAMBERS, MUNICIPAL OFFICE BUILDING, C/O RAKOTOKA STREET AND DANIEL KAMHO AVENUE, SWAKOPMUND**

TIME : **19:00**


HELLAO INARUSEB
CHIEF EXECUTIVE OFFICER (ACTING)
AK/
Office of the
Finance



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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 **Monday, 24 November 2025** at **19:00**.

PRESENT:

Councillor B R IGoraseb	:	Mayor
Councillor S M Kautondokwa	:	Deputy Mayor
Councillor W O Groenewald	:	Chairperson of the Management Committee
Councillor M Henrichsen	:	Member of the Management Committee
Councillor E Shitana	:	Member of the Management Committee
Councillor H H Nghidipaya	:	Member of the Management Committee
Councillor D Am-IGabeb	:	Alternate Member of the Management Committee
Councillor C-W Goldbeck	:	Member of Council
Councillor D Namubes	:	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
Ms W Uwites	:	General Manager: Economic Development Services (Acting)
Mr A Kationdorozu	:	General Manager: Health Services and SWM (Acting)
Ms A Kahuika	:	Administration Officer: Administration
Ms L Mupupa	:	Public Relations Officer
Ms D Hanes	:	Personal Assistant: Mayor
Mr U Tjirutue	:	Corporate Officer: Administration

ALSO PRESENT:

Members of the public as well as delegations from the Gibeon Village Council, ~~Aranos~~ Aranos Village Council and Rehoboth Town Council.

1. OPENING BY PRAYER

Pastor Oppermann opened the meeting with scripture reading and a prayer.

2. ADOPTION OF THE AGENDA OF THE MEETING OF COUNCIL

(C/M 2025/11/24 - 5/2/11/2)

On the proposal of Councillor M Henrichsen, seconded by Councillor D Am-IGabeb, 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 P Shimhandla - Approved

3.2 Declaration of interest:

None.

4. **CONFIRMATION OF MINUTES**

4.1 **MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 02 OCTOBER 2025**

(C/M 2025/11/24 - 5/2/1/1/2)

On the proposal of Councillor M Henrichsen, seconded by Councillor D Am-Isabeb, it was:

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 04 November 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 2025/11/24 - 5/5/2)

Honourable ~~Councillors~~ Mr. Alfeus Benjamin, the Chief Executive Office, General managers, Managers and officials of Council, Pastor Henna 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, which is our final council meeting for the year 2025.

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From the onset, I just want to express our deepest gratitude to all the residents of Swakopmund for their ongoing support and a special thank you to those who always take time to come and join us here at most if not all Council meetings. Thank you.

Ladies and gentlemen

As we draw this year to a close, it is my honour to present the Council's end-of-year announcements and to reflect on the collective progress we have achieved as a town. This moment allows us not only to account to our residents, but also to celebrate how far we have come together.

Honourable Councillors, Ladies and gentlemen

Over the past year, the Office of the Mayor has actively engaged in initiatives aimed at strengthening community development, promoting social welfare, and advancing economic growth. Through our outreach programmes, stakeholder engagements, and direct community support efforts, we have continued to place people at the centre of our work. The Office of the Mayor has worked tirelessly to ensure that every voice counts in shaping the future of Swakopmund, through championing youth empowerment activities, responding to community concerns and facilitating partnerships across sectors.

Ladies and gentlemen

The provision of housing remained a challenge in our town caused by the urbanisation. However, through collective efforts and smart partnerships, Council is pleased to announce important progress within the housing sector over the past five years.

We have continued to advance initiatives focused on delivering affordable housing, accelerating the allocation of serviced land, and promoting collaboration with private developers. Our ongoing land and development projects including township layouts, bulk service upgrades, and land delivery programmes are clear demonstrations of Council's commitment to addressing the growing demand for housing and ensuring that more of our residents can access dignified places to call home.

This year also saw significant strides in infrastructure and investment projects. Swakopmund continued to attract interest from local and international investors, reinforcing our position as a hub for tourism, enterprise, and innovation.

Several development projects aimed at improving public spaces, modernising municipal services, and strengthening recreational infrastructure have been initiated or advanced laying a strong foundation for increased economic activity and job creation in the coming years.

As council, our biggest and most important stakeholder has been the staff of the municipality.

I can proudly attest that over the past five years, we have witnessed strides as Council has prioritised organisational development to enhance efficiency, accountability, and service delivery.

Through capacity-building initiatives, improved administrative systems, and strengthened interdepartmental collaboration, we are ensuring that the institution remains responsive to the evolving needs of our town. These reforms reflect our shared understanding that effective governance begins with a strong organisation.

One of the major achievements during our term has been the renewal of the Chief Executive Officer's five-year contract, together with the successful filling of key positions that continue to guide Council in the right direction and support the achievement of our strategic goals.

Honourable Councillors, Ladies and gentlemen

As I deliver these announcements as the outgoing Mayor, I am filled with gratitude. Serving the people of Swakopmund has been one of the greatest honours of my life. I am proud of the work we have accomplished and deeply appreciative of every Councillor, the Chief Executive Officer, the municipal administration, and our dedicated staff who have supported this journey.

It goes without saying, that we are indeed an excellent team.

I extend my best wishes to the incoming leadership to take forward the mandate entrusted to them. May you lead with wisdom, compassion, and courage.

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I am confident that you will continue to build on these foundations, advancing the projects, initiatives, and partnerships that empower our community and strengthen our beloved town.

On behalf of Council, I wish all our residents a joyful festive season and a prosperous new year.

Thank you.

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 NOVEMBER 2025**

(C/M 2025/11/24 - 5/2/1/1/2)

RESOLVED:

That the report to Council on the resolutions taken by Management Committee meetings held on 13 November 2025 be noted.

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

11.1 **MANAGEMENT COMMITTEE MEETING HELD ON 13 AND 24 NOVEMBER 2025**

11.1.1 **CANCELLATION OF APPROVAL: SALE OF LAND TO DEVELOP A SOLAR COMPONENT MANUFACTURE PLANT BY NACIDO MINING CC**

(C/M 2025/11/24 - 17/2/1/1/2, 17/1/4/2/1/12)

RESOLVED:

- (a) That Council confirms the cancellation of the sale of the 10-hectare portion of land previously allocated to Nacido Mining CC within the Green Triangle area, as Nacido Mining CC failed to comply with points (i) and (ii) of Council's resolution passed on 03 June 2025 under item 11.1.5, by not paying the required deposit of N\$100,000.00 on or before 01 September 2025.
- (b) That Council takes note that the portion referred in (a) above has not been formally subdivided and is earmarked for miscellaneous industrial use on a lease basis.
- (c) That Council provisionally reserve the site to be included into the HDF lease/ purchase due to the sensitivity of their equipment used in their project and the effect that neighbouring activities could have on their development.

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11.1.2

ENDORSEMENT OF SELECTED 20 APPLICANTS FOR THE ALLOTMENT OF PLOTS

(CDM 2025/11/24 - 18/5/2)

RESOLVED:

- (a) That Council endorse the list below and that the first 20 applicants, once verified, be allocated a plot.

No	Name	Owner	Activities
1.	<u>Aloe Gardening</u>	Joas N Ekandjo	Flower Production
2.	<u>Umbutu aquatics</u>	A Hamutenya	Poultry Production
3.	<u>Lovemore</u>	Lovemore	Food Garden Project
4.	<u>William Reith</u>	William Reith	Agricultural Production
5.	<u>General Farming Investment CC</u>	<u>Gustaf, Gustaf</u>	Animal fodder production
6.	<u>Gunter Doll</u>	Gunter Doll	Large-scale Farming
7.	<u>Jan J du Plessis</u>	Jan J du Plessis	Vegetables and Flowers
8.	<u>African Development Foundation</u>	Dina Shingenge	Land for Market Gardening
9.	<u>Group of 31 People</u>	<u>Vilma Shingindwa</u>	Crop farming
10.	<u>Agriculture Scheme-Coastal Town</u>	Thoman Samba	Mixed Farming
11.	<u>Green Fields CC</u>	Johan le Richie	Composting
12.	<u>Kondobolo Trading CC</u>	Erwin Kavetuna	Poultry farming
13.	<u>CDM Investments CC</u>	<u>Chrisley Mpaheni</u>	Horticulture
14.	<u>Keith Wright</u>	Keith Wright	Land for compost
15.	<u>Aveshe Food</u>	Mrs. Grace P Nakalondo	Vegetable
16.	<u>Debbie Giannios</u>	Debbie Giannios	Urban Farming Education
17.	<u>Graceland and farming supplies</u>	<u>Germina Josef</u>	Horticulture
18.	<u>Johan Moody</u>	Ms. John Matali Moody	Horticulture
19.	<u>Violet Witbeen</u>	<u>Violet Witbeen</u>	Poultry farming
20.	<u>Erongo Regional Council</u>	Erongo Regional Council	Poultry farming

- (b) That the Steering Committee conduct face-to-face interviews with the selected applicants to confirm that their proposed agricultural activities align with Council's vision and that they possess the necessary capacity to operate sustainably.
- (c) That Council approves the applicant waiting list (Annexure B, on file), to be considered in subsequent phases, or should any selected applicant withdraw.
- (d) That the General Manager: Corporate Services and Human Capital develop a comprehensive lease agreement for the allotment plots, in consultation with the Steering Committee, to ensure compliance.

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- (e) That the following lease conditions be approved:
1. That all costs for the lease transaction be for the lessee's account, inclusive of, but not limited to, the cost of advertising Council's intention to lease in terms of the Local Authorities Act, Act 23 of 1992, as amended, and the cost for the compilation of the lease agreement.
 2. That the lease be subject to the successful compliance with the requirements in terms of the Local Authorities Act, Act 23 of 1992, as amended, and permission being obtained from the Minister of Urban and Rural Development.
 3. That the lease period be 9 years and 11 months.
 4. That a grace period of 6 months be granted as rent-free site preparation.
 5. That the lessee must commence with agricultural activities / production within 6 months from the date of commencement of the lease agreement, failing which the lease shall be terminated by the lessor without any notice.
 6. That a 6-months bilateral notice period to cancel the lease agreement be applicable thereafter.
 7. That the lease tariff for the period commencing after the initial 6 months be NS0.20c x the size of the specific portion + 15% VAT payable in advance on / before the 7th day of each month, the first 7% escalation be applicable on 01 July 2026.
 8. That 1 month's rental amount be levied as a refundable deposit (exclusive of 15% VAT), of which costs such as rental in arrears at the expiry of the lease period be recovered, the balance refunded to the lessee.
 9. That a deposit of NS10 000.00 be paid for the rehabilitation of the area, if required.
 10. That Council be indemnified against any possible claims.
 11. That lessee arranges for the provision and usage of electricity with Messrs Erongo RED at their own cost, or opt for a solar system
 12. That the renewal of the lease period be on condition that the rental account is paid to date and based on performance.
 13. That no subletting or assigning of the agreement or the lease site and / or any portion of the lease site to a third party be allowed.
 14. That no permanent structure may be erected on the lease property without prior Council approval.
 15. That the lessee shall be responsible for the cleanliness and tidiness of the property.
 16. That there is no guarantee that the property is suitable for the lessee's purposes.
 17. That the lessee has no option to purchase the lease area.
 18. That the lease agreement is not transferable and will not form part of an estate.
 19. That in the cases where the lessee is a legal entity, no change in membership/shareholders/trustees is permitted without prior Council approval.
 20. That written permission be obtained from Council should the lessee intend to erect any sign or advertising material on the outside of the Property.
 21. That Council approves the review of the lease conditions as the need arises.
- (f) That Council gives priority consideration to the Swakopmund Constituency Council's application, in recognition of its status as a government institution and its demonstrated interest in participating in the allotment plots initiative.
- (g) That Council approves the replacement of the bee farming application with the Constituency Council's application for poultry farming. The bee farming application will be placed on the waiting list (Annexure C) for small-holding plots, where bee farming and livestock activities are permitted.

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- (h) That Council supports the organization of an official handover ceremony by the Steering Committee to promote public awareness of the project's objectives.
- (i) That the Steering Committee continues to oversee the verification of applicant interest, project implementation, and compliance monitoring in accordance with lease conditions.

11.1.3 **RE-APPLICATION OF TRANSFER OF RIGHT OF USE OF ERF 8104, EXTENSION 29, SWAKOPMUND BY MS CHAIMIN LIANA UISES**

(C/M 2025/11/24 - E 8104)

RESOLVED:

- (a) That Council takes note of the new employment status of Ms Chaimin Liana Uises with an income of N\$3,570.05.
- (b) That Council repeals the lease requirement of Erf 8104 (608), Ext 29 Swakopmund to Ms Chaimin Liana Uises and approves the change of ownership of the said Erf with full right of use.
- (c) That Ms Uises be informed to pay the administrative fee of N\$1,000.00.
- (d) That Council repeals point (e) of the Council resolution dated 02 April 2024, item 11.1.9 to increase the monthly income of N\$2,600.00 and replace it with N\$3,000.00 per month to be in line with all other low-cost housing programmes.

11.1.4 **EXEMPTION FROM PAYMENT OF ASSESSMENT RATES: COMPLIANCE WITH THE LOCAL AUTHORITIES ACT, ACT 23 OF 1992, AS AMENDED**

(C/M 2025/11/24 - 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
Erf 3514 S	SFC Sport Club Swakopmund	Sport Club

- (b) That the exemption of payment of assessment rates be credited with effect 1 July 2025.
- (c) That DRC Women's Community Project be requested to submit proof that they are a registered school, in order to be considered for exemption from payment of assessment rates in terms of Section 75 of the Local Authorities Act, Act 23 of 1992 (as amended).

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11.1.5

OMITTED FROM THE LIST OF APPLICATIONS FOR EXEMPTION FROM PAYMENT OF ASSESSMENT RATES SUBMITTED TO COUNCIL ON 31 JULY 2025:

1. AFM (AGS) TAMARISKIA
2. CHRISTIAN REVIVAL CHURCH
3. A.M.E CHURCH
4. NG KERK

(C/M 2025/11/24 - T 614, T 567, E 4911, E 776, E 4656, 3/4/1/2)

RESOLVED:

That Council approves the following applications for the exemption from payment of assessment rates for the financial year 2025/2026, as their applications were submitted prior to 31 May 2025:

- *Christian Revival Church for Erf 4911, Extension 14, Swakopmund*
- *AFM (AGS) Tamariskia for Erven 614 and 567, Tamariskia*
- *A.M.E Church E 776*
- *NG Kerk E 4656, Swakopmund*

11.1.6

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

(C/M 2025/11/24 - E 2280, E 2281)

RESOLVED:

- (a) That approval be given for Erven 2280 and 2281, Swakopmund, Extension 8, to be consolidated into Consolidated Erf X, on condition that they are owned by a single person or entity.
- (b) That the rezoning of Consolidated Erf X, Swakopmund, Extension 8, from "Single Residential" with a density of 1:900m² to "General Residential 2" with a density of 1:250m² be approved.
- (c) That consent to operate an Accommodation Establishment on Consolidated Erf X, Swakopmund, Extension 8 be approved subject to the Accommodation Establishment Policy of Council and be finalized upon the completion of the statutory processes herewith involved.
- (d) That the rezoning of Consolidated Erf X, Swakopmund, Extension 8, be subject to a compensation fee of 75% with respect to betterment 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.
- (e) 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.
- (f) That the applicant provides proof that the consolidation and the rezoning of Consolidated Erf X Swakopmund Extension 8 has been approved by the Minister and promulgated.
- (g) That all additional infrastructure required due to the proposed development be for the account of the applicant or the owner and in

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accordance with the specifications and to the satisfaction of the General Manager: Engineering and Planning Services.

- (h) That all the parking be provided on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve shall be tolerated.
- (i) That the applicant be informed of Council's decision and of their right to 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.

11.1.7

SUBDIVISION OF THE REMAINDER OF ERF 1794, MONDESA PROPER INTO PORTION A, B, AND REMAINDER, PERMANENT CLOSURE OF PORTION A AND B OF THE REMAINDER OF ERF 1794 MONDESA AS "STREET", CONSOLIDATION OF PORTION A WITH REMAINDER ERF 1797 INTO ERF X AND PORTION B WITH ERF 3209, MONDESA INTO ERF Y AND SUBSEQUENT REZONING OF THE CONSOLIDATED ERVEN X AND Y FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1:200M² TO GENERAL BUSINESS WITH A BULK OF 2

(C/M 2025/11/24 - M 1797, M 3209)

RESOLVED:

- (a) That the Remainder of Erf 1794, Mondesa Proper, be subdivided into Portion A, B, and Remainder.
- (b) That Portion A and B of the Remainder of Erf 1794, Mondesa Proper, be permanently closed as "Street" in accordance with the provisions of Section 50 of the Local Authorities Act of 1992 (Act No. 23 of 1992).
- (c) That an Environmental Clearance Certificate for the permanent closure of Portion A & B of the Remainder of Erf 1797, Mondesa Proper, be obtained in terms of the Environmental Management Act, Act No. 7 of 2007, prior to the submission of the application to the Urban and Regional Planning Board.
- (d) That Portion A of the Remainder of Erf 1794, Mondesa Proper be consolidated with the Remainder of Erf 1797, Mondesa Proper into Erf X, in terms of Section 105 (1)(e) of the Urban and Regional Planning Act, Act No 5 of 2018.
- (e) That Portion B of the Remainder of Erf 1794, Mondesa Proper be consolidated with Erf 3209, Mondesa Proper into Erf Y, terms of Section 105 (1)(e) of the Urban and Regional Planning Act, Act No 5 of 2018.
- (f) That the Consolidated Erven X and Y be rezoned from "Single Residential" with a density of 1:200m² to "General Business" with a bulk of 1 2.0 be turned down.
- (g) That the Consolidated Erven X and Y be rezoned from "Single Residential" with a density of 1:200m² to "General Residential 1" with a density of 1:100 be approved instead.
- (h) That the rezoning of the Consolidated Erven X and Y, Mondesa Proper from "Single Residential" to "General Residential 1" with a density of 1:100 is subject to 20% compensation fee with respect to Betterment

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

- (i) That the applicant provides proof that the subdivision, consolidation and rezoning has been approved by the Minister and provide approved erven diagrams from the Surveyor General's Office before any business registration application, building line relaxation application and/or building plans submission to the Engineering and Planning Services Department for approval,
- (j) That all Municipal Services (water, sewer and electricity) be relocated to the satisfaction of the General Manager: Engineering and Planning Services to the cost of the applicant.
- (k) That no structures or floor of any nature may it be temporary shall be constructed over municipal services.
- (l) That the conditions registered against the Remainder of Erf 1797, ~~Mondesa~~ and Erf 3209 ~~Mondesa~~ Proper be cancelled and that the following conditions be registered against titles of the Consolidated Erven X and Y:
 - (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 Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018).*
 - (ii) *The building value of the main building, excluding the outbuilding to be erected on the erf must be at least four times the prevailing valuation of the erf.*
- (m) That no business registration application, building line relaxation application, and/or building plans submission to the Engineering and Planning Services Department be approved until proof of payment of the compensation fee for the rezoning has been received by Council.
- (n) That the applicant be informed that the activities to be undertaken on the newly consolidated erven will be subject to the provisions of the Swakopmund Zoning Scheme, including the provisions of Clause 6, height, parking, and coverage requirements.
- (o) That the submission of building plans for the proposed development be subject to a traffic and infrastructure study to the satisfaction of the General Manager: Engineering and Planning Services.
- (p) That all the parking be provided on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated.
- (q) That the applicant be informed of this decision and the rights to 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.

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11.1.8

CALENDAR AND PROGRAMME FOR MONTHLY SPONSORSHIP AND DONATION COMMITTEE MEETINGS FOR THE YEAR 2026

(C/M 2025/11/24 - 3/15/1/1)

RESOLVED:

- (a) That the Calendar and Programme (on file) for the Sponsorship and Donation Committee meetings for the year 2026 be approved.
- (b) That the Heads of Departments ensure that applications/ addendums be submitted to the Secretary and/or the Vice-Secretary of the Sponsorship and Donation Committee on time.

11.1.9

MEMORIAL BENCHES - INCOME GENERATED

(C/M 2025/11/24 - 15/2/4/5)

RESOLVED:

- (a) That the income generated from the Commemorative Bench and Plaque Initiative be credited to a dedicated income vote under the Engineering & Planning Services Department.
- (b) That the funds accumulated in this vote be utilized exclusively as an extension to the approved annual budget for the procurement of new benches and the maintenance of Council's beach walkways.
- (c) That the General Manager: Finance ensures the creation and administration of the income vote in accordance with IPSAS accounting requirements and incorporates such income and related expenditure in the Council's Annual Budget.

11.1.10

OUTCOME OF THE CLOSED BID SALE OF 29 AUGUST 2025 AND RECONCILIATION OF AVAILABLE ERVEN: VARIOUS ERVEN

(C/M 2025/11/24 - Erven 321, 322, 512 & 513, 1018, 1019, 1020, Matutura, Erf 4096, Extension 10, Mondesa, Erven 7053, 7065 & 7066, Extension 26, Swakopmund)

RESOLVED:

- (a) That Council takes note of the expected income of N\$14,422,044.00 by 27 November 2025 for the sale of 29 August 2025 of 11 odd erven located in different townships (Extensions 1, 2 and 6, Extension 10, Mondesa and Extension 26, Swakopmund) zoned "General Residential" and "Local Business".
- (b) That Council takes note of the reconciliation of available erven located in the subject townships:
 - (i) Extension 1, Matutura
 1. Erven 319 and 320 zoned "General Residential" will be offered for sale by closed bid at a future sale in terms of Council's decision made on 31 January 2019 under item 11.1.13.
 2. 6 unserviced erven zoned "single residential", of which:

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- 1 of the 6 erven, Erf 499, was allocated to Mr Hango by Council on 27 January 2022 under item 11.1.40 in exchange for Erf 476, which has insufficient access.
- 5 of the 6 erven, Erven 500, 501, 502, 503, and 504 are not serviced. A separate submission will be tabled to consider reserving 3 of the remaining erven zoned "single residential" for allocation to qualifying employees.
- A memo dated 04 August 2025 was sent to the General Manager: Engineering & Planning Services to budget for services installation to these 6 erven.

(ii) Extension 2, Matutura

1. Erven 514, 515, and 516 zoned "general residential" will be offered for sale by closed bid at a future sale in terms of Council's decision made on 31 January 2019 under item 11.1.13.
2. Various erven zoned "local business" are available for which Council passed a decision on 04 April 2023 under item 11.1.15 for the redesign (Erven 520, 523, 524, 525, 526, 527, 528, 529, 530, 531 & 532). A reminder was sent to the General Manager: Engineering & Planning Services on 19 March and 04 August 2025.

(iii) Extension 6, Matutura

1. The following 5 erven remain available and will be offered for sale by closed bid sale in terms of Council's decision made by Council on 29 September 2022 under item 11.1.13 after finalization of two incomplete applications received from entities registered with the Electoral Commission of Namibia in terms of the Electoral Act, Act 5 of 2021 (and any amendments):

	Erf No	Zoning	m ²	Upset Price © N\$156.00/m ² (excl 15% VAT)
1	1008	Local Bus	1 390	216 840.00
2	1009	Local Bus	1 418	221 208.00
3	1010	Gen Bus	1 740	271 440.00
4	1011	Gen Bus	1 717	267 852.00
5	1012	Gen Bus	1 714	267 384.00

2. Extension 7, Matutura

Erven 1444 and 1445, zoned "General Residential" have been subdivided into various erven and is in the process of being registered. As soon as sufficient services are installed, a submission will be tabled to Council to consider the future sale of these erven. A memo in this regard has been issued to the Engineering & Planning Services Department dated 04 August 2025.

(iv) Extension 10, Mondesa

No erven are available for sale in Extension 10, Mondesa. The erven Council acquired from NHE in terms of in terms of Deed of Transfer T 2607/2018 are all sold:

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- Erven 4094, 4095, 4096, 4097, 4107, 4108, 4109, 4221, 4222, 4223, 4224, 4268, and 4324.

(v) Extension 26, Swakopmund

1. There are no erven remain available for sale in Extension 26, Swakopmund. The 152 erven zoned "single residential" were sold during 2016.
2. Erf 7041 zoned "Institutional" is being subdivided into two portions for which development proposals will be invited (childhood development/education) in terms of Council's decision made on 24 May 2022 under item 11.1.26.

- (c) That Council increases the registration fee for participation in closed bid sales from the current tariff approved by Council on 27 May 2015 under item 11.1.9, i.e. 0.75% of the highest upset price for the respective sales, to 2.5% of the highest upset price for a specific sale; based on:

- (i) A higher registration fee will attract serious purchasers.
- (ii) In the case of cancellation of a sale transaction the registration fee is forfeited to Council as penalty and will reasonably compensate Council for time wasted, deferred income of the purchase price and loss of income (rates and taxes) during the failed payment period (90 to 120 days).
- (iii) Cover any other relevant costs incurred by Council.

11.1.11

PROGRAMME FOR ORDINARY MONTHLY MANAGEMENT COMMITTEE AND COUNCIL MEETINGS FOR 2026

(C/M 2025/11/24 - 5/2/1/1/2)

RESOLVED:

- (a) That the programme for the Ordinary Management Committee and Council meetings for the period January 2026 until November 2026 (as per Annexure "A", on file), be approved.
- (b) That the election of office bearers of Council for 2026 be arranged to take place on 30 November 2026 at 09:00.
- (c) That the General Manager: Corporate Services and Human Capital arranges with the local magistrate to chair and facilitate the election of office bearers at the meeting scheduled for 30 November 2026.

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11.1.12

CURRENT STATUS OF THE EXECUTION OF THE SETTLEMENT AGREEMENT REACHED BETWEEN COUNCIL AND SCHOOL OF EXCELLENCE CC REGARDING ERF 4666, SWAKOPMUND

(C/M 2025/11/24 - E 4666)

RESOLVED:

- (a) That Council takes note of the progress made with the execution of the settlement agreement reached in the High Court of Namibia on 19 October 2023 between Council and School of Excellence CC.
- (b) That Council takes note that the subdivision of the portion of land measuring approximately 3,000 m² is underway, as delays were experienced due to the Townships Board not accepting the Power of Attorney issued by School of Excellence CC during December 2024.
- (c) That Council takes note that following the subdivision, a survey must be done and a diagram approved by the Surveyor-General, whereafter the property description, size and shape of the remaining portion are known in order to register transfer of ownership to Council.
- (d) That Council takes note that Council cannot deal / trade with property of which Council is not the owner.
- (e) That once the subdivision in (c) above is completed and the remaining portion measuring approximately 70,192m² is registered in the name of Council, a development proposal be invited through expression of interest to set up a private hospital.
- (f) That point (c) of Council's decision passed on 24 November 2024 under item 11.1.23 be repealed and create a separate erf for the Public Open Space required due to the closure of Erf 3352, Swakopmund, as Public Open Space because of the sale thereof to Andrico Investments No 12 (Pty) Ltd
- (g) That it be made a condition in the expression of interest document that an area measuring not less than 4820m² be created and be registered as a public open space in the name of Council.

11.1.13

EXTENSION 32, SWAKOPMUND: SALES PRIOR TO COMPLETION OF INSTALLATION OF SERVICES

① **UPSET PRICE**③ **CONDITIONS OF SALE**④ **RESERVATION OF ERVEN FOR EMPLOYEES**

(C/M 2025/11/24 - 17/1/4/2/1/7)

RESOLVED:

- (a) That Council takes note that a contractor has not been appointed to install the services to Extension 32, Swakopmund.
- (b) That Council takes note that Management is devising feasible funding models to install services with Council's own funds, thereby reducing costs and making erven more affordable.
- (c) That Council repeals of its decision made on 30 January 2025 under item 11.1.22 and that erven can only be offered for sale closer to completion of installation of services to ensure surety in offering property which will be fully serviced.

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- (d) That erven in Extension 32, Swakopmund be sold prior to completion of installation of services (pre-sales).
- (e) That Council takes note that the cost of installation of services was estimated during July 2025 in the amount of NS72,293,019.77, which results in a per m² price for the sellable land in the amount of NS767.43.
- (f) That the General Manager: Engineering and Planning Services submits the latest estimated cost of installation of services for Council approval before the commencement of pre-sale process.
- (g) That apart from the contribution by Erongo RED, Santiago Property Developers (Pty) Ltd and Swakop River Eco Consortium must also contribute to the cost of bulk services in terms of Council's decision made on 31 August 2016 under item 11.1.10, as well as Oluga Enterprises (Pty) Ltd (depending on compliance with Council's decision made on 02 October 2025).
- (h) That the reservation of 10% of the 70 erven zoned "Single Residential" for allocation to municipal employees upon completion of services at a purchase price equal to the upset price and based on years of service, be declined and instead be reserved in Extension 33, Swakopmund.
- (i) That the following conditions of sale be approved for the sale of erven located in Extension 32, Swakopmund:
- (i) closed bid sales (in various batches) be scheduled in terms of the Local Authorities Act, Act 23 of 1992, as amended;
 - (ii) erven be sold in 3 batches of approximately 20 erven per batch and the exact erven be selected depending on the services installation programme;
 - (iii) the standard conditions, method, process and payment conditions in terms of closed bid sales be applicable;
 - (iv) allocation be done to the highest qualifying bidder on the basis of 1 erf per person / entity (married couples, irrespective of the marital regime are regarded as one entity);
 - (v) the registration fee be determined at 2.5% of the highest upset price for the respective zonings ("Single Residential" and "General Residential");
 - (vi) the payment of the registration fee entitles a person / entity to select 3 erven on which they may submit only 1 bid each;
 - (vii) should erven remain unsold at the date of the closed bid sale, such erven be offered to the registered bidders present who firstly have not been allocated an erf, and secondly to registered bidders who were allocated an erf and can therefore acquire a second erf;
 - (viii) the purchase price be paid within 90 calendar days if the payment period does not coincide with the annual closure of the deeds registry office, if it runs during the annual closure period, 120 days from date of sale are applicable;
 - (ix) that the General Manager: Finance allocates the purchase price / profits in terms of the agreement with Erongo RED;
 - (x) that the levying of rates and taxes only be effective from the date of completion of installation of services and not as per standard conditions of sale from the date of sale.
- (j) That, in terms of Council's decision passed on 25 February 2021, under item 11.1.8, point (c), development proposals be invited for the allocation of the erf zoned "Institutional" erf, Erf 8726 (2 142m²), subject to the standard conditions applicable to qualifying entities at development cost.

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11.1.14

APPLICATION FOR THE DONATION OF THE LAND ADJACENT TO THE POLICE STATION TO THE NAMIBIAN POLICE FORCE FOR ACCOMMODATION - ERONGO REGION

(C/M 2025/11/24 - Erf 8553, Erf 8665, Extension 31)

RESOLVED:

- (a) That Council takes note of the application by the Ministry of the Ministry of Home Affairs, Immigration, Safety and Security requesting Council to donate Erf 8665 Extension 31, Swakopmund zoned "Public Open Space".
- (b) That Council declines the application from the Ministry of Home Affairs, Immigration, Safety and Security for the Donation of Erf 8665, Extension 31, Swakopmund, zoned "Public Open Space".
- (c) That Council offers and approves the sale of Erf 8553, Extension 31, Swakopmund (measuring 2 588m²) zoned "General Residential" instead of donating Erf 8665, Extension 31, Swakopmund for the construction of the official accommodation for police officers.
- (c) That Erf 8553, Extension 31, Swakopmund, be allocated to the Ministry of the Ministry of Home Affairs, Immigration, Safety and Security by private treaty sale at the price of the development costs of installed services, i.e. 2 588m² x N\$125.00/m² = N\$323,500.00.
- (d) That the purchaser pays a deposit of N\$10,000.00 towards the statutory costs relating to the transaction, including, but not limited to, advertising cost, compilation of the agreement of sale, as well as any legal costs that may arise from this transaction.
 - (i) That the above deposit be paid within 90 days from the Council resolution approving the sale and purchase price, failing which Council's resolution will be revoked at the next Council meeting following the expiry of the 90 days.
 - (ii) That any remainder of the deposit in (i) above be refunded to the purchaser on completion of the transfer of ownership of the erf.
 - (iii) That all costs related to the transaction be for the account of the purchaser.
- (e) That Council complies with the requirements of the Local Authorities Act 23 of 1992 for the sale by private treaty.
- (f) That the transaction be concluded within 120 days from the date of approval being granted by the Ministry of Urban & Rural Development as per point (e) above.
- (g) That the purchase price be paid within 120 days from the date of the last party signing the deed of sale.
- (h) That the purchaser accepts that no rights will accrue to them from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
- (j) that Erf 8553, Extension 31, Swakopmund is sold "voetstoots" or "as is" with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the layout or situation or subterranean composition of the property or any improvements

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thereon. The Council also does not warrant that the services installed at the property are suitable for the use intended by the Purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage, and water connections are suitable for the intended use of the property.

- (j) That no construction be commenced with until the transfer of ownership of Erf 8553, Extension 31, Swakopmund is registered in the Deeds Office.
- (k) That development complies with the land usage of Erf 8553, Extension 31, Swakopmund, i.e., accommodation purposes.

11.1.15 **CURRENT STATUS OF ONGOING APPROVED PROJECTS BY COUNCIL IN DRC INFORMAL SETTLEMENT AREAS, MONDESA, MATUTURA AND SWAKOPMUND**

(C/M 2025/11/24 - 15/2/1/2, 15/2/1/1, 17/1/4/2/1/7, 15/2/1/4)

RESOLVED:

That Council takes note of the status of the projects in the DRC Informal Settlement Area and ~~Mondesa~~ approved since January 2021 until October 2025, and the further action required.

11.1.16 **CONDONATION OF ACCEPTANCE OF LATE PAYMENT OF PURCHASE PRICES: PS HSE CONSULTING & TRADING CC FOR ERVEN 8440 AND 8441, EXTENSION 31, SWAKOPMUND**

(C/M 2025/11/24 - E 8440, E 8441)

RESOLVED:

- (a) That Council takes note that the due date for the settlement of the purchase prices by PS HSE Consulting & Trading CC was approved on 28 November 2024 under item 11.1.10 as 31 January 2025.
- (b) That Council takes note of the ongoing delays caused by the passing of a member of the Close Corporation, whose surviving spouse is affecting dealings of the Close Corporation.
- (c) That Council takes note that the sale of Erven 8440 and 8441, Extension 31, Swakopmund, forms part of the exchange transaction of Erf 8442, Extension 31, Swakopmund, for Erf 1552, ~~Mondesa~~, for the construction of hawker/trading sites (point (a) of Council's decision made on 28 November 2024 under item 11.1.10).
- (d) That Council condones the action of accepting late payments from the personal accounts of Mr PH and Ms PM Gowaseb in full settlement of the purchase prices as set out in Annexure "B", of which the last payment was received on 13 October 2025.
- (e) That Council's conveyancer, ENSAfrica, be instructed to finalize the transfer of ownership of Erven 8440 and 8441, Extension 31, to PS HSE Consulting & Trading CC.

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11.1.17 **NAMING OF THE EMERGENCY SHELTER AND MATUTURA COMMUNITY HALL**

(C/M 2025/11/24 - 17/1/4/1/6)

RESOLVED:

That Council approves the Naming of the Emergency Shelter and Matutura Community Hall in honour of the liberation icon, the late Putuse Appolus.

11.1.18 **ALLOCATION OF ERF 7724, EXTENSION 28, SWAKOPMUND TO A DISABLED PERSON, MS BONITA CHARLOTTE NEMBUNGU**

(C/M 2025/11/24 - E 7724)

RESOLVED:

- (a) That Council approves the application of Ms Nembungu for the allocation of Erf 7724, Extension 28, Swakopmund, who applied under the Decentralized Build Together Programme on 28 May 2010 and at the National Housing Enterprise (NHE) on 02 July 2010.
- (b) That Council takes note that Ms Nembungu is permanently disabled.
- (c) That Council takes note that the list of 62 persons with disabilities, some of whom appear on the Master Waiting List, be considered for future allocation under the housing projects:

NO.	SURNAME	NAME	ID NO.	MWL
1	<u>Christy</u>	<u>Karma Riska</u>	66122400335	25/Oct/2013
2	<u>Somses</u>	<u>Karolina</u>	63050800232	5/5/20140
4	<u>Mwetako</u>	<u>Emilie</u>	90042400015	5/Jul/2019
5	<u>Naobeb</u>	<u>Arnoldeus</u>	96071400112	21/Jul/2018
6	<u>Elago</u>	<u>Joseph Kuufikwa</u>	88032100245	16/Jul/2018
7	<u>Kambonde</u>	<u>Justine</u>	8521510446	11/Jun/2017
8	<u>Eichab</u>	<u>David</u>	75040400659	11/Aug/2017
9	<u>Arises</u>	<u>Eise</u>	82072810612	11/Aug/2017
10	<u>Nahole</u>	<u>Abraham</u>	73062300620	13/Nov/2017
11	<u>Amujera</u>	<u>Bernadus Ben</u>	73122501244	30/Nov/2017
12	<u>Au-khaob</u>	<u>Magreth Fenny</u>	79071110125	12/Jan/2017
13	<u>Simon</u>	<u>Lasarus</u>	64042000266	15/Nov/2017
14	<u>Lamberth</u>	<u>Maria Magdalena</u>	62011800382	13/Nov/2017
15	<u>Josua</u>	<u>Johannes</u>	81070810355	13/Nov/2017
16	<u>Kashati</u>	<u>Astrid Makena</u>	76103010276	11/Oct/2017
17	<u>Kashikola</u>	<u>Marthin</u>	95121000898	4/Apr/2018
18	<u>Shishiveni</u>	<u>Tibelia</u>	85062210658	28/Oct/2019
19	<u>Uakumbua</u>	<u>Magdalena Rowee</u>	71071410059	Did not apply
20	<u>Mburuu</u>	<u>Marley Jarijo</u>	91092400807	Did not apply
21	<u>Uirab</u>	<u>Samuel</u>	80070410372	13/Oct/2013
22	<u>Campbell</u>	<u>Martha</u>	69101001582	29/Apr/2010
23	<u>Nambungu</u>	<u>Bronita Charlotte</u>	68070801328	28/May/2010
24	<u>Imbilli</u>	<u>Katrina</u>	79111410469	27/Apr/2010
25	<u>Gony</u>	<u>Khaiseb Daniel</u>	78091810277	7/Nov/2017
26	<u>Shitaleni</u>	<u>Andreas</u>	85050610508	13/Nov/2017
27	<u>Richter</u>	<u>Anna Lucia</u>	76121900237	7/Nov/2017
28	<u>English</u>	<u>Rabia</u>	59011000625	9/May/2018

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NO.	SURNAME	NAME	ID NO.	MWL
29	<u>Haipince</u>	Lamek <u>Nahipotelwa</u>	85050610346	9/Nov/2017
30	<u>Awarab</u>	Stephanus	82103110234	17/Jan/2018
31	<u>Nakale</u>	Andreas	77051110535	13/Nov/2017
32	<u>Nakale</u>	Leonard Angula	85091011005	6/Nov/2017
33	<u>Gertze</u>	<u>Alovcia</u>	61092700625	5/Nov/2013
34	<u>Uwuseb</u>	Festus	63081001625	30/Oct/2013
35	<u>Keib</u>	Leonard	82082310760	27/Oct/2013
36	<u>Nqiwanaame</u>	Johanna Twilika	86011800025	24/Oct/2013
37	<u>Kaheka</u>	Anna	91052500797	26/Oct/2013
38	<u>Garises</u>	Hilde	78061000032	6/Nov/2013
39	<u>Dieke</u>	<u>Emilly Maliro</u>	92073000789	Did not apply
40	<u>Mc Clune</u>	<u>Nicoltha Rosetha</u>	70051300346	16/Nov/2017
41	<u>Willemse</u>	Johny	64121400380	17/Nov/2017
42	<u>Hageman</u>	Hendrik Jakobus	66042900080	Did not apply
43	<u>Kandorozi</u>	Rejoice Sara	83091311047	4/Nov/2013
44	<u>Van</u>	Ronel	84051510239	7/Nov/2017
45	<u>Bock</u>	Arrenzo Marlo	98041200575	5/Sep/2019
46	<u>Muyenga</u>	Vallery	76092700379	Did not apply
47	<u>Gowases</u>	Eva Alkotiene	65041800529	
48	<u>Namases</u>	Jaqueline	77051200399	
49	<u>Namases</u>	Jaqueline	77051200399	19/05/2010
50	<u>Gates</u>	Bernard M	80111910404	2/Sep/2019
51	<u>Geiseb</u>	<u>Aristotles</u>	91082100037	
52	<u>Crespo</u>	Manuel	93030302617	
53	<u>Arnold</u>	Camilla Les-lee	91033001198	N/A
54	<u>Huseb</u>	Johannes	74010210346	N/A
55	<u>Tiitare</u>	Samueline	80102610401	BT 1909
56	<u>Horases</u>	<u>Junett Kloria</u>	70010200533	DRC 541 14-03-2000
57	<u>Kooper</u>	Daphney	82041410558	09/11/2017
58	<u>Gowases</u>	Cheron Girldy	93040301055	4/Nov/2013
59	<u>Uwuseb</u>	Eva	82020510901	22/Aug/2014
60	<u>Karunquru</u>	Wesley	5041200076	
61	<u>Naibab</u>	Abel Lipuleni	73030500403	
62	<u>Ortner</u>	Metanga Iaden	96102700775	

- (d) That ministerial consent be obtained to donate Erf 7724, Extension 28, Swakopmund, to Ms Bonita Charlotte Nembungu.
- (e) That Ms Bonita Charlotte Nembungu be informed to obtain a loan from NHE (should she be interested) for the construction of a dwelling.
- (f) That Ms Bonita Charlotte Nembungu be informed to make a payment of N\$1,000.00 toward the administrative fee and be invited to sign the Deed of Donation upon approval of (e) above
- (g) That the conditions for donation of erven in Extension 28 and 31 South, passed by Council on 8 October 2024 under item 11.1.9 and 1 April 2025 under item 11.1.23, be imposed on the sale of Erf 7724, Extension 28, Swakopmund.

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11.1.19

REQUEST BY MR SIMSON NATANGWE SALOM TO TRANSFER ERF 7440, EXTENSION 27, SWAKOPMUND TO MR ENRICH KASHONA

(C/M 2025/11/24 - E 7440)

RESOLVED:

- (a) That Council takes note of the police declaration of Mr Simson Natangwe Salom declaring to transfer the right of use and donation of Erf 7440, Extension 27, Swakopmund (previously Erf 180) to Mr Enrich Kashona.
- (b) That Council approves the right of use of Erf 7440, Extension 27, Swakopmund, from Mr Simson Natangwe Salom to Mr Enrich Kashona based on the highest income.
- (c) That ministerial consent be obtained to donate Erf 7440, Extension 27, Swakopmund, to Mr Enrich Kashona.
- (d) That Mr Enrich Kashona be informed to pay the administrative fee of N\$1,000.00 to Council and be invited to sign the Deed of Donation upon approval of (c) above.

11.1.20

APPLICATION FOR RELAXATION OF LATERAL BUILDING LINES ON ERF 146, TAMARISKIA

(C/M 2025/11/24 - T 146)

RESOLVED:

- (a) That the application for "Special Consent" to relax the building line on Erf 146, Tamariskia, from three (3) metres to zero (0) metres on the lateral boundary line be approved.
- (b) That the existing flat be restored to its original state as per the previously approved building plans.
- (c) That the objector be informed of their rights to appeal the Council decision to the Minister of Urban and Rural Development with valid reasons within twenty-eight (28) days from the date of the decision in terms of Clause 8.7 of the Swakopmund Zoning Scheme.

11.1.21

APPLICATION FOR THE REZONING OF ERF 2293, SWAKOPMUND, EXTENSION 8 FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1 900M² TO GENERAL RESIDENTIAL 2 WITH A DENSITY OF 1:250M² AND CONSENT TO COMMENCE WITH THE PROPOSED DEVELOPMENT WHILE THE REZONING IS IN PROGRESS

(C/M 2025/11/24 - E 2293)

RESOLVED:

- (a) That the rezoning of Erf 2293, Swakopmund, Extension 8, from "Single Residential" with a density of 1:900 to "General residential 2" with a density of 1:250 be approved.
- (b) That the consent to proceed with development while the rezoning is in progress be turned down.
- (c) That the rezoning of Erf 2293, Swakopmund, Extension 8, be subject to a 20% betterment fee calculated according to the betterment fee

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policy of 2009 and be paid in full by the applicant (owner) before submission of any business registration application, building line relaxation application and/or building plans submission to the Engineering and Planning Services Department for approval.

- (d) That all the parking be provided on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated.
- (e) That the applicant provides proof that the rezoning has been approved by the Minister and promulgated.

11.1.22

APPLICATION FOR THE REZONING OF ERF 162, TAMARISKIA, EXTENSION 1 FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1:600M² TO GENERAL RESIDENTIAL 2 WITH A DENSITY OF 1:600M² AND CONSENT TO OPERATE A RESIDENTIAL GUESTHOUSE

(C/M 2025/11/24 - T 162)

RESOLVED:

- (a) That the rezoning of the Erf 162, Tamariskia, Extension 1, from "Single Residential" with a density of 1:600m² to "General Residential 2" with a density of 1:600m² be approved.
- (b) That the consent to operate a residential guesthouse after the rezoning has been finalized be approved, subject to the following conditions:
 - (i) That the applicant registers with the Health Services and Solid Waste Management, and that the standard Health Regulations will apply;
 - (ii) That Council reserves the right to cancel a consent use should there be valid complaints.
 - (iii) That the applicant must operate within the Swakopmund Zoning Scheme regulations.
 - (iv) That consent is not transferable.
- (c) That the rezoning of Erf 162, Tamariskia Extension 1, from "Single Residential" with a density of 1:600m² to "General Residential 2" with a density of 1:600m² is subject to a 20% compensation fee calculated according to the National 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 Council.
- (e) That all the parking be provided on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated.
- (f) That the applicant provides proof that the rezoning has been approved by the Minister and promulgated, before any submission of building plans to the Engineering and Planning Services Department for approval.
- (g) That all additional infrastructure 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.

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11.1.23

SUBDIVISION OF ERF 4995, SWAKOPMUND, EXTENSION 14 INTO PORTION A AND REMAINDER

(C/M 2025/11/24 - E 4995)

RESOLVED:

- (a) That the subdivision of Erf 4995, Swakopmund, Extension 14, into Portion A and Remainder measuring 647m² and 696m² in extent, respectively, be approved.
- (b) That the applicant provides proof that the subdivision of Erf 4995, Swakopmund, Extension 14, into Portion A and Remainder has been approved by the Minister, and submission of the approved diagram before any submission of building plans, inclusive of building line relaxations to the Engineering and Planning Services Department for approval.
- (c) That compensation fee in respect of an endowment fee of 7.5% be charged for the newly created portion.
- (d) That no building plans, inclusive of building line relaxation or aesthetics application, be approved until proof of payment of the compensation fee for the newly created portions has been received by Council.
- (e) 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: Engineering and Planning Services.
- (f) That the current title deed conditions registered against Erf 4995, Swakopmund, Extension 14, should be retained and be registered against the title deed of Portion A and the Remainder Erf 4995, Swakopmund, Extension 14.

11.1.24

SUBDIVISION OF ERF 9821, SWAKOPMUND, EXTENSION 38 INTO PORTION A AND REMAINDER AND SUBSEQUENT REZONING OF PORTION A FROM UNDETERMINED TO INSTITUTIONAL

(C/M 2025/11/24 - E 9821)

RESOLVED:

- (a) That the subdivision of Erf 9821, Swakopmund, Extension 38, into Portion A and Remainder be approved.
- (b) That the rezoning of Portion A from "Undetermined" to "Institutional" for the development of an education park and vocational training centre, be approved.
- (c) That the applicant provides proof that the subdivision and rezoning of Portion A/9821, Swakopmund, Extension 38, has been approved by the Minister, and submission of the approved diagram before any submission of building plans, inclusive of building line relaxations, to the Engineering and Planning Services Department for approval.
- (d) All additional infrastructure that is 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.

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- (e) That the following title deed conditions be registered against the title deed of Portion A of Erf 9821, Swakopmund, Extension 38:
- (i) *The erf shall only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to the provisions of the Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act 5 of 2018);*
- (ii) *The building value of the main building, excluding the outbuilding to be erected on the erf, shall be at least two times the municipal valuation of the erf.*

11.1.25

WRITE-OFF OF REDUNDANT AND OBSOLETE STOCK ITEMS IDENTIFIED DURING THE STOCK TAKING HELD ON 30 JUNE 2025

{C/M 2025/11/24 - 5/2/5/2/1}

RESOLVED:

- (a) That the redundant stock items identified during the stock taking of 30 June 2025 be written off from the Council's Inventory/Stock register.
- (b) That the following stock items with the value of N\$165,952.25 be written off and sold at the next Public Auction:

QTY	DESCRIPTIONS	REASON	ITEM NUMBER	VALUE VAT EXCLUSIVE
84	Surface Concentric Plastic	Unusable	1123550	41 824.70
3	Sinks	Unusable	1200180	1 050.88
1	HW Basin Traps	Unusable	1200200	11.29
9	Shower Traps	Unusable	1200210	96.06
3	HW Basin Waste	Unusable	1200220	10.60
4	HW Basin Brackets	Unusable	1200270	68.18
22	Reducers PVC 40-50MM	Unusable	1200280	24.00
1	HP CP5220- Black 7k	Unusable	1216722	2 690.68
1	HP CP5220-Cyan 7.3K	Unusable	1216732	4 028.98
1	HP CP5220 - Yellow 7.3	Unusable	1216742	4 028.98
1	HP CP5220 - Magenta	Unusable	1216752	3 581.31
4	HP 131A BLACK TONER	Obsolete	0311618	6 571.24
4	HP 131A CYAN TONER	Obsolete	0311619	7 812.16
3	HP 131A MAGENTA TONER	Obsolete	0311620	5 812.16
3	HP 131A YELLOW TONER	Obsolete	0311621	5 812.16
12	HP 135 TRI-COLOUR CARTRIDGE	Obsolete	0311219	2 332.17
6	HP 6830-934XL BLACK	Obsolete	1216592	2 967.17
10	HP 932XL BLACK	Obsolete	1216672	8 977.71
5	HP 933XL CYAN	Obsolete	1216673	2 173.92
5	HP 933XL MAGENTA	Obsolete	1216674	2 173.92
5	HP 933XL YELLOW	Obsolete	1216675	2 173.92
6	HP 6830-934XL BLACK	Obsolete	1216592	2 967.17
8	HP 7000/7500-920XL CYAN	Obsolete	1216342	1 913.04
8	HP 7000/7500-920XL MAGENTA	Obsolete	1216352	1 913.04
1	Fibre Cement pipe 75mm	Unusable	1111116	184.38
2	Fibre cement pipe 100mm	Unusable	1111213	148.45

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13	Fibre cement pipe 125mm	Unusable	1111418	298.05
11	Fibre cement pipe 150mm	Unusable	1111515	420.30
3	Fibre cement pipe 200mm	Unusable	1111612	145.88
2	Fibre cement pipe 250mm	Unusable	1111914	146.44
1	Fibre cement pipe 300mm	Unusable	1111920	1 188.38
1	Fibre cement pipe 350mm	Unusable	1111925	1 828.11
3	Triplex couplings 75mm	Unusable	1112112	9.86
19	Triplex coupling 125mm	Unusable	1112414	340.26
25	C1 short collars 150mm	Unusable	1115316	11 838.48
20	C1 short collars 200mm	Unusable	1115413	6 953.87
6	C1 Short Collar 225mm	Unusable	1116128	1 080.32
5	CI Saddles 25mm	Unusable	1114816	282.41
4	CI Saddles 300 x 50mm	Unusable	1114850	404.15
6	CI Tee 110mm	Unusable	1114851	3 564.81
3	CI Hydrant Tee 110mm/80	Unusable	1114852	2 361.96
2	CI Reducing Tee 200x110	Unusable	1114853	3 798.09
6	Hot dipped G/Washer	Unusable	1114890	4.07
18	PVC Reducing Adaptors 20 x 15m	Unusable	1114913	37.48
10	U PVC Class9 63mm	Unusable	1115014	2 408.09
5	U PVC Class9 90mm	Unusable	1115111	2 482.57
25	CI Short Collars 150mm	Unusable	1115316	11 838.48
30	Laying Gasket PVC Pipe 75mm	Unusable	1116128	507.13
15	Laying Gasket PVC Pipe 90mm	Unusable	1116215	298.70
50	Laying Gasket PVC Pipe 160mm	Unusable	1116507	2 366.09
	Total (VAT Excl.):			165,952.25

- (c) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset prices of the above-mentioned redundant items.

11.1.26

WRITING-OFF OF REDUNDANT ITEMS: FINANCE DEPARTMENT

(D/M 2025/11/24 - D 12/1)

RESOLVED:

- (a) That council approves the writing-off of the following redundant items and equipment from the Finance Department:

(i) **Office Furniture (Head Office):**

ROOM NO:	QTY	DESCRIPTIONS	ITEM NO:	CUSTODIAN
EO-20	1	Chair - Black	000117	S Leovy
EO-20	1	Chair - Brown	000017	A Shikongo
EO-22	1	Chair - Red	000199	D Sitambi
EO-22	1	Office Chair - Black	000187	D Sitambi
EO-02	2	Fan - Red and Black	000043	E Eigowab
EO-05A	1	Cupboard - Grey Medal	000136	G Aochamus
EO-20	1	Table - Brown	000024	A Shikongo
EO-20		Chair - Red	000014	A Shikongo
Income wing passage	4	Blue, red, and brown office chairs	000200	A Shikongo
EO-20	1	Chair - Red	000310	A Shikongo

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EO-20	1	Table - Brown	000515	A Shikongo
Stores	7	7 x Broken Office Chairs	not barcoded	-
Stores	7	7 x Office Tables	not barcoded	-
Enquiry	1	Blue - office chair	000422	E Nampweya
Enquiry	1	Blue - office chair	000426	K Kokayi
Stores	1	Wooden filing shelf	not barcoded	Stores

(ii) Old/Broken Furniture (Stores):

ROOM NO:	QTY	DESCRIPTION	STATUS
Stores	1	Microwave	Old
Stores	1	Heater	Old
Stores	1	Fridge	Old/Broken
Stores	1	Plastic Filing Drawer	Old/Broken
Stores	2	Plastic Chairs	Old/Broken
Stores	3	Wooden Chairs	Broken
Stores	1	Vacuum Cleaner	Broken
Stores	1	Plastic Filing Shelf	Old
Stores	1	Mop Tray	Old

- (b) That the office furniture stock items in a(i) and a(ii) be written off and sold at the next Public Auction
- (c) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset prices of the above-mentioned redundant items.

11.1.27 WRITING OFF OF REDUNDANT ITEMS AT PROCUREMENT MANAGEMENT UNIT

(C/M 2025/11/24 - 17/2/5/1)

RESOLVED:

- (a) That the following redundant items from the Procurement Management unit be written off and sold at the next public Auction:

QUANTITY	DESCRIPTION
2	Office chairs

- (b) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset prices for the above-mentioned items.

11.1.28 WRITING OFF OF REDUNDANT ITEMS AT CORPORATE SERVICES & HC - MARKETING & COMMUNICATIONS SECTION

(C/M 2025/11/24 - 17/2/5/1)

RESOLVED:

- (a) That the following redundant items from the Marketing & Communications Sections be written off and sold at the next public Auction:

QUANTITY	DESCRIPTION
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3	Office chairs
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- (b) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset prices for the above-mentioned items.

11.1.29

GENERAL VALUATION COURT 2025: OBJECTIONS RECEIVED AND REVALUATION OF THE RELEVANT PROPERTIES

(C/M 2025/11/24 - 3/6/3)

RESOLVED:

That Council takes note:

- (i) That Council complied with the statutory provisions in respect of valuations in terms of the Local Authorities Act, Act 23 of 1992, as amended.
- (ii) The outcome of the Valuation Court's Ruling on the objections received against the General Valuation Court 2025.
1. The valuer must consider not only the market value but also the physical improvements, age of the property, and local infrastructure conditions (e.g., lack of tar roads, sewage issues) as mandated by the act.
 2. The valuer must review and justify any excessive increase in property values, ensuring they align with the actual condition and context of the properties.
 3. The valuer or their team must conduct a physical inspection of the properties, and clear communication regarding the schedule of those visits (including dates and time slots) must be provided to property owners in advance.
 4. A complete and revised valuation roll must be submitted by the valuer at the next valuation hearing, reflecting the findings of the revaluation process.
 5. The valuer and the municipal council, prior to the public inspection of the valuation roll, as required by law.
 6. The Municipality is directed to facilitate this collaboration and ensure transparency in the valuation process.
 7. The valuer and Municipality must engage with the public through proper communication channels to educate property owners about the valuation process, site visits, and their rights under the Act.
 8. Public involvement must be prioritized to address concerns and reduce objections in future valuations.
 9. The court recommends a fair and reasonable rate adjustment for valuation fees, set at a maximum of 15% in land value, subject to further consultation by the municipal council. Improvements in value adjustments must be in accordance with the guidelines as per the Act (Section 57 (5)(b) of Act 23 of 1992).
- (iii) That the duly appointed valuer commenced on 13 October 2025 with the review of the relevant properties and site inspections.
- (iv) That once the amended roll is submitted, a notice will be published to invite the public to review their new property valuations as required in terms of section 69 of the Local Authorities Act, Act 23 of 1992 (a longer period will be allowed than the minimum period prescribed).

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11.1.30

SUBDIVISION OF PORTION 34 OF FARM 163, SWAKOPMUND INTO PORTIONS A, B AND REMAINDER

(C/M 2025/11/24 - Ptn34.F163)

RESOLVED:

- (a) That the subdivision of Portion 34 of Farm 163, into Portions A, B, and Remainder, be **turned down** as it is not in line with the minimum size as per the Swakopmund Structure Plan 2020-2040.
- (b) That the applicant be informed of this decision and of 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.

11.1.31

SPONSORSHIP PROPOSAL - YOUTH AGAINST DRUGS & ALCOHOL TALENT SHOW (AUDITIONS & FINAL EVENT)

(C/M 2025/11/24 - 3/15/1/1)

RESOLVED:

- (a) That Council approves the request for sponsorship of cooldrinks to the value of N\$3,095.00 to the Nash Serenity Foundation.
- (b) That Council approves the request for sponsorship of trophies to the value of N\$5,099.50 and branded t-shirts to the value of N\$4,599.70 for the category to the Nash Serenity Foundation.
- (c) That the venue of the Amphitheatre is to be provided for the event.
- (d) That Council take note that due procedures were followed pertaining to organising municipal events and obtaining a sponsorship.
- (e) That the wording "Sponsored by Swakopmund Municipality" be prominently displayed on the sponsored items.
- (f) That the funds be defrayed from the Corporate Services Publicity Vote: 150515533000, where N\$86,945.80 is available.

11.1.32

MAYORAL TRIPS (OCTOBER-NOVEMBER 2025)

(C/M 2025/11/24 - 12/5/1)

RESOLVED:

- (a) That Council takes note of the above information.
- (b) That Council condones the travelling and subsistence costs incurred to the value of N\$9,350.00, which were defrayed from the Council's Conference Vote: 101015505500.

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11.1.33

PROPOSED MEMORANDUM OF UNDERSTANDING (MoU) BETWEEN THE MUNICIPALITY OF SWAKOPMUND AND THE NAMIBIA INVESTMENT PROMOTION AND DEVELOPMENT BOARD (NIPDB)

(C/M 2025/11/24 - 12/2/4/5, 15/1/1/1)

RESOLVED:

- (a) That Council approves the proposed Memorandum of Understanding (MoU) with the Namibia Investment Promotion and Development Board (NIPDB) aimed at fostering joint investment promotion, facilitation, and policy advocacy for sustainable economic development.
- (b) That Council authorizes the Chief Executive Officer, and the Chairperson of the Management Committee, to sign the MoU on behalf of the Municipality of Swakopmund.
- (c) That officials from the Investment Coordination Committee (ICC) represent the Municipality on a Joint Steering Committee with NIPDB to implement the project in alignment with the approved MoU.
- (d) That, Subject to existing laws and Council resolutions, Council considers extending qualifying incentives on proposal of the ICC, which includes waivers on building plan tariffs, rebates on rates and taxes, and other conditional financial relief to promote new investments.
- (e) That the Chief Executive Officer annually meets with the Chief Executive Officer of NIPDB to review progress and provide strategic guidance on investment facilitation efforts.

11.1.34

APPROVAL OF THE BUDGET FOR THE FISCAL YEAR 1 JULY 2025 TO 30 JUNE 2026

(C/M 2025/11/24 - 3/1/1/1/1; 3/1/1/2/1)

RESOLVED:

That Council approves the budget for the fiscal year 1 July 2025 to 30 June 2026.

11.1.35

ADDITIONAL FUNDS FINANCIAL YEAR END - 2024 / 2025

(C/M 2025/11/24 - 3/1/1/1/1)

RESOLVED:

- (a) That Council approves the Additional Funds request amounting to N\$226,665,000.00 for the Operational Budget of the 2024 / 2025 Financial Year.
- (b) That Additional Funds be funded from the surplus of the Financial Year under review.

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11.1.36 **AUDITED FINANCIAL STATEMENTS FOR THE 2021 / 2022 AND 2022 / 2023 FINANCIAL YEARS**

(C/M 2025/11/24 - 3/3/2/9)

RESOLVED:

That the Report of the Auditor General for the Financial Years 2021 / 2022 and 2022 / 2023 in terms of Section 87(1)(3) of the Local Authorities Act (Act 23 of 1992) be noted.

11.1.37 **PROPOSAL FOR INCREMENT OF MONTHLY INSURANCE PREMIUM UNDER HOMEOWNERS INSURANCE COMPONENT OF COUNCIL'S LOW-COST HOUSING SCHEME**

(C/M 2025/11/24 - 15/2/1/2)

RESOLVED:

The Council approves an increase of the monthly insurance premium for the "Homeowners Insurance" from N\$10.00 to N\$15.00 per Beneficiary.

11.1.38 **REQUEST FOR THE ESTABLISHMENT OF A CONTAINER FOOD COURT AT THE MONDESA TAXI RANK**

(C/M 2025/11/24 - 15/1/3/1, M 4353)

RESOLVED:

That this item be referred back for further assessment of the leasing fees.

11.1.39 **MASS HOUSING DEVELOPMENT PROGRAMME: APPLICATION BY MS. MARICHEN NICOLE CLOETE TO WAIVE THE PRE-EMPTIVE RIGHT OVER ERF 2038, MATUTURA, EXTENSION 10**

(C/M 2025/11/24 - E 2038 M)

RESOLVED:

- (a) That Council takes note of the application by Ms Marichen Nicole Cloete to sell Erf 2038, Matutura, Extension 10, to a third party who meets the set criteria.
- (b) That Council declines to purchase the property on Erf 2038, Matutura, Extension 10, as offered by Ms Marichen Nicole Cloete to Council and permit her to sell the property to a third party.
- (c) That Council approves the third party, Mr Daryl Jazon Theron & Ms Marilee Deandre Van Wyk, as submitted by Ms Marichen Nicole Cloete to purchase Erf 2038, Matutura, Extension 10, based on the fact that they meet the following criteria:

The Third-Party Criteria	Do They Comply
1. He or she must be on the Master Waiting List	Yes
2. Must reside in Swakopmund	Yes
3. Must be a first-time homeowner	Yes
4. Must earn at least N\$6000.00 or more	Yes

- (d) That the transferring attorney be informed to draft a tripartite agreement between the Seller, the third party (buyer), and Council.
- (e) That a tripartite agreement be served as a mandatory requirement whenever the third parties intend to sell the property.
- (f) That Council approves the transfer of the remainder of the 10-year pre-emptive right (as outlined in Clause 2.3.1) to the third party, such right to commence on the date of registration of the property in the name of the third party.

For example, the property was registered in the name of Ms. Cloete in 2022. The 10-year pre-emptive right therefore runs until 2032. Since she now wishes to sell the property in 2025, the third party will assume the remaining 7 years (2025-2032) of the pre-emptive period from the date of registration.

- (g) That Council approves the condition below of the 7-year pre-emptive right to the third party, that will commence on the date of the property registered in the name of the third party.

2.3.1 The Beneficiary (or his/her successors in title) is restrained from the alienation of the Property, any share therein, any portion thereof or any sectional title unit or right to erect such unit thereon, for a period of 7 (seven) years as from the date of registration of transfer of the Property into the name of the Buyer pursuant to this agreement, unless the Council has consented to such transfer in writing and the Property was offered in writing for the sale to the Council. The Council shall, within 60 (sixty) days of the receipt of the written offer, be entitled to accept the offer to purchase the Property at the price equal to the agreed costs for the construction of the Property herein recorded, plus the reasonable costs which the Beneficiary may have incurred to further permanently improve the Property (excluding the costs of maintenance and upkeep thereof), which costs shall be determined by an independent valuator appointed by the Council, whose determination shall be final and binding on the parties. For the purposes of this clause 2.3.1, "alienation" shall not include the passing of ownership by means of marriage, inheritance, or due to legal processes following divorce, sequestration, or affecting the Beneficiary's legal status or capacity.

- (h) That Ms. Cloete be informed that she does not qualify for further allocation in any of the low-cost housing programmes.

11.1.40

APPLICATION FOR THE RELAXATION OF DEVELOPMENT STANDARDS ON ERF 10034, SWAKOPMUND, EXTENSION 15 AND CONSENT TO ERECT A BLOCK OF FLATS OR RESIDENTIAL BUILDINGS ON THE GROUND FLOOR

(C/M 2025/11/24 - E 10034)

RESOLVED:

- (a) That the rear building line be relaxed from five (5) meters to zero (0) meters along Dr Schwietering Street.
- (b) That the street building line relaxation be relaxed from five (5) meters to zero meters along REM 5630 (Street).
- (c) That the building line along Erf 10954 be relaxed from three (3) meters to zero (0) meters.

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- (d) That the approval for the relaxation of building lines be valid for a period of twenty-four (24) months, from the date of completion of the installation of services.
- (e) That Consent to construct a block of flats or residential buildings on the ground floor be approved,
- (f) That this approval does not constitute an approval of building plans.
- (g) That parking be provided on-site in terms of the Swakopmund Zoning Scheme, and will be assessed as part of the building plan submission.
- (h) That a screen wall be constructed along Erven 5061 and 5062, Swakopmund, Extension 15, in order to mitigate potential noise impacts to the satisfaction of the General Manager: Engineering and Planning Services and the General Manager: Health Services and Solid Waste Management.

11.1.41

REQUEST FOR ADDITIONAL FUNDS TO PROCURE PERSONAL PROTECTIVE CLOTHING FOR SWAKOPMUND MUNICIPALITY FIRE BRIGADE DIVISION

(C/M 2025/11/24 - 11/11/2)

RESOLVED:

- (a) That Council approves the allocation of N\$800,000.00 for the procurement of Personal Protective Clothing for the Fire Brigade Division.
- (b) That permission be granted to the General Manager: Finance to transfer the amount of N\$800,000.00 to the Budget Vote: 350015532500: Protective Clothing.

11.1.42

STANDARD PROCESSING OF APPLICATIONS: DEPOSIT PAYMENT REQUIREMENT FOR PRIVATE TREATY APPLICATIONS

(C/M 2025/11/24 - 17/P)

RESOLVED:

- (a) That it be noted that on 31 January 2013, under item 11.1.15, Council approved Property Policy containing the concept of the payment of a deposit in the minimum amount of N\$50,000.00 by private treaty applicants following approval by Council of the conditions for the transaction and the purchase price / lease tariff.
- (b) That it be noted that the Investment Coordination Committee discussed the implementation of the payment of the deposit of N\$100 000.00 at the time the completed "investor's proposal checklist" is submitted to the Investment Coordination Committee.
- (c) That it be noted that the costs incurred by Council on behalf of the developer have increased drastically over the years, as set out under point 2 of the content of this submission.
- (d) The reason for the change of the timeline for the payment of the deposit is to ensure that applicants submit well-considered and serious applications, which places the responsibility on the applicant to ensure

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that a proper bankable business plan and assessment are already in place before submitting an application to Council.

- (e) That the deposit payment be updated to NS100,000.00 for the submission of private treaty applications.
- (f) That deposit of NS50,000.00 be approved for private treaty applications by non-profit generating entities, and a shortfall, if any, for costs incurred be recovered from the said entity.
- (g) Therefore, the process will be as follows:
- (i) Receipt of an unsolicited private treaty application.
 - (ii) Application of Council's resolution passed on 1 April 2025 under Item 11.1.15.
 - (iii) Inform the applicant of the availability of land, land usage, current applicable Council resolutions in place relating to the land or development venture, timelines, and statutory processes that will follow if land must be subdivided for the project, as the minimum requirement for the sale of land by private treaty is that a Surveyor-General-approved diagram is in place.
 - (iv) If the application is regarded as "exceptional" under point (iii) of Council's resolution passed on 1 April 2025, Item 11.1.15; and the applicant decides to proceed with the application and completes and complies with the "Investors proposal checklist" the minimum deposit of NS 50 000.00 (non-profit entities) or NS100,000.00 (profit-generating entities) per NS5 million of the value of the project is payable.
 - (v) Following compliance with point (iv), the application be submitted to the Investment Coordination Committee.
- (h) That if Council approves the application, the following percentages be retained by Council as the applicant was informed of the risk and availability and related issues under points (e) (iii) above and of point (i) below:
- (i) a 10% admin fee if the application is approved, but the applicant did not comply with the timelines;
 - (ii) a 5 % admin fee on successful completion of the project; and
 - (iii) a 5% admin fee if the application is turned down by Council.
- (i) That it be noted that currently the deposit is refunded upon registration of transfer of ownership of the subject portion of land as one refund payment; that it be considered to refund the developer in staggered refunds, for example
- (i) 40% of the deposit after all costs incurred and the 10% admin fee is deducted at the time of transfer of ownership, and
 - (ii) the remaining 60% upon completion of the specific project proposal approved by Council.
- (j) That the following disclaimer forms part of the wording of the letter to the applicant in the case of point (e) (iv) above:
- "Disclaimer:** We are at pains to reiterate that no rights accrue to an applicant unless a Council resolution is in place, all the relevant conditions of the Property Policy are complied with in full, and all the relevant authorities have given the necessary permission. Nothing in this letter shall be interpreted as creating an expectation that Council will grant permission for any development, or that Council will allocate land to the applicant. The due diligence process is a critical step required by Council to ensure that its fiduciary duties are carried out in full."

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11.1.43

PHASE 3: DONATION OF 165 ERVEN TO REMAINING RESIDENTS IN EXTENSION 27, 29 AND 30, SWAKOPMUND

(C/M 2025/11/24 - 15/2/1/2; 15/2/1/3; 17/1/4/2/1/7)

RESOLVED:

- (a) That Council approves the donation of 165 erven in Extension 27, 29, and 30, Swakopmund, to the residents with a threshold, minimum income of N\$3,000.00 and above in terms of longest years of occupation and affordability as follows:

Tit No.	New Erf No.	Erf	Old Erf No.	Name	Surname	ID No.	Year of Occupation
1	7214	27	1104	James	Christina	71111300026	11
2	7215	27	1105	Richard	Leary Scott	70121200014	11
3	7216	27	1007	Mackenzie	Leary	71082701111	11
4	7217	27	1090	Ansonga	Johanna Barbara	ID	16
5	7280	27	1094	Artes	Theodora Debra	81081700077	12
6	7281	27	1095	Strobel	Kurtal	71111300014	26
7	7291	27	1095	Ngwenyane	Filipa Ndabimusho	67020301934	20
8	7292	27	11	Debra	Dina	81081700077	6
9	7293	27	11	Amelora	Tatjana	70121200014	27
10	7294	27	11	Johanna	Franz Winata	70121200014	11
11	7313	27	311	Geman	Tatja Gernade	ID	22
12	7314	27	310	Namubanya	Japhet Namubanya	80120410477	17
13	7318	27	304	David	David	81101000000	12
14	7319	27	378	Araxim	Christa Nadia	80120410477	17
15	7324	27	428	Gilman	Maurice	80120410477	23
16	7336	27	425	Wepdinge	Norbert Stephan	ID	17
17	7337	27	424	Das Nares	Jarlene	81081700077	11
18	7338	27	424	Gert	Christina	81101000000	20
19	7339	27	419	Ute	Barbara Beate	80120410477	18
20	7340	27	373	Hanses	Sarahina Christiana	96120500723	7
21	7342	27	368	Samuel	Faustine	47082700178	12
22	7347	27	415	Muboro	Louise Muboro	98080100195	18
23	7352	27	280	Shilongo	Ivy Ndabimusho	74091100078	7 months
24	7353	27	274	Araxim	Wendy Daniela	80120410477	14
25	7354	27	274	Christa	Carola Lillian	80120410477	11
26	7357	27	260	Henderson	Wendy	70121200014	17
27	7358	27	254	Harold	Wendy	70121200014	23
28	7374	27	240	Araxim	Susan	70121200014	11
29	7375	27	237	Simon	Araxim L.K	81101000000	18
30	7376	27	235	Hermann	Karina Patricia	72071400041	20
31	7382	27	228	Namubanya	Araxim Kandamba	91062400399	16
32	7383	27	228	Namubanya	Megan	81081700077	6
33	7384	27	224	Simon	Christina Louise	80120410477	14
34	7392	27	283	Simon	Namubanya	80120410477	11
35	7394	27	407	Gertie	Janette Jenny	80120410477	11
36	7402	27	190	Katja	Astoria N	ID	23
37	7408	27	201	Simon	Marian Sarah	80120410477	11
38	7415	27	214	Hermann	Maria Magdalena	80120410477	16
39	7420	27	220	Simon	Ulrich	80120410477	11
40	7429	27	208	Harold	Megan	80120410477	11
41	7437	27	205	Kampania	Edwige Karina	80120410477	15
42	7438	27	198	Simon	Arnold Johannes	80120410477	14
43	7439	27	192	Hermann	Josef Hermann	80120410477	14
44	7439	27	189	Simon	Richard	80120410477	6
45	7439	27	184	Araxim	Aime Ndangyanga	76082700074	10
46	7447	27	NEW	Simon	Lucas	87242610452	12

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ID	Age	Gender	Religion	Place	Living Partner	ID	Age
37	7663	27	MSW	Pasir	Lina Pambas	90040100750	7
38	7664	27	MSW	Alasa	Christy Angala	70121500728	20
39	7665	27	MSW	Siempangan	Marsel Fudrijo	87001100171	24
40	7666	27	MSW	Harau	Alfianol Jambak	94122401133	24
41	7667	27	MSW	Pia	Christina	83080110097	24
42	7668	27	MSW	Kertambi	Anna	74122000441	5
43	7669	27	MSW	Ngaju	Yohanes Oronoso	63071410001	13
44	7670	27	MSW	Selita	Narades	87010001127	28
45	7671	27	MSW	Siempangan	Lidia Indriyati	74020000450	24
46	7672	27	MSW	Ngaju	Laksana Nofis	92052701413	20
47	7673	27	MSW	Pania	Filman	84022000730	24
48	7674	27	MSW	Humbulawa	Sedrah Ngrikutika	90092700496	8
49	7675	27	MSW	Kayubandja	Ananda	70011001124	11
50	7676	27	MSW	Kabuh	Laila Haris	72122110147	7
51	7677	27	MSW	Hakanda	Hendria Kadirukti	90122300543	4
52	7678	27	MSW	Humbulawa	Joni	74000100301	8
53	7679	27	MSW	Andara	Andri	80020210047	13
54	7680	27	MSW	Harau	Nesha Feryal	87021000004	21
55	7681	27	MSW	Ngaju	Joni	87021000004	21
56	7682	27	MSW	Humbulawa	Erwin	84120001740	18
57	7683	27	MSW	Shakila	Joseph Shiptarimena	83080310040	10
58	7684	27	MSW	Siempangan	Yusuf	88010000342	17
59	7685	27	MSW	Siempangan	Fauzi Shamsudin	70012410147	23
60	7686	27	MSW	Makur	Wiliam	51010200121	23
61	7687	27	MSW	Siempangan	Lina	84000110041	18
62	7688	27	MSW	Ngaju	Mira	7400001790	18
63	7689	27	MSW	Siempangan	Jessica Ruth	74022001128	23
64	7690	27	MSW	Humbulawa	Sariel Corneal	70012000480	24
65	7691	27	MSW	Siempangan	Christina	88020000009	8
66	7692	27	MSW	Siempangan	Yani	80012000119	16
67	7693	27	MSW	Fala Peter Siempangan	Idunika	74012100007	15
68	7694	27	MSW	Siempangan	Nara Samia	90100000009	20
69	7695	27	MSW	Siempangan	Galena	88000010045	18
70	7696	27	MSW	Siempangan	Sahar Nalimara	90010000479	11
71	7697	27	MSW	Humbulawa	Hafid Nalimara	74120900022	20
72	7698	27	MSW	Kayubandja	Joni	91002000943	8
73	7699	27	MSW	Kayubandja	Flora	70012410012	14
74	7700	27	MSW	Humbulawa	Kharisul	84040000020	5
75	7701	27	MSW	Siempangan	Joni	70010000019	13
76	7702	27	MSW	Siempangan	Ananda	70011001124	13
77	7703	27	MSW	Humbulawa	Mukanda	71000001139	13
78	7704	27	MSW	Siempangan	Shiptari	77042110027	15
79	7705	27	MSW	Siempangan	Yani	84080410087	9
80	7706	27	MSW	Siempangan	Suana	87080400054	10
81	7707	27	MSW	Siempangan	Fania	70011010414	7
82	7708	27	MSW	Kayubandja	Desma Theresia	80022100027	18
83	7709	27	MSW	Siempangan	Zuri	70000000007	24
84	7710	27	MSW	Siempangan	Aina	74013000004	20
85	7711	27	MSW	Siempangan	Humbulawa	83072810014	19
86	7712	27	MSW	Siempangan	Sakaria	70000100087	13
87	7713	27	MSW	Kayubandja	Siti	80100101042	24
88	7714	27	MSW	Humbulawa	Adilhard	57071801136	7
89	7715	27	MSW	Lady	Raula Tesariyurnas	93060100017	12
90	7716	27	MSW	Siempangan	Wilford Yambis	80121010419	14
91	7717	27	MSW	Siempangan	Astina Indriani	72110410010	17

102	796,3	29	171	Um Khoo	Jarida Victoria Elm	88110480736	13
103	794	29	170	Arundell James	Jan. Jansen	7809411002	24
104	794	29	180	James	Raymond K.	78121100281	24
105	795	29	178	Van Der By	Dirk	78121111712	8
106	795	29	179	Hemmelink	Abelien	78121111712	8
107	800	29	158	Van der	André Rijk	81121100081	11
108	801,4	29	159	Van	Nicky Mulder	81121100081	11
109	805,5	29	175	Ernst Jozine	Liesje	81121100081	11
110	805,6	29	174	Heugels	Christie Wesley	81121100081	11
111	804,0	29	189	Geel	Sandra Ulrich	81121100081	11
112	804,0	29	189	Avens	Ben	81121100081	11
113	804,3	29	182	Van	Frans	81121100081	11
114	804,4	29	181	Van	Frans	81121100081	11
115	805,1	29	176	Van	Frans	81121100081	11
116	805,3	29	181	Van	Frans	81121100081	11
117	805,5	29	189	Kaptein	Marie Harms	81121100081	11
118	805,6	29	178	Van	Frans	81121100081	11
119	805,6	29	179	Van	Frans	81121100081	11
120	807,6	29	171	Kaptein	Marie Harms	81121100081	11
121	807,7	29	181	Hammink	Arndt Nijmolen	81121100081	11
122	810,2	29	172	Gubbels	Marly	81121100081	11
123	810,5	29	180	Messers	Daphne Virginia Whitton	90100500730	11
124	810,8	29	185	Smeets	Sarah Douglas	92011200562	11
125	812,0	29	183	Dijkema	Agnes Maria	74081210120	26
126	812,1	29	182	Johannes	David Paulus	72021000000	16
127	812,6	29	181	Kaptein	Frans	81121100081	11
128	812,6	29	176	Van der	Stewart	74010600772	11
129	812,6	29	183	Nederveen	Loonus Lankveld	79080710113	28
130	813,7	29	184	Van	Frans	81121100081	11
131	813,8	29	181	Van	Frans	81121100081	11
132	819,6	29	187,3	Van	Kristof Tuguluhan	82072410204	20
133	819,8	29	188,8	Messers	Nehemia Ndeyane	09041210250	11
134	816,4	29	184,1	Van	Frans	81121100081	11
135	816,7	29	189	Van	Frans	81121100081	11
136	817,1	29	180,7	Hemmelink	Ulric	86032801277	23
137	821,3	29	180	Ameyela	Tuutje Ndeyane	82041710861	10
138	821,5	29	185,6	Van	Frans	81121100081	11
139	821,9	29	182,1	Van	Frans	81121100081	11
140	822,4	29	180	Van	Frans	81121100081	11
141	824,7	29	183	Van	Frans	81121100081	11
142	825,3	29	182	Van	Frans	81121100081	11
143	825,5	29	180	Van	Frans	81121100081	11
144	826,1	29	174	Van	Frans	81121100081	11
145	826,2	29	175	Van	Frans	81121100081	11
146	827,1	29	183	Van	Frans	81121100081	11
147	827,2	29	182	Van	Frans	81121100081	11
148	828,0	29	180	Van	Frans	81121100081	11
149	828,1	29	180	Van	Frans	81121100081	11
150	828,1	29	180	Van	Frans	81121100081	11
151	828,1	29	180	Van	Frans	81121100081	11
152	828,1	29	180	Van	Frans	81121100081	11
153	828,1	29	180	Van	Frans	81121100081	11
154	828,1	29	180	Van	Frans	81121100081	11
155	828,1	29	180	Van	Frans	81121100081	11
156	828,1	29	180	Van	Frans	81121100081	11
157	833,3	29	172	Gosens S. B.	Gosens	95082900487	5
158	832,7	29	181	Deonius Makere	Kashal	89081800487	16
159	834,7	29	180	Munzika	Petrus	7805010243	16
160	837,9	29	181	Shatona	Nikodemus	79082810434	17
161	838,2	29	182	Shingweni	Fenne Tangen	8202110420	4
162	840,1	29	178	Katje	Felisa Malco	91050800456	16
163	842,9	29	181	Manus	Ndeyane Popyenamus	91013000803	10
164	842,5	29	184	Manus	Orville	82022810530	10
165	843,6	29	183	Hindongo	Paulus Paulus	89070400790	10

- (b) That Erf 7450, Extension 27, Swakopmund, be donated to Ms Selma Narubes.
- (c) That Ms Selma Narubes be informed that Erf 7450, Extension 27, Swakopmund is donated to her, but she can occupy the erf after relocating the occupants currently occupying the erf.
- (d) That the proposed donation of the 165 erven to the occupants based on who resides the longest on the erf and affordability be dealt with in terms of section 63 of the Local Authorities Act 23 of 1992, as amended.
- (e) That a ministerial consent be obtained for the donation of erven.

- (f) The following standard conditions are to be approved:
- (i) That the Donee may not have previously owned or currently own in person or by virtue of marriage (current spouse or divorce), or by donation or inheritance, or through the vehicle of a corporate entity, any immovable property in Namibia.
 - (ii) That the Donee must be on the Master Waiting List or reside on the erf for 3 years or longer.
 - (iii) That should it be found that a Donee did not reveal that they own or previously owned immovable property, and it is discovered after the agreement is signed or the property has been transferred, the beneficiary be disqualified from the process, the transaction be terminated, all monies paid in respect of the transaction be forfeited and the property be transferred back to Council.
- (iv) That after allocation and transfer, the DONEE may not evict other occupants on the erf until such time Council avails land to offer tenants to be resettled.
- (g) That a deeds search be conducted to verify that all residents selected for the donation of 165 single residential erven are indeed first-time property owners.
- (h) That all qualifying Donees be informed to pay an administrative fee of NS1 000.00.
- (i) That a restriction be placed on the sale of erven for 10 years and a pre-emptive right be included in the Deed of Donation for all erven to be donated in Extensions 27, 29, and 30, Swakopmund.
- (j) That the 10-year period in respect of the restriction of sale of improved erven commences from date of transfer of the property.
- (k) That should the Donees wish to sell their erven after the expiry of 10 years, and the erven are un-improved, the erven will first be offered to Council at the original cost of service.
- (l) That Donees who construct houses and receive completion certificates may not sell the property for a period of 10 years from the date of the completion certificate. Upon expiry of the 10-year period, the beneficiary may sell the erven without first offering it to Council.
- (m) That the Donees be informed that they will not qualify for the low-cost housing scheme again if they sell the erven.
- (n) That no temporary structures may be constructed on the erven.
- (o) That it be noted that a submission be tabled to Council to consider the donation of the remaining Single Residential erven to occupants residing on the erven during the fourth phase.
- (p) That the occupants whose income are below NS3 000.00 be relocated to the New Reception area at the Northern Wedge once the site is ready for occupation.

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11.1.44

MASS HOUSING DEVELOPMENT PROGRAMME: APPLICATION BY MR. VICTOR ADAM PETRUS TO WAIVE THE PRE-EMPTIVE RIGHT OVER ERF 7640, SWAKOPMUND, EXTENSION 28

(C/M 2025/11/24 - E 7640)

RESOLVED:

- (a) That Council takes note of the application by Mr. Victor Adam Petrus to sell Erf 7640, Swakopmund, Extension 28, measuring 313 m² to a third party who meets the set criteria.
- (b) That Council declines to purchase the property on Erf 7640, Swakopmund, Extension 28, as offered by Mr. Victor Adam Petrus to Council and permit him to sell the property to a third party who meets the approved criteria.
- (c) That Council approves Ms. Rosalia Magano Immanuel to purchase Erf 7640, Swakopmund, Extension 28, considering her imminent transfer to Swakopmund and future residency status, as well as the need to alleviate the financial strain faced by the current owner, Mr. Victor Adam.
- (d) That the transferring attorney be informed to draft a tripartite agreement between the Seller, the third party (buyer), and Council.
- (e) That a tripartite agreement be served as a mandatory requirement whenever the third parties intend to sell the property.
- (f) That Council approves the transfer of the remainder of the 10-year pre-emptive right (as outlined in Clause 2.3.1) to the third party, such right to commence on the date of registration of the property in the name of the third party.

For example, the property was registered in the name of Mr. Petrus in 2021. The 10-year pre-emptive right therefore runs until 2031. Since he now wishes to sell the property in 2025, the third party will assume the remaining 6 years (2025-2031) of the pre-emptive period from the date of registration.

- (g) That Council approves the condition below of the 6-year pre-emptive right to the third party, that will commence on the date of the property being registered in the name of the third party.

2.3.1 The Beneficiary (or his/her successors in title) is restrained from the alienation of the Property, any share therein, any portion thereof or any sectional title unit or right to erect such unit thereon, for a period of 6 (six) years as from the date of registration of transfer of the Property into the name of the Buyer pursuant to this agreement, unless the Council has consented to such transfer in writing and the Property was offered in writing for the sale to the Council. The Council shall, within 60 (sixty) days of the receipt of the written offer, be entitled to accept the offer to purchase the Property at the price equal to the agreed costs for the construction of the Property herein recorded, plus the reasonable costs which the Beneficiary may have incurred to further permanently improve the Property (excluding the costs of maintenance and upkeep thereof), which costs shall be determined by an independent valuator appointed by the Council, whose determination shall be final and binding on the parties. For the purposes of this clause

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2.3.1, "alienation" shall not include the passing of ownership by means of marriage, inheritance, or due to legal processes following divorce, sequestration, or affecting the Beneficiary's legal status or capacity.

- (h) That Mr. Victor Adam Petrus be informed that he does not qualify for further allocation in any of the low-cost housing programmes.
- (i) That this case shall not be used as a precedent, and that Council, in future, address the recurring issue of attorneys facilitating the sale of low-cost housing properties to third parties despite the pre-emptive rights held over such properties.
- (j) That Council should ensure that this practice is discontinued, and that priority for the allocation or purchase of such properties be given to individuals and residents listed on the Master Waiting List, in line with Council's prior resolutions and commitments.

11.1.45

REVIEW OF ALLOCATION OF ERF 8576, EXTENSION 31, SOUTH, SWAKOPMUND TO MR. MATHEUS SHIGWEDHA IN TERMS OF NOTICE 52/2025 "NOTICE OF A DONATION OF 40 ERVEN IN EXTENSION 31, SOUTH, SWAKOPMUND"

(C/M 2025/11/24 - Erf 8576)

RESOLVED:

- (a) That the allocation of Erf 8576, Extension 31, South, Swakopmund, to Mr. Matheus Shigwedha (registration number DP 1015, Erf 8576 (2/2), as approved under item 11.1.12(c) on 17 March 2025, be repealed due to his failure to meet the fundamental allocation criterion of being a first-time homeowner;
- (b) That Council approves the allocation of Erf 8576, Extension 31, South, Swakopmund to Mr. Matias Hailonga (registration Number DP 1014, Erf 8576 (1/2), who has been verified as meeting all the stipulated first-time homeownership and socio-economic allocation criteria.
- (c) That both Mr Matheus Shigwedha and Mr Matias Hailonga be informed of Council's decision.
- (d) That Council's intention to donate Erf 8576, Extension 31, South to Mr Matias Hailonga be advertised for the public for objection in terms of the provision of section (30) (1) (z) (ii) of the Local Authority Act, Act 23 of 1992, as amended.
- (e) That prior to Ministerial approval be obtained to enable the transfer of Erf 8576, Extension 31, South, Swakopmund, in terms of Section 30 (1) 2 of the Local Authority Act, the donation to Mr Matias Hailonga
- (f) That the conditions of allocation as approved by Council 03 September 2024 under item 11.1.24 remain enforceable.

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11.1.46

CURRENT STATUS OF ONGOING LARGE PROJECTS APPROVED BY COUNCIL FROM JANUARY 2021 UNTIL NOVEMBER 2025

(C/M 2025/11/24 - Ref. ...)

RESOLVED:

That Council takes note of the status of the large projects approved since January 2021 until October 2025 and the further action required.

11.1.47

REQUEST TO REALLOCATE THE FUNDS FOR THE ESTABLISHMENT OF A MICRO SMALL AND MEDIUM ENTERPRISES DEVELOPMENT TRUST FUND TO HOST THE SWAKOPMUND MSME AWARD CEREMONY 2026

(C/M 2025/11/24 - 15/1/2/1)

RESOLVED:

That Council replace the resolution of 25 June 2024 under item 11.1.9 with the following resolutions:

- (a) That Council approve the reallocation of funds originally designated for the establishment of the Swakopmund Municipality Trust Fund to host the Swakopmund MSME Awards Ceremony 2026.
- (b) That Council approve an annual budget provision of N\$500,000.00 for the MSME Awards Ceremony, with a maximum award value of N\$50,000 per recipient, benefiting up to 10 MSMEs per annum.
- (c) That Council approve the establishment of an independent judging panel comprising:
 - Expertise from financial institutions.
 - Expertise from institutions of higher learning (e.g., NIMT, NUST);
 - Expertise from business chambers/business support organisations (e.g. SME Compete);
 - A representative from Council (GM: EDS); and
 - The Economic Development Office as Secretariat.
- (d) That Council approve the formation of an Inter-departmental Steering Committee to manage planning, logistics, and execution of the event.
- (e) That the Steering Committee be mandated to seek external sponsorships and contributions from stakeholders to supplement the MSME Awards Fund.
- (f) That Council approve the following focus sectors for financial assistance:
 - Technical and Trade Industries
 - Sustainable Industries (e.g., Green Hydrogen Initiatives)
 - Tourism (e.g., accommodation, events, sports, etc.)
 - Technology and Innovation
 - Oil and Gas
 - Manufacturing and Logistics
 - Creative Industries (e.g., music, art, and cultural industries)
- (h) That Council authorise stakeholder engagements with relevant industry bodies, financial institutions, and business development organisations to strengthen implementation and ensure broad participation.

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11.1.48

REQUEST FOR A DISCOUNT AT THE MUNICIPAL BUNGALOWS - NAMIBIA INSTITUTE OF MINING AND TECHNOLOGY (NIMT)

(C/M 2025/11/24 - 15/2/7/1/2)

RESOLVED:

- (a) That approval be granted to the Economic Development Services Department to apply a 50% discount to the Namibia Institute of Mining and Technology (NIMT) in respect of booking no: 217106, for the duration of 21 November 2025- 23 November 2025.
- (b) That the 50% discount be applied strictly to the initial total amount of NS14,700.00, and that should this amount be amended, the discount shall be renegotiated and subjected to renewed authorization.

11.1.49

REQUEST FOR FUNDS TRANSFER (ECONOMIC DEVELOPMENT SERVICES DEPARTMENT)

(C/M 2025/11/24 - 3/1/1/1/1)

RESOLVED:

- (a) That Council approves the transfer of funds amounting to NS1,500,000.00 from the 2024/2025 financial year to the 2025/2026 financial year under capital Vote: 350031018400 - Fire Rescue (Emergency) Equipment.
- (b) That permission be granted to the General Manager: Finance to effect the transfer.

11.1.50

THEFT OF WATER PUMP AT RAW WATER SEWERAGE PLANT

(C/M 2025/11/24 - 4/1/2/1, 17/2/4/1)

RESOLVED:

That this item be moved to the "In-Camera" Agenda.

11.1.51

OBJECTIONS RECEIVED BY THE PUBLIC IN TERMS OF NOTICE 51/2025: DONATION OF 72 ERVEN IN EXTENSION 28, SWAKOPMUND

(C/M 2025/11/24 - E 7553, E 7667)

RESOLVED:

- (a) That Council takes note of the list of names and erven approved at the Council Meeting dated 01 April 2025, under item 11.1.23, which were advertised, of which the following objections were received:
 - (i) An objection was received from Ms Hendrina Haipinge, regarding the donation of Erf 7553 Extension 28, Swakopmund, to Mr Teofelus Abed.
 - (ii) An objection from Ms. Paulina Ambia regarding the proposed donation of Erf 7667, Extension 28, Swakopmund to Ms. Jakobina Igala.
- (b) That Council accepts the objection of Ms Hendrina Haipinge and repeals the allocation of Erf 7553, Extension 28, Swakopmund to Mr

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~~Teofelus~~ ~~Abed~~ and replaces it with Ms Hendrina Haipinge, based on her income status.

- (c) That the donation of Erf 7553, Extension 28, Swakopmund to Ms Hendrina Haipinge be published in newspapers for possible objections to ensure first-time property ownership.
- (d) That ministerial approval be obtained to enable the transfer of Erf 7553, Extension 28, Swakopmund, in terms of Section 30(1)2 of the Local Authority Act to Ms Hendrina Haipinge.
- (e) That the initial conditions of allocation of erven as approved by Council on 03 September 2024 will be applicable.
- (f) That upon Council's approval under point (b), Mr ~~Teofelus~~ ~~Abed~~ be informed that Erf 7553, Extension 28, Swakopmund is allocated to Ms Hendrina Haipinge.
- (g) That Council rejects the objection of Ms Paulina Ambia as she was not registered during the enumeration phase.
- (h) That an investigation be conducted to determine whether to register Ms Paulina Ambia for allocation of an alternative Erf in Phase 2.

12. **DRAFT REGULATIONS AND TARIFFS, IF ANY**

None.

The meeting adjourned: **20:05.**

Minutes to be confirmed on **15 January 2026.**

Mr Alfeus Benjamin
CHIEF EXECUTIVE OFFICER

Councillor B R !Goraseb
MAYOR

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MINUTES

of a **Special Council Meeting** held in the Council Chambers, Municipal Main Office Complex, Swakopmund on **Friday, 04 December 2025** at **09:00**.

PRESENT:

The District Magistrate, Ms Nelao Brown : Presiding Officer (in terms of Section 12(1))

Councillor **AMUSHILA** Mauritius N
 Councillor **ANGULA** Shiyate Alfeus
 Councillor **HARTUNG** Charlene Audrey
 Councillor **IITEMBU** Sem Shilongo
 Councillor **KAUTONDOKWA** Suamma Magano
 Councillor **KOOITJIE** Martinus
 Councillor **NAMUBES** Dina
 Councillor **NAWESES** Biola H
 Councillor **SALOMON** Eugenia
 Councillor **WEIMANN** Horst-Uwe

OFFICIALS:

Mr M Haingura : Chief Executive Officer (Acting)
 Mr V S Kaulinge : General Manager: Economic Development Services
 Mr C McClune : General Manager: Engineering and Planning Services
 Ms L N Mutenda : General Manager: Health Services & SWM
 Ms L Mupupe : Public Relations Officer
 Ms D Hanes : Personal Assistant to the Mayor
 Ms A Kahuika : Administrative officer: Administration

ALSO PRESENT:

In attendance were members of the public, media and other dignitaries.

1. **OPENING: BY THE DISTRICT MAGISTRATE** (In terms of Section 12(1))

The District Magistrate welcomed everybody to the meeting.

2. **APPLICATIONS FOR LEAVE OF ABSENCE BY MEMBERS OF COUNCIL**

None.

3. **ELECTION OF OFFICE BEARERS**3.1 **Swearing-in of Councillors** (In terms of Section 10(1))

The Magistrate administered the oath of office in terms of Section 10(1)

3.2 **MAYOR AND CHAIRPERSON OF COUNCIL** (In terms of Section 11(1)(a) read with Section 12)

The District Magistrate called for nominations for the position of Mayor and Chairperson of Council.

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- 3.2.1 Councillor **WEIMANN** Horst-Uwe nominated Councillor **KAUTONDOKWA** Suamma Magano as **Mayor and Chairperson of Council**, whose nomination was seconded by Councillor **SALOMON** Eugenia and accepted by Councillor **KAUTONDOKWA** Suamma Magano.

In the absence of any other nominations, the District Magistrate declared Councillor **KAUTONDOKWA** Suamma Magano duly elected as **Mayor and Chairperson of Council**.

- 3.3 Deputy Mayor and Vice-Chairperson of Council (In terms of Section 11(1)(a))

The District Magistrate called for nominations for the position of Deputy Mayor and Vice-Chairperson of Council.

- 3.3.1 Councillor **ANGULA** Shiyute Alfeus nominated Councillor **SALOMON** Eugenia as **Deputy Mayor and Vice-Chairperson of Council**, whose nomination was seconded by Councillor **HARTUNG** Charlene Audrey and accepted by Councillor **SALOMON** Eugenia.

In the absence of any other nominations, the District Magistrate declared Councillor **SALOMON** Eugenia duly elected as **Deputy Mayor and Vice-Chairperson of Council**.

- 3.4 **MEMBERS OF THE MANAGEMENT COMMITTEE (FOUR (4) MEMBERS)** (In terms of Section 22 read with Section 21(1)(b)).

The District Magistrate called for nominations for Members of the Management Committee (**Four (4) Members**).

- 3.4.1 Councillor **AMUSHILA** Mauritius N nominated Councillor **WEIMANN** Horst-Uwe as a **Member of the Management Committee**, which nomination was seconded by Councillor **ANGULA** Shiyute Alfeus and accepted by Councillor **WEIMANN** Horst-Uwe.

- 3.4.2 Councillor **HARTUNG** Charlene Audrey nominated Councillor **AMUSHILA** Mauritius N as a **Member of the Management Committee**, whose nomination was seconded by Councillor **KAUTONDOKWA** Suamma Magano and accepted by Councillor **AMUSHILA** Mauritius N.

- 3.4.3 Councillor **KAUTONDOKWA** Suamma Magano nominated Councillor **HARTUNG** Charlene Audrey as a **Member of the Management Committee**, which nomination was seconded by Councillor **AMUSHILA** Mauritius N and accepted by Councillor **HARTUNG** Charlene Audrey.

- 3.4.4 Councillor **SALOMON** Eugenia nominated Councillor **ANGULA** Shiyute Alfeus as a **Member of the Management Committee**, whose nomination was seconded by Councillor **WEIMANN** Horst-Uwe and accepted by Councillor **ANGULA** Shiyute Alfeus.

In absence of any other nominations, the District Magistrate declared the following members as duly elected **Members of the Management Committee**:

1. Councillor **WEIMANN** Horst-Uwe
2. Councillor **AMUSHILA** Mauritius N
3. Councillor **HARTUNG** Charlene Audrey
4. Councillor **ANGULA** Shiyute Alfeus

- 3.5 Additional Member of the Management Committee (In terms of Section 21(4))

This item was referred to the "In-Camera" Special Management Committee meeting.

3.6 **ACCEPTANCE SPEECH BY HIS WORSHIP THE MAYOR, IF ANY.**

Her Worship the Mayor delivered his acceptance speech.

The meeting adjourned at **10:00**

Minutes confirmed on: **27 January 2026**

M Hainguna
CHIEF EXECUTIVE OFFICER (Acting)

Ms N Brown
DISTRICT MAGISTRATE

10. **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY PREVIOUS MANAGEMENT COMMITTEE MEETING HELD DURING JANUARY 2026**

10.1 (A) **MINUTES OF THE MANAGEMENT COMMITTEE MEETING HELD ON 15 JANUARY 2026**

2. **CONFIRMATION OF MINUTES**
(M/C 2026/01/15 - 5/2/1/1/2)

2.1 **MINUTES OF THE MANAGEMENT COMMITTEE MEETING HELD ON 13 NOVEMBER 2025**

RESOLVED:

That it be unanimously resolved that since it is the first Management Committee meeting of the current Council, the minutes of the previous Management Committee meeting held on 13 November 2025 be approved as is.

2.2 **MINUTES OF THE MANAGEMENT COMMITTEE MEETING HELD ON 04 DECEMBER 2025**

On the proposal of Councillor H U Weiman and seconded by Councillor C A Hartung, it was:

RESOLVED:

That the Minutes of the Management Committee meetings held on 04 December 2025 be confirmed as correct.

2.3 **MATTERS ARISING FROM THE PREVIOUS MINUTES**

None.

8. **POLICY MATTERS**

8.1 **AUDITED FINANCIAL STATEMENTS FOR THE 2023 / 2024 FINANCIAL YEAR**
(M/C 2026/01/15 - 3/3/2/3)

RESOLVED:

That this Item be referred back to a Special Management Committee to be held on a date to be determined.

11. **RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE MEETING HELD DURING JANUARY 2026**

11.1 **MANAGEMENT COMMITTEE MEETING HELD ON 15 JANUARY 2026**

11.1.1 **SWAKOPMUND EVENT POLICY AND THE EVENT APPLICATION FEES**
(C/M 2026/01/29 - 13/3/1/2)

Ordinary Management Committee Meeting of 15 January 2026, Addendum **7.1** page **03** refers.

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

1. Introduction

Holidays and public / community events play an integral role in nurturing community cohesion, stimulating local economic growth, and enriching cultural diversity. This submission serves to present Terms of Reference (ToR) for the Events Coordination Committee (ECC) established by Council, and to propose the Swakopmund Municipality Events Policy, to provide a comprehensive framework for the planning, coordination, and management of events, ensuring safety, inclusivity, and positive impacts on the Swakopmund community. The submission also proposes structured application fees to cover the administrative costs for processing event permits, encourage timely applications, and ease potential issues with event applications.

2. Purpose

The purpose of this submission is to clearly outline the role of the ECC and set out the processes and requirements for hosting events in Swakopmund. It applies to all events, irrespective of size or nature, happening on public or private premises and impacting the community or municipal resources. The policy serves to regulate and manage events within the jurisdiction of the Swakopmund Municipal Council, enforce its provisions, and address incidental matters.

3. Background

Council resolved on **28 April 2022** under item 11.1.10, among others, as follows:

(a) *That Council approves the establishment of an Event Coordination Committee, which will meet monthly or as required to consider event applications that are submitted to be staged in the municipal area.*

(b) *That the following personnel serve on the committee:*

- *Manager: Economic Development Services*
- *General Manager: Economic Development Services*
- *Manager: Emergency and Law Enforcement*
- *Executive Assistant*
- *Local Economic Development Officer*
- *Sport and Recreation Officer*
- *Corporate Officer: Marketing and Communication*

- (c) That Council delegates authority to the Chief Executive Officer to approve the application of events as per the recommendation of the event committee.
- (d) That Council approves the event application form (as per Annexure "A", on file) for all events taking place on Public Open Spaces and or Local Authority property.
- (e) ...
- (f) ...
- (g) ...
- (h) ...
- (i). That Council approves the Tennis Court Parking site, Arnold Shad Promenade, and Thomas Hamunyela Amphitheatre to be utilized for events such as skating rink, markets, festivals, beauty pageant/ promotions, etc.
- (j) ...

4. **Discussion**

4.1 Outline of the Event Coordination Committee and functions

Council's resolution identified the composition of the Committee and delegated authority to the Chief Executive Officer to approve event applications based on its recommendations. Since its establishment, the Committee has taken proactive steps in assessing event proposals and ensuring alignment with Council's objectives.

However, the absence of clear terms of reference for the operations and decision-making of the ECC has led to inconsistent results, highlighting the need for a structured framework to guide its operations, promote coordination among departments, and ensure that event management practices remain standardized and responsive to the needs of Council.

The attached ToR (**Annexure "A"**) clearly defines the Committee's functions, roles, responsibilities, and operational procedures, ensuring consistency, accountability, and transparency in the Committee's decision-making process. It proposes amendments to the composition of the Committee to better align with its operational needs, such as the inclusion of

1. General Manager: Economic Development Services - Chairperson
2. Manager: Economic Development Services - Alternate Chairperson
3. Manager: Emergency and Law Enforcement
4. Manager: Corporate Services
5. Local Economic Development Officer

As voting members, along with the inclusion of the below:

1. Executive Assistant to the Chief Executive Officer
2. Sport and Recreation Officer
3. Public Relations Officer
4. Occupational Health Officer
5. Environmental Officer
6. Town Planning Officer
7. Chief Fire Brigade Officer
8. Investment and Tourism Officer

As co-opted non-voting members to provide technical input when necessary.

Furthermore, representatives from either public, private, or governmental institutions may be invited to sit in the Committee meetings in an advisory role when the need arises.

In the absence of an appointed Events Officer, the Economic Development Officer or the Investment and Tourism Officer will process applications for events. The ToR provides that the Economic Development Officer or the Investment and Tourism Officer, upon recommendation from the Chairperson of the Committee through an internal memorandum to the Chief Executive Officer (CEO), may approve minor event applications without convening a formal Committee meeting. This applies to small events with limited social and economic impact, such as neighbourhood braais, community market days, short-term use of public spaces such as promotions and activations, park events, and other similar community activities.

4.2 Introduction of a Council Event Policy and Application Fees

The Event Coordination Committee on **30 May 2024**, under item 7.6, recommended as follows:

That the Event Coordination Committee supports the proposal for an application fee, and that the fees be implemented upon approval by Council under the following Conditions:

- (i) That an application fee of **N\$100.00** be charged for every event application*
- (ii) That a late application fee of **N\$500.00** be charged for late applications as indicated on the application form **attached**.*
- (iii) That the application fee be waived for NGO, e.g., churches and social welfare group, provided they submit proof of registration as a non-profit organization.*

4.3 Importance of Adoption of the Event Policy and Application Fees

The attached (**Annexure 'B'**) Event Policy for Swakopmund will support the role events play towards fostering community spirit, boost the local economy, and enrich cultural heritage. It will ensure events are inclusive and reflective of diverse interests from public to private stakeholders. It covers areas such as safety and security through mandatory emergency plans, promotes environmental responsibility, and ensures transparency and fairness in the hosting of events. The policy facilitates efficient use of municipal resources by structuring the application process and fees, while deposit fees reduce cancellations and support non-profit institutions that host events. Overall, the policy aims to ensure events are sustainable, organized to Council standards, and to the benefit of Swakopmund.

4.4 The proposed fees are as follows:

1. **Application Fee:** The non-refundable fee of **N\$100.00** payable on application will cover the cost of processing an application. It reflects the time and resources expended by the Economic Development Officer in reviewing and approving event permits. The fee ensures that the burden of processing applications is appropriately distributed and helps sustain the efficiency of operations, and is exclusive of other fees required for services.
2. **Expedited Application Processing Fee** (Late Application Fees) of **N\$500.00:** In instances where event organizers require prompt / rushed

processing of their applications, an expedited fee will be applicable. The fee serves as a deterrent to late submissions and ensures that the Economic Development Officer or the Investment and Tourism Officer can allocate additional resources to accommodate urgent requests. It will apply to any application made **21 days or less** before the event date. By offering expedited processing as a premium service, the Economic Development Officer can better manage its workload and maintain service levels during peak periods.

4.5 Application & Approval Process

The entire application process takes approximately **3 weeks** from submission to approval.

Steps involved:

1. **Application submission** - Ensuring all required documents are included.
2. **Agenda preparation** - Application is placed on the agenda for review.
3. **Review process** - Both the Manager and General Manager (GM) review the application.
4. **Committee approval** - A meeting is scheduled for discussion and decision-making.
5. **Finalization** - Meeting minutes are reviewed and signed by the Manager and GM.
6. **CEO approval** - A memo is sent for final authorization and sign-off.
7. **Approval letter issued** - The applicant receives the final approval letter.

4.6 Payment Terms & Event Cancellation Conditions

All events hosted in the Swakopmund townlands requiring municipal services such as water works, waste removal, bins, skips, road closure, traffic services, fire brigade, emergency services, etc, are required to follow the below payment terms or risk cancellation:

Payment deadline: The event hosts are required to make payment for municipal services within **14 working days** of receiving the approval letter.

Cancellation by Council: If payment is not received within **14 days**, Council reserves the right to cancel the event and revoke approval.

Minimum cancellation period: event cancellations must be made at least **21 days** before the event date for Council to accommodate another possible event. Should an event host proceed with a cancelled event, Council may shut down the event or take other appropriate action.

4.7 Venue Use for Council Facilities

Event hosts using **Council venues, sports fields, or parks** must pay a rental fee and deposit in terms of the gazette tariffs within **14 days of approval**.

Failure to pay within this period results in **cancellation**.

4.8 Deposits & Reimbursement

- **Application fees are non-refundable** as they cover administrative costs.
- **Event cancellations by the host:**

- **More than 21 days before the event: Full refund** of deposits for use of the venue and municipal services.
- **Within 21 days (3 weeks) before the event: 25% refund** of deposits will be retained by Council.
- **Within 14 days (2 weeks) before the event: 50% refund** of deposits will be retained by Council.
- **Within the week of the event: No refund** - full deposit is forfeited to Council.

4.9 Waivers and Assumptions for Event Application Fees

In conjunction with the proposed implementation of structured application fees, it is proposed that special waivers and assumptions be applied to ensure inclusivity and support for certain categories of events and organizers within Swakopmund. These assumptions will, however, only be limited to Non-Governmental Organizations (NGOs) such as, but not limited to, churches, social welfare groups, and events with fewer than 20 attendees.

5. Conclusion

Swakopmund is "the Centre of Adventure" and has truly become a hub of events and activities. The implementation of this policy will allow Council to direct the vision in which we move towards not only regulating all sorts of events, but account for the economic impact events create. The implement structured application fees will be the first step toward Council improving the standard of events hosted in Swakopmund.

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

RECOMMENDED:

- (a) **That Council approves the attached Terms of Reference and approves the proposed changes to the composition of the Event Coordination Committee, as follows:**

Voting members:

1. **General Manager: Economic Development Services - Chairperson**
2. **Manager: Economic Development Services - Alternate Chairperson**
3. **Manager: Emergency and Law Enforcement**
4. **Manager: Corporate Services**
5. **Local Economic Development Officer**

Non-voting expects:

6. **Executive Assistant to the Chief Executive Officer**
7. **Sport and Recreation Officer**
8. **Public Relations Officer**
9. **Occupational Health Officer**
10. **Environmental Officer**
11. **Town Planning Officer**
12. **Chief Fire Brigade Officer**
13. **Investment and Tourism Officer**

As co-opted members, we are to provide technical input when necessary.

- (b) That representatives from either public, private, or governmental institutions may be invited to sit in the Committee meetings in an advisory role when the need arises.
 - (c) That other employees may attend Committee meetings on the request of the chairperson as non-voting observers when required, to provide technical input or guidance on specific matters under consideration.
 - (d) That Council approves that the Economic Development Services Department serves as the first point of contact for all event-related applications. The Economic Development Officer or the Investment and Tourism Officer will be responsible for receiving, scrutinizing, and submitting event applications to the Event Coordination Committee, conducting site inspections, facilitating the booking of venues, and ensuring compliance with Council regulations and policies.
 - (e) That the Economic Development Officer or the Investment and Tourism Officer shall assume responsibility for executing its functions as outlined in (d) above.
 - (f) That authority be delegated to the Chief Executive Officer to approve small events with limited social or economic impact, such as neighbourhood braais, community market days, short-term use of public spaces within residential areas, park events, and other small-scale community activities on recommendation of the Chairperson of the ECC.
 - (g) That Council approves the Swakopmund Municipality Events Policy and implementation of event application and late event application fees.
 - (h) That the following non-refundable fees be applicable:
 - (i) *That an application fee of N\$100.00 be charged for every event application*
 - (ii) *That a late application fee of N\$500.00 be charged for late applications as indicated on the application form.*
 - (i) That authority be delegated to the Chief Executive Officer to waive fees in respect of applications for events by NGO, churches, and social welfare group, provided they submit proof of registration as non-profit organizations.
 - (j) That applications for event refunds by the host be dealt with as follows:
 - (i) *More than 21 days before the event: Full refund of deposits for use of the venue and municipal services.*
 - (ii) *Within 21 days (3 weeks) before the event: 25% refund of deposits will be retained by Council.*
 - (iii) *Within 14 days (2 weeks) before the event: 50% refund of deposits will be retained by Council.*
 - (iv) *Within the week of the event: No refund - full deposit is forfeited to Council.*
 - (k) That the fees be gazetted and applied from the next financial year 2026/2027 onwards.
-

**Please take
note that the
attachments to
this item will
be distributed
as a separate
booklet.**

11.1.2 **UNAPPROVED STRUCTURES ON ERF 3635 AND 3634 SWAKOPMUND**
(C/M 2026/01/29 - E 3634, E 3635)

Ordinary Management Committee Meeting of 15 January 2026, Addendum **7.2**
page **10** refers.

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

1. Purpose

The purpose of this submission is to update Council on the dispute that has been ongoing for multiple years between Er 3635 & 3634 concerning an unapproved Braai on Erf 3635 and an unapproved extension to the dwelling on Erf 3634.

2. Introduction and Background

Council on 31 May 2018, under item 11.1.9, resolved as follows:

- (a) *That the owners of Erven 3634 and 3635, Swakopmund, be given a choice to demolish the non-conforming structures within seven days or bring them into conformity with the necessary plans and alterations within six (6) months, which will require both Mr Denk and Mr Tolke to sign the relaxation of the building line, respectively.*
- (b) *That Mr Denk shall engage a structural engineer to determine the safest way to extend the chimney to a height which will clear the smoke over Mr Tolke's Terrace.*
- (c) *That the official notification of the Council's resolution also serves as final notification to demolish the non-compliant structure should the owners refuse to bring the structures on both sides into conformity.*
- (d) *That both owners inform Council about their choice within seven (7) days after receiving the official notification of the Council resolution.*
- (e) *That the initial letter to demolish issued to Mr Denk be held in abeyance until the Acting Chief Executive Officer is informed about which option the owners have chosen.*

List of Annexures:

Annexure "A"	:	Letter to the owner of Erf 3634 dated 3 June 2018
Annexure "B"	:	Letter to the owner of Erf 3634 dated 22 October 2018
Annexure "C"	:	Letter to the owner of Erf 3635 dated 29 June 2018
Annexure "D"	:	Email received from the owner of 3635, dated 10 July 2018
Annexure "E"	:	Letter to the owner of Erf 3635 dated 22 October 2018
Annexure "F"	:	Application by owner for approval of relaxation for Erf 3634
Annexure "G"	:	Photographs and sketches of the unapproved structures.

Following the resolution by Council, both Mr. Tolke (Erf 3634) and Mr. Denk (Erf 3635) received notification from Council concerning the resolution passed. See Annexure A & C for the first round of letters sent.

Following the first round of letters, Mr. Tolke claimed that the roof terrace (unapproved structure) had obtained approval. No record of such could be obtained.

Mr. Denk initially, by means of informal discussion, indicated that he would provide approval, but subsequently withdrew his offer to resolve the matter. See Annexure F.

Each owner then received letters dated 22 October 2025 indicating that, due to no feedback received as required by the resolution, both structures must be demolished. See Annexure B & D for letters to both owners.

Mr. Denk (Erf 3635) demolished the Braai partially. (See Annexure F for a photographic illustration of a braai.) The chimney portion was removed, leaving behind a basic "open" braai without a chimney. Access could not be obtained to obtain a new photograph.

Mr. Tolke subsequently tried to submit plans to "legalise" the unapproved construction, but this was placed on hold due to no formal responses received in letters.

Hence, due to a long-standing dispute made worse by the unwillingness of the owners to co-operate and communicate effectively, the problem persists. To date, neither property complies, and the matter remains unresolved.

In April of 2025, Mr. Tolke requested a meeting to request advice on a resolution to the issue. He was informed to submit his case to the Engineering & Planning Services department to again forward a request to Council to reconsider the matter and to resolve on an effective solution.

3. **Ownership**

According to Council's records, the ownership of Erf 3634, Swakopmund Extension 3, vests in Mr. N. Tolke.

According to Council's records, the ownership of Erf 3635 Swakopmund Extension 3 vests in Mr. K.M. Denk.

4. **Locality, Zoning, and Size**

Erf 3634, Extension 3, is located in a cul-de-sac leading from Daniel Tjongarero Avenue, and Erf 3635 is also located in the next cul-de-sac to the east, leading from the same street. The two properties border each other. See Figure 1 to see the layout of the two erven in relation to each other. Erf 3634 is 321.5m² and Erf 3635 is 306.85m² in size, with both densities being 1:300.

Mr. Tolke had an informal discussion with the then Chief Building Control Officer, Mr. L. Mwikanda, at the time, indicating that he did not need relaxations or approval and claimed that he had approved plans. No further feedback was received. This is captured in a letter of reply written to Mr. Tolke in a letter dated 22 October 2018. In this letter, Mr. Denk had passed the time frame allowed by the Council Resolution and instructed Mr. Tolke that the unapproved structures needed to be demolished.

Mr Denk initially responded to the letter dated 29 June 2018 (See Annexure C) in an email dated 10 July 2018. See Annexure D. In this email, Mr. Denk initially indicated that he would provide cooperation and provide relaxation approval, including attending to the Chimney of the Braai to extend it. Following this, no action took place, and no relaxation approvals were issued to Mr. Tolke.

The inaction led to a follow-up letter sent dated 22 October 2018 (See **Annexure E**), where the General Manager: Engineering & Planning Services gives instruction to Mr. Denk to demolish the structure due to no agreement being reached and very little follow-up feedback.

In January of 2019, Mr. Denk had an informal meeting with Mr. A. Louw, the Manager: Design Office & Building Control, concerning the matter. Mr. Denk informed Mr. Louw that he had demolished the braai. Access could not be obtained; however, reports from the site are that only the chimney of the braai had been demolished.

Mr. Tolke also had informal discussions with the Manager: Design Office & Building Control, still claiming he had approval for the unapproved portions.

At this stage, no further action was taken by the Engineering & Planning Services department. Mr. Denk did not attempt to resolve the issue further. Mr. Tolke forwarded a letter with an application form to relax development standards to Mr. Denk to approve, dated 20 April 2019, via registered mail, which Mr. Denk did not respond to. Following this was the COVID-19 outbreak. Mr. Denk currently resides in England, and Mr. Tolke still occupies the property on Erf 3634.

In April 2025, Mr. Tolke submitted a new appeal to Council to allow relaxation of the unapproved portions so that the properties can be approved and in Compliance. See Annexure F for applications. In the application can be seen the written statement concerning this conflict, the layouts of the unapproved portions, Email communications, and letters mailed via registered mail to Mr. Denk to provide approval of the relaxation forms.

6. **Evaluation**

The matter has been ongoing for many years. Mr. Denk initially indicated that he would cooperate (in writing), but retracted his offer and only partially demolished the unapproved braai. Mr. Tolke made some effort to follow the resolution of Council but refuses to demolish the unapproved portions.

As per the application by Mr. Tolke, relaxation, although it was processed differently at the time, Mr. Denk senior did give approval for the building lines

to be relaxed. Mr. Tolke also attempted to formalise the unapproved construction.

The unapproved structures do comply with the Zoning requirements and the Building Regulations. The unapproved portion on Erf 3634 is only a roof terrace that is not enclosed. If Council does provide approval for the relaxation of development standards, a fine for the surface area coverage for the unapproved portion would be applicable. The remaining braai structure is not seen as an item that can be fined, as it is very small.

With regards to non-compliant building activities, the Swakopmund Municipal Council, at an Ordinary Council Meeting held on 29th April 2009, resolved to adopt the following penalty clause to be applied for non-compliant structures (rates adjusted to current council tariffs):

- *Minor transgression (Boundary walls) N\$40.94 per running meter per month*
- *Minor transgression (Building/Structures) N\$53.80m² per month*
- *Medium transgression N\$204.69/m-m² per month*
- *Major transgression N\$555.75/m-m² per month*

Definition of the transgressions

- **Minor Transgression:** *Deviation from the original approved plan (making some minor adjustments to the approved plans), whereby the structure added does not exceed 35% of the area of the approved building plans (this includes the boundary walls)*
- **Medium Transgression:** *Addition of extra structures onto the approved plan, whereby the structure added exceeds 35% of the area of the approved building plans.*
- **Major Transgression:** *Any structure without the approved plan and building over the building lines without the necessary permission for the building line relaxation.*

With regards to the definition of the transgression, the unapproved portions be defined as a "Major Transgression" for the portions built into the building lines.

The calculation is as follows:

<i>Erf 3634: Roof Terrace</i>	=	<i>9.5m² x 556.75</i>
Total amount to be paid Erf 3634	=	N\$5,289.13

An extended period has passed since any new objections or complaints have been received by Council concerning this issue.

Considering the history of this conflict, a resolution will not be found between the owners of Erf 3634 and 3635. Therefore, it is recommended to Council provide approval of the relaxation, issue a fine to the owner of Erf 3634, and allow them to bring the property into compliance. This would provide closure on the matter.

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

RECOMMENDED:

- (a) That the resolution passed for: ERF 3635, SWAKOPMUND - DEMOLITION OF BRAAI (C/M 2018/05/31-E 3635) be rescinded by Council.
 - (b) That the Council recognises that the original owner, Mr. K.M. Denk (Senior), did sign a letter providing relaxation to the owners of Erf 3634, Mr. N. Tolke.
 - (c) That owner of Erf 3635, K.M. Denk, provided written feedback that he would provide relaxation of development standards approval to the owner of Erf 3634, but ultimately refused to do so on the application forms.
 - (d) That the owner of Erf 3634 did demolish the chimney of the braai, but not the braai stand.
 - (e) The owner of Erf 3634, Mr. N. Tolke, did attempt to follow the Council resolution passed, but obtained no co-operation from the owner of Erf 3635, K.M. Denk.
 - (f) That Council will provide approval on the application for relaxation of development standards for Erf 3634, Mr. N. Tolke, and all Building Plans will be approved.
 - (g) That a fine of N\$5,289.13 be issued to the owner of Erf 3635, N. Tolke, for the unapproved construction.
 - (h) That no fine be issued to the owner of Erf 3635 for the remainder of the braai stand and that what remains of the braai stand be approved.
 - (i) That once the fine is paid in full, both properties will be deemed compliant.
-



MUNICIPALITY OF SWAKOPMUND

Ref No: E 3634

Enquiries: C McClune

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Namibia

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3 June 2018

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Dear Sir,

ERF 3635, SWAKOPMUND - DEMOLITION OF BRAAI

Council during its meeting held on 28 June 2018 confirmed the minutes of the previous meeting and thus confirmed the resolution quoted below:

11.1.9 **ERF 3635, SWAKOPMUND - DEMOLITION OF BRAAI**
(C/M 2018/05/31 - E 3635)

RESOLVED:

- (a) That the owners of Erfen 3634 and 3635, Swakopmund be given a choice to demolish the non-conforming structures within seven days or bring them into conformity with the necessary plans and alterations within six (6) months, which will require both Mr Denk and Mr Tolke to sign the relaxation of the building line respectively.
- (b) That Mr Denk shall engage a structural engineer to determine the safest way to extend the chimney to a height which will clear the smoke over Mr Tolke's Terrace.
- (c) That the official notification of the Council's resolution also serves as final notification to demolish the non-compliant structure should the owners refuse to bring the structures on both sides into conformity.
- (d) That both owners inform Council about their choice within seven (7) days after receiving the official notification of the Council resolution.

All correspondence must be addressed to Chief Executive Officer

- (e) That the initial letter to demolish issued to Mr Denk be held in abeyance until the Acting Chief Executive Officer is informed about which option the owners has chosen.

Please, note that there is no record that the roof terrace has been approved nor was the building plan with the entrance tower ever approved.

In line with point (d) of the resolution kindly inform the acting Chief Executive Officer within the given time-frame, who will convey your response to the Councillors.

Yours faithfully,



C McClune
GENERAL MANAGER: ENGINEERING SERVICES

MA/vrb

Copy: The Acting Chief Executive Officer



MUNICIPALITY OF SWAKOPMUND

Ref No: E 3634

Enquiries: C McClune

Mr N. Tolke
P O Box 1880
SWAKOPMUND
Namibia

(064) 4104400
(064) 4104125
Fax/Email: 0866519137
53 Swakopmund
NAMIBIA
www.swkmon.com.na
townengineer@swkmon.com.na

22 October 2018

nibs@iway.na

Dear Sir,

ERF 3635, SWAKOPMUND - DEMOLITION OF BRAAI

Our previous letter of 29 June 2018 refers.

You have been informed of the Council resolution below.

11.1.9 **ERF 3635, SWAKOPMUND - DEMOLITION OF BRAAI**
(C/M 2018/05/31 - E 3635)

RESOLVED:

- (a) That the owners of Erven 3634 and 3635, Swakopmund be given a choice to demolish the non-conforming structures within seven days or bring them into conformity with the necessary plans and alterations within six (6) months, which will require both Mr Denk and Mr Tolke to sign the relaxation of the building line respectively.
- (b) That Mr Denk shall engage a structural engineer to determine the safest way to extend the chimney to a height which will clear the smoke over Mr Tolke's Terrace.
- (c) That the official notification of the Council's resolution also serves as final notification to demolish the non-compliant structure should the owners refuse to bring the structures on both sides into conformity.
- (d) That both owners inform Council about their choice within seven (7) days after receiving the official notification of the Council resolution.

All correspondence must be addressed to Chief Executive Officer

- (e) **That the initial letter to demolish issued to Mr Denk be held in abeyance until the Acting Chief Executive Officer is informed about which option the owners has chosen.**

Please, note that there is no record that the roof terrace has been approved nor was the building plan with the entrance tower ever approved.

In line with point (d) of the resolution kindly inform the acting Chief Executive Officer within the given time-frame, who will convey your response to the Councillors.

No amicable response has been received to date.

You are herewith instructed to demolish the above mentioned unapproved structures by latest 5 November 2018. Failure to abide by this instruction will leave the General Manager: Engineering Services no choice but to have the structure demolished on your behalf and at your account.

Yours faithfully,



C McClune
GENERAL MANAGER: ENGINEERING SERVICES

MA/vrb

Copy: Act Chief Executive Officer



MUNICIPALITY OF SWAKOPMUND

Ref No: E 3635

Enquiries: C McClune

Mr K. M. Denk
P O Box 3629
Vineta
SWAKOPMUND
Namibia

(064) 4104400
(064) 4104125
Fax2email: 0886519137
53 Swakopmund
NAMIBIA
www.swkmun.com.na
townengineer@swkmun.com.na

29 June 2018

denky@live.co.uk

Dear Sir,

ERF 3635, SWAKOPMUND - DEMOLITION OF BRAAI

Council during its meeting held on 28 June 2018 confirmed the minutes of the previous meeting and thus confirmed the resolution quoted below:

11.1.9 ERF 3635, SWAKOPMUND - DEMOLITION OF BRAAI
(C/M 2018/05/31 E 3635)

RESOLVED:

- (a) That the owners of Erven 3634 and 3635, Swakopmund be given a choice to demolish the non-conforming structures within seven days or bring them into conformity with the necessary plans and alterations within six (6) months, which will require both Mr Denk and Mr Tolke to sign the relaxation of the building line respectively.
- (b) That Mr Denk shall engage a structural engineer to determine the safest way to extend the chimney to a height which will clear the smoke over Mr Tolke's Terrace.
- (c) That the official notification of the Council's resolution also serves as final notification to demolish the non-compliant structure should the owners refuse to bring the structures on both sides into conformity.
- (d) That both owners inform Council about their choice within seven (7) days after receiving the official notification of the Council resolution.

All correspondence must be addressed to Chief Executive Officer

- (e) That the initial letter to demolish issued to Mr Denk be held in abeyance until the Acting Chief Executive Officer is informed about which option the owners has chosen.

In line with point (d) of the resolution kindly inform the acting Chief Executive Officer within the given time-frame, who will convey your response to the Councillors.

Yours faithfully,



C McClune
GENERAL MANAGER: ENGINEERING SERVICES

MA/vrb

Copies: The Acting Chief Executive Officer
Gideon van Zyl (✉: Gideon.VanZijl@ol.na)

From: Mickey X [<mailto:denky@live.co.uk>]
Sent: 10 July 2018 09:16 AM
To: Verena Buchert
Cc: Gideon.VanZijl@ol.na
Subject: Re: ERF 3635, SWAKOPMUND - DEMOLITION OF BRAAI

ANNEXURE D

Dear Madam

Firstly thank you and the councillors for attending to my Issue regarding the demolition of my braai and to get in-loco information prior to making a recommendation.

As per request, I, the owner of Erf 3635, can confirm the following:

- (a) That I choose to bring the structure into conformity and that I am herewith signing the relaxation of the building line respectively.
- (b) I am currently liaising with a structural engineer to advise me on how to proceed. We may need some guidance though of what the building requirements may be in these special circumstances.

I hope this meets your requirements of extending the braai and not to demolish it.

I have copied in My van Zijl for reference.

Regards

Michael Denk



MUNICIPALITY OF SWAKOPMUND

 (004) 4104400
 (064) 4104125
 Fax/Email: 0885519137
 53 Swakopmund
 NAMIBIA
 www.swkmun.com.na
 c.w.henningreen@swkmun.com.na

Ref No: E 3635

Enquiries: C McClune

22 October 2018

Mr. K M Denk
 P O Box 3529
 Vineta
 SWAKOPMUND
 Namibia

 denky@live.co.uk

Dear Sir,

ERF 3635, SWAKOPMUND - DEMOLITION OF BRAAI

Our previous letter of 22 June 2018 and your responses per email of 10 July 2018 and 20 September 2018 have reference.

You have been informed of the Council resolution below:

11.1.9 **ERF 3635, SWAKOPMUND - DEMOLITION OF BRAAI**
 (C/M 2018/05/31 - E 3635)

RESOLVED:

- (a) That the owners of Erven 3634 and 3635, Swakopmund be given a choice to demolish the non-conforming structures within seven days or bring them into conformity with the necessary plans and alterations within six (6) months, which will require both Mr Denk and Mr Tolke to sign the relaxation of the building line respectively.
- (b) That Mr Denk shall engage a structural engineer to determine the safest way to extend the chimney to a height which will clear the smoke over Mr Tolke's Terrace.
- (c) That the official notification of the Council's resolution also serves as final notification to demolish the non-compliant structure should the owners refuse to bring the structures on both sides into conformity.

- (d) That both owners inform Council about their choice within seven (7) days after receiving the official notification of the Council resolution.
- (e) That the initial letter to demolish issued to Mr Denk be held in abeyance until the Acting Chief Executive Officer is informed about which option the owners has chosen.

The above council resolution aimed at an amicable solution. Unfortunately Mr Tolke did not respond and you subsequently withdrew your offer to resolve the matter.

This situation leaves the General Manager: Engineering Services no choice but to instruct you to demolish the unapproved braai by latest 5 November 2018.

Failure to abide by this instruction will leave me no choice but to have the structure demolished on your behalf and at your account.

Yours faithfully,



C McClune

GENERAL MANAGER: ENGINEERING SERVICES

MA/vrb

Copies: Act Chief Executive Officer
Gideon van Zyl (☎ Gideon.VanZijl@ol.na)

ANNEXURE F

PC THYS Technical Drafting

Making your dream a reality



Date: 2026/01/29

Customer ID: NORBERT TOLKE

LOGO HERE

TO WHOM IT MAY CONCERN**BUILDING LINE RELAXATION**

I am writing to formally request permission for a building line relaxation on behalf of Mr Norbert Tolke, the owner of ERF 3634 Atlantic Street Kramersdorf, Swakopmund. This request pertains to the construction of a structure that extends to the boundary line, which is currently being objected. by the neighbour Mr. Denk who inherited the property erf 3635 from his father the previous owner, who gave permission to Mr Tolke see letter attached.

Mr Tolke the neighbour of erf 3634 on a previous occasion applied to build on the boundary and therefor needed Mr Denk to sign a relaxation, Mr Denk junior the neighbouring owner do not react to sign the Building line Relaxation, Mr Denk's father was the owner of the said property when permission was given, but unfortunately passed away, Mr. Denk senior gave permission to Mr Tolke to build on the boundary, (see letter attached) Another concern was Mr Denk's braai on the boundary which is a fire hazard and should be equipped with a spark catcher, according to the STANDARD BUILDING REGULATIONS, which is not the case has cited security and fire hazard issues as reasons for his refusal to grant permission. While we respect Mr. Denk's concerns, we believe that the proposed construction complies with all relevant town planning schemes and national building regulations, specifically regarding fire safety.

A letter dated 3 June 2018 it was resolved on a" (CM 2018/05/31 - E 3635) that both parties to sign building line relaxation respectively.

PROSEQUIRE OF COMMUNICATION TO MR. DENK:**BUILDING LINE RELAXATION DATED WAY BACK AS FAR AS 12/01/98**

1. Permission was asked from Mr Denk Senior, and signed as per attached document.
2. Drawings for the submission of Building plans for the building line relaxation on the boundary of erf 3635, but to no avail dated 12/2002.
3. Different letters were send by mail and registrate post-dated 02/04/2019 & 20/04/2019 see attached.

[Phone]

[Email]

[Website]

[Street] Address, City, State, Zip code

PC THYS Technical Drafting
 Making your dream a reality



Date: [Redacted]

Customer ID: NORBERT TOLKE

LOGO HERE

4. Council on C/M 2018/05/31 meeting Resolved:
5. **"That the owners of erven 3634 and 3635 be given a choice to demolish the non-conforming structures within 7 days, or bring them into conformity with the necessary plans. And alterations in six months which will require both Mr Denk and Mr Tolke to sign the relaxation for the building line respectively."**
6. Plans were handed to Mr Denk for resubmission to, no avail.
7. Further correspondence was sent to Mr. Denk to respond on the request to sign the building line relaxation, to no avail. registrate mail and email 16/04/2019.

I there for ask council humbly to look at the situation as a matter of urgency and to bring this conflict to an end.

Yours sincerely

Norbert Tolke



[Phone] 

[Email] 

[Website] 

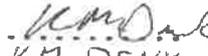
[Street Address, City, State, Zip Code] 

TO WHOM IT MAY CONCERN,

I, NOBERT TOLKE HEREBY APPLY FOR YOUR APPROVAL TO ADJUST THE
BOARDER WALL BETWEEN ERF NO. 3634 AND ERF NO. 8435.....
AS PER THE RELAXATION OF THE BOUNDRY BUILDING LINE.

THANK YOU.


N. TOLKE

NEIGHBOUR: 
K.M. DENK

WITNESS:
AMA. Mathe

DATE. 12.10.199



RELAXATION FORM

MUNICIPALITY SWAKOPMUND

(064) 4104421 / 4104417
0886519137

53 SWAKOPMUND
Namibia

APPLICATION FORM FOR THE RELAXATION OF DEVELOPMENT STANDARDS

APPLICANTS ERF NO:	CONSENTERS ERF NO:
Suburb: <u>Kramersdorf</u>	Street Address: <u>Atlantic Street 6</u>
Particulars of Owner	
Name of Owner: <u>Marbert - Tolke</u>	
Name of Authorized Person:	
Postal Address (Owner): <u>Box 1880 Swakopmund</u>	
Tel. No (Owner): <u>061 403865</u>	
E-mail Address (Owner): <u>mbs@iway.na</u>	

Application for relaxation of: *(Please tick appropriate)*
(The written consent of the adjacent neighbors and a signed site plan must be attached)

- A. Building Lines:**
 - For the relaxation of Rear Building Line From: _____ meter to: _____ meter
 - For the relaxation of Lateral Building Line From: _____ meter to: _____ meter
 - For the relaxation of Street Building Line From: _____ meter to: _____ meter
- B. Boundary Wall Height:**
 - For the relaxation of Rear Boundary wall From: _____ meter to: _____ meter
 - For the relaxation of Lateral Boundary wall From: _____ meter to: _____ meter
 - For the relaxation of Street Boundary wall From: _____ meter to: _____ meter
- C. Relaxation of setback - 1st or 2nd Floor**
 - For the relaxation of Rear Building Line From: _____ meter to: _____ meter
 - For the relaxation of Lateral Building Line From: _____ meter to: _____ meter
 - For the relaxation of Street Building Line From: _____ meter to: _____ meter

D. Relaxation of Building Height: (Indicate)
.....

A site/building plans, signed by the relevant/affected neighbors must be attached, indicating the Plan number, _____ dated _____
(Plan must show, at least, existing site building lines and existing buildings, the location, height, use, design and extent of encroachment of proposed buildings.)

e. Relaxation of Garages (Maximum 100m²)
For the relaxation of Garages From: _____ m² to: _____ m²

Reasons for the relaxation
.....

(Signature)
SIGNATURE OF APPLICANT or DULY AUTHORIZED PERSON WITH POWER OF ATTORNEY

20 April 2019
DATE

CONSENT FROM ADJOINING OWNER / NEIGHBOUR (NO TENANTS) FOR THE RELAXATION OF DEVELOPMENT STANDARDS

I R Denk the owner of erf no. 3635 Extension/Suburb Kraemerdorf

P O Box No: _____ have scrutinized and signed the building plan

no.: _____ prepared by Messrs _____

and object do not object (mark with an "X" which is applicable) against the proposed encroachment/relaxation of development standards on erf no _____ being the following:

(Please tick appropriate)

- Building Lines X
.....
Signature of Owner
- Double Storey within relaxed Building Lines X
.....
Signature of Owner
- Relaxation of Boundary Wall Height
Signature of Owner
- Relaxation of Building Height
Signature of Owner
- Relaxation of Garages
Signature of Owner

REMARKS/REASONS:

.....
.....

X
.....
SIGNATURE FULL NAME DATE

Contact Details: Tel. No / Cell Phone:

NB: Please attach certified copy of Identity document of the owner of erf.

OFFICE USE ONLY	
TOWN PLANNING SCHEME REGULATIONS – REPORT	
Zoning of Erf:
Notice Number:
Comments:
Recommended:	YES / NO
TOWN PLANNING	
Approved:	YES / NO
PROJECTS	
Approved:	YES / NO
GENERAL MANAGER: ENGINEERING SERVICES	

Denk Letter

NANPOST

Reg No: 0024451015

Branch: Suakopuhung

Date: 20/04/19
Counter: 2 VALENTINA

Time: 11:20:11
SU4

Qty Product Price VAT

1 Letter \$4.60
Registered Mail \$32.00

(Registered Item No: KRD12788041NA)
(P1 185 Fom No)
(Recipient Name: NR R DENK)
(Address Line 1: PO BOX 3029)
(Address Line 2: SUAKOPUHUNG)
(Address Line 3)
(Address Line 4)

PrePaid - \$36.60

Net \$4.17

Tax Code	Amount	Total Tax
VAT A (0%)		
VAT B (15%)	\$27.83	\$4.17

Total

Name:
Address:

Receipt No: 264-19

THANK YOU FOR POST OFFICE
JKANTOR DEBRUK
LUNGIFA OPONGA YOVE



PC THYS THECHNICAL DRAUGHT
 CELL: 0811691886
 E-MAIL pt1ys1234@gmail.com
 P.O. BOX 4409
 VINETA
 SWAKOPMUND

Tuesday, April 16, 2019

Dear Mr Denk

Re: Neighbour signature for building line relaxation on Erf- 3634 Swakopmund.

The Swakopmund Municipality requires the consent of the neighbor in the case of a building line relaxation.

Your neighbor, Mr Norbert Tolke needs your permission for the structure already build on the boundary, and according to the Municipality this must be rectify, because it does not comply with the Town Planning Amendment Scheme.

A letter was issued referenced...E-3534, by the Swakopmund Municipality on the date 3 June 2013. A similar letter was issued for the both of you and Mr Tolke to demolish structures. In order to avoid this drastic step, it will be better to only update your building plans to comply with the buiding standards.

Council resolved (C/M 2018/05/31 -E3635)

"That the owners of Erven 3634 and 3535, Swakopmund be given a choice to demolish the non-compliant structure within seven days or bring them into conformity with the necessary plans and alterations within six (6) months, which will require both Mr Denk and Mr Tolke to sign the relaxation of the building line respectively"

Mr. Denk could you please upon receipt of this letter, indicate your availability to sign off the plan that was updated by Mr Tolke to hand in at the Municipality. Mr. Denk please find attached a copy of the building line relaxation to be signed where marked with a cross, also the site plan to be signed where indicated (PLEASE SIGN).

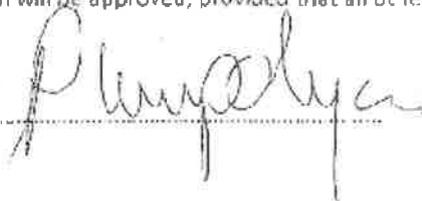
Should you have any objection to the erection of the proposed building and/or building line relaxation, your written comment and reason(s) for your objection must be forwarded or hand delivered to:

Swakopmund Municipality
 Engineers Department
 Att: Mr L. Mwikanda
 P.O. BOX 53
 SWAKOPMUND

Please note that should no response be received from within 21 working calendar days of the date of the letter, it will be presumed that you have no objection to the proposed building work and the building plan will be approved, provided that all other building requirements have been met.

Yours Truly

Phillip Thys
 Signed.....



Ordinary Council Meeting - 29 January 2026

Norbert/Astrid

From: phillip thys <pthys1234@gmail.com>
Sent: Tuesday, April 2, 2019 09:41
To: mbs@iway.na
Subject: SIGNATURL
Attachments: Application Building.pdf; Mr Denk.pdf; NORBERT NOLKE-Layout2.pdf; Denk.pdf

Dear Mr Denk

Re: Neighbour signature for building line relaxation on Erf- 3634 Swakopmund.

The Swakopmund Municipality requires the consent of the neighbor in the case of a building line relaxation.

Your neighbor, Mr Norbert Tolke needs your permission for the structure already build on the boundary, and according to the Municipality this must be rectify because it does not comply with the Town Planning Amendment Scheme.

A letter was issued referenced...E-3634. by the Swakopmund Municipality on the date...31 May 2017. A similar letter was issued for the both of you and Mr Tolke to demolish structures. In order to avoid this drastic step it will be better to only update your building plans to comply with the building standards.

Mr. Denk could you please upon receipt of this E-mail, indicate your availability to sign off the plan that was updated by Mr Tolke to hand in at the Municipality. Mr. Denk please find attached a copy of the building line relaxation to be signed where marked with a cross, also the site plan to be signed where indicated (PLEASE SIGN). Should you have any objection to the erection of the proposed building and/or building line relaxation, your written comment and reason(s) for your objection must be forwarded or hand delivered to:

Swakopmund Municipality
Engineers Department
Att: Mr L. Mwikanda
P.O.BOX 53
SWAKOPMUND

Please note that should no response be received from within 21 working calendar days of the date of the letter, it will be presumed that you have no objection to the proposed building work and the building plan will be approved, provided that all other building requirements have been met



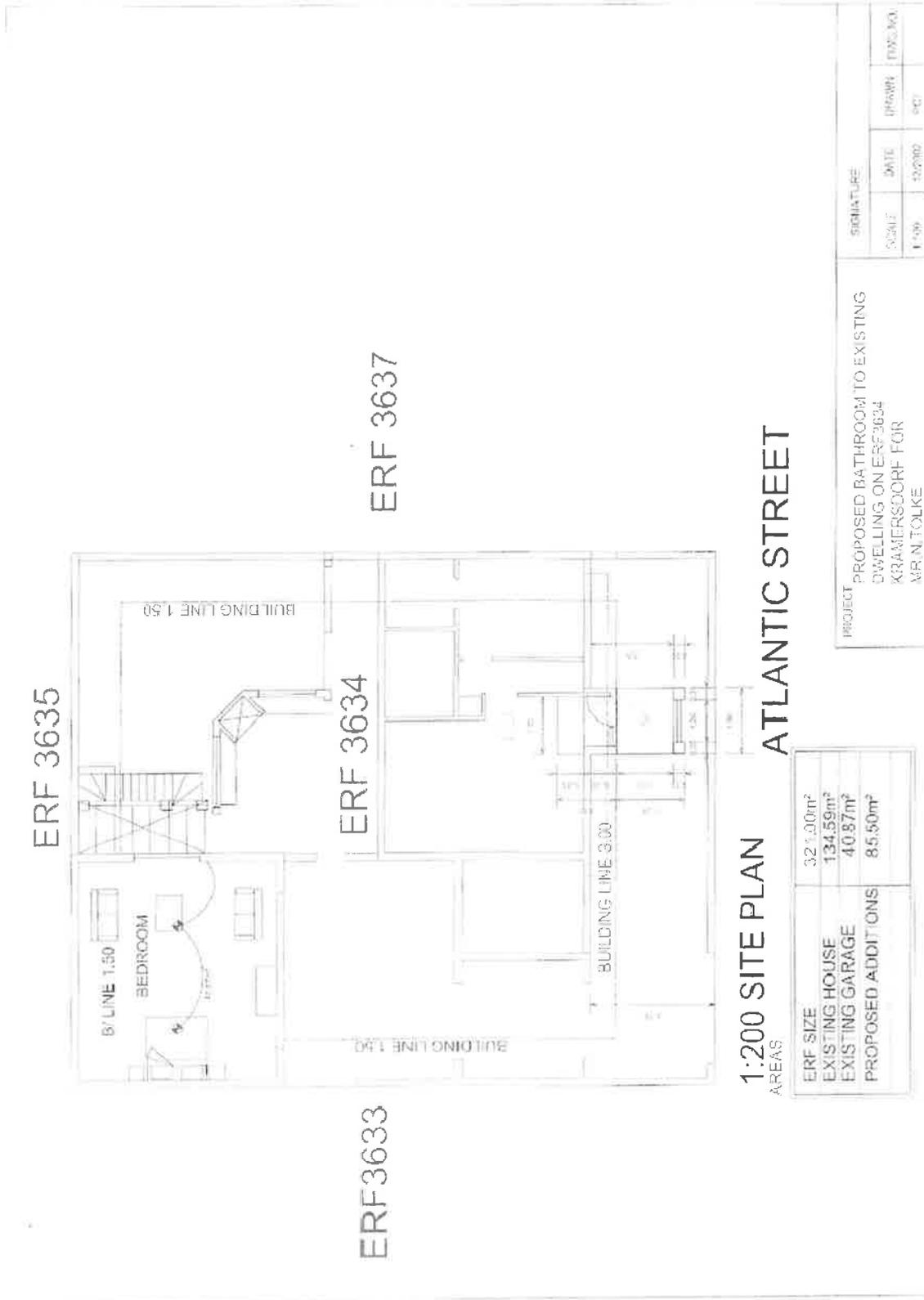
Virus-free www.avast.com



Figure 1: Unapproved braai. The chimney has been demolished.

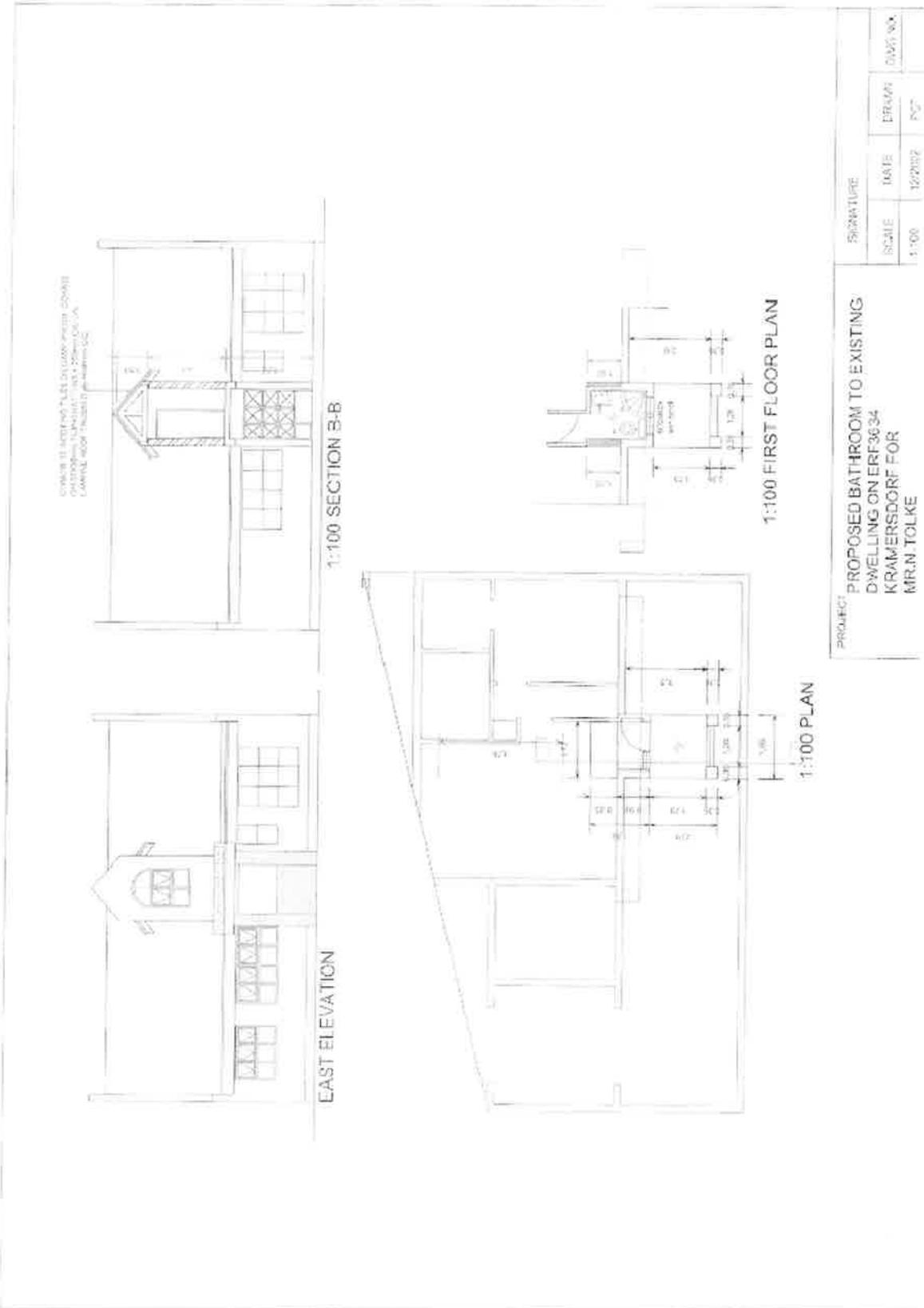


Figure 2: Unapproved terrace



PROJECT: PROPOSED BATHROOM TO EXISTING DWELLING ON ERF 3634
 KRAMERSDORF FOR MR. N. TOLKE

SIGNATURE		DATE	
SCALE	1:200	DATE	12/2025
DRAWN		BY	
PROJECT NO.		407	



11.1.3 **NON-COMPLIANT STRUCTURE ON ERF 2475, VINETA, SWAKOPMUND, EXTENSION 8**

(C/M 2026/01/29 - E 2475)

Ordinary Management Committee Meeting of 15 January 2026, Addendum **8.2** page **05** refers.

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

1. Purpose

The purpose of this submission is to inform Council of the unapproved construction on Erf 2475, Vineta, Swakopmund, Extension 8, and consideration for the "special consent" to relax the street building lines from five (5) metres to zero (0) metres.

2. Introduction and Background

It was observed by the Building Control division of the Engineering & Planning Services division, during a building compliance inspection, that a Garage addition was constructed up to zero (0) metres from the Erf boundary.

Attachments:

Annexure "A"	:	<i>Letter to owner dated 25 April 2025</i>
Annexure "B"	:	<i>Motivation from the owner to Council dated 9 June 2025</i>
Annexure "C"	:	<i>Satellite Photo dated March 2011</i>
Annexure "D"	:	<i>Deed of Transfer dated 18 July 2012</i>
Annexure "E"	:	<i>As built plans</i>

The owner was notified in a letter dated 25 April 2025 (see **Annexure A**) of the transgression and informed to submit "As-Built" details to the Engineering & Planning Services department for the matter to be forwarded to Council to consider and take appropriate action.

Following this, the owner proceeded to apply for the relaxation of the development standards that included a set of "As-Built" details. The application can be found in **Annexure B**. Letter dated 9 June 2025. In the letter sent to the owner (**Annexure A**) informed the owner was informed that the application cannot be processed and approved by the Engineering & Planning Services department. It requested that the applicant motivate as to why they embarked on the construction of the unapproved structure, and that this would be reported to Council to seek a resolution. It also requested that the application forms be completed and signed by the appropriate neighbours.

A motivation for the consent to relax the street building line from five (5) metres to zero (0) metres on Erf 2475, Swakopmund, Extension 8 was received by the Engineering and Planning Service Department from Namplan Town planning Consultants, the representatives of the owner of the property. The application is attached as **Annexure B**.

It is against the aforesaid notification that the applicant seeks to rectify the situation and requests approval for both building line relaxation and as-built plans. His request is hereby being submitted before Council for consideration.

3. Ownership

According to Council's records, the ownership of Erf 2475, Swakopmund Extension 8, vests in Mrs Luzaine Marlene Hoff.

4. Locality, Zoning, and Size

Erf 2475, Swakopmund Extension 8, is located on Diamond Street. The erf is zoned "single residential" with a density of 1:600m² and measures 1501m² in extent.



Figure 1: Locality of Erf 2475, Extension 8

5. Discussion

The applicant had acquired this property on the 18th of July 2012 through bank repositioned sale from Bank Windhoek Limited as per Deed of Transfer (**See Annexure C**). From our satellite photos obtained, records show that these structures had been constructed between May 2006 and March 2011 (**See Annexure D**).

Construction of such structures on the street building line without an approved building permit, building line relaxation, or the special consent of Council. These approvals should be obtained in reverse order before construction. The property is therefore not in compliance. This structure is in violation of the building regulations as well as the Swakopmund Zoning Scheme.

In terms of Clause 5 (A) 2.4 (a) (i and iii) of the Swakopmund Zoning Scheme, "no building, permanent structure or portion thereof, except for boundary walls and fences, may be erected on the site within 5 metres from any Street boundary and "5 metres in the case of a garage from any street boundary or half the height of the building, whichever is greater." Additionally,

Clause 5 (A) 2.4 (e) states that "Council may relax these requirements if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result".

Council, by virtue of Council Resolution C/M 2018/06/28, delegated to the General Manager: Engineering and Planning Services, powers to relax Street building lines from 5 meters up to 1 meter. The applicant constructed their garage at zero on the street building line, see below.



Figure 2: Structure built on the street at zero meters (0m)

6. **Previous Decisions**

An application of a similar nature, Erf 1441, Mondesa, was served before Council at its meeting held on the 27th April 2023, where Council resolved that the applicant demolish the unapproved structure. While Council could have condoned the structure, it was categorised as a major transgression, as the structure was constructed without approved building plans, and the structure exceeded the building lines without the necessary permissions being granted. The decision of Council was taken on the basis that having a garage on the street building line at zero (0) meters building line poses a danger to both motorists and pedestrians, and the structure should therefore be demolished.

7. **Evaluation**

There are similarities between the case of Erf 2475, Swakopmund Extension 8, and Erf 1441, Mondesa. The structure on Erf 2475, Swakopmund, is also constructed on the street at zero (0) meters building line (see figure 2 above). Condoning the construction of the garage on the street may create a precedent that Council will not be able to manage in the long term. The resident will get into the habit of constructing buildings without approved building plans and submitting As-built drawings, which would only be subject to a fine upon condonation by Council.

The applicant motivated that the structure that was constructed will serve both as a garage and an outbuilding. In considering the satellite records obtained, it is evident that the structures were constructed before the property was repossessed by Bank Windhoek Limited and sold to its current owners. Please see the plan attached in **Annexure C**.

Council at an Ordinary Council Meeting held on 29th April 2009, resolved to adopt the following penalty clause to be applied for non-compliant structures:

- *Minor transgression (Boundary walls) N\$37.13 per running meter per month*
- *Minor transgression (Building/Structures) N\$48.8/m² per month*
- *Medium transgression N\$ 185.66/m-m² per month*
- *Major transgression N\$504.99/m-m² per month*

The transgressions are categorized and defined as follows:

Minor Transgression: Deviation from the original approved plan (making some minor adjustments to the approved plans), whereby the structure added does not exceed 35% of the area of the approved building plans (this includes the boundary walls)

Medium Transgression: Addition of extra structures onto the approved plan, whereby the structure added exceeds 35% of the area of the approved building plans.

Major Transgression: Any structure without the approved plan and building over the building lines without **the** necessary permission for the building line relaxation.

Given how Council handled the application of Erf 1441, Mondesa, it would be suggested that the same decision be taken and applied to the case of Erf 2475, Swakopmund Extension 8, had the structures been constructed by the current owners after 2012.

8. **Conclusion**

Considering the motivation received from Namplan town Planning Consultants and our records, it will be unfair to the current owners if these structures must be demolished, having purchased the property in its current state.

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

RECOMMENDED:

- (a) **That the Council relax the street building line for the garage as depicted in the application dated 1th April 2025 (on file).**
 - (b) **That the unapproved building structures on Erf 2475, Vineta, be condoned.**
 - (c) **That the Penalty for Non-Compliant, which amounts to N\$131,651.07 (VAT incl) be paid in full before the issuance of the "As-Built" Plans for Approval and the release of the Compliance Certificate.**
 - (d) **That upon payment of the Penalty for Non-Compliant Construction amount, the as-built plans be submitted for approval.**
-



ANNEXURE A

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

Ref: E 2475

Enquiries: Andre' Louw

28 April 2025

LUZAINÉ M. HOFF
P.O. Box 3257
Vineta
Swakopmund
Namibia
13003

Email: robby@swav.na

Dear Sir/Madam

BUILDING COMPLIANCE CERTIFICATE APPLICATION ON ERF 2475 VINETA, (SWAKOPMUND)

This letter is written to inform you that Council takes receipt of the as-built plans and the application for relaxation of development received dated 01 April 2025.

However, in terms of Municipal Regulations and Building Control Legislation, any construction undertaken without any Council approval is an offence that a fine can be levied against.



Figure 1: Unapproved structure on the street Boundary line.

The layout submitted does not conform to the Swakopmund Town Planning Amendment Scheme 12. Hence no fine can be issued for the unapproved construction.

The matter needs to be forwarded to Council to discuss and find a resolution. Before this is done, you are hereby requested to provide a comprehensive written motivation explaining the reasons and circumstances under which these structures were built without Council approval. This will be presented to Council along with the recommendation from the Engineering & Planning Services department. Once there is a Council resolution, further progress is made.

Your co-operation in this regard will be highly appreciated. For further information, kindly contact the Manager Building Control & Design Office: Mr. Andre Louw at 064 410 4402 / 081 124 9234 or alouw@swakopmund.com.na

Yours faithfully
Swakopmund Municipality



Clarence McClune

General Manager: Engineering & Planning Services



TEL: 0812444441

EMAIL: NAMPLAN@NAMPLAN.AFRICA

ANNEXURE B

Chief Executive Officer
Municipality of Swakopmund
P.O. Box 53
Swakopmund
Namibia
13001



9 June 2025

Dear Sir,

APPLICATION FOR CONSENT FROM COUNCIL IN TERMS OF CLAUSE 5, PARAGRAPH A, SUB-PARAGRAPH 2.4(E) OF THE SWAKOPMUND ZONING SCHEME NO. 12 FOR THE RELAXATION OF THE STREET BUILDING LINES FOR GARAGE STRUCTURES FROM 5M TO 0M FROM STREET ON ERF 2475, SWAKOPMUND, EXTENSION 8

Application is herewith made by NAMPLAN Town Planning Consultants and Projects CC. on behalf of the owner of Erf 2475, Extension 8, Swakopmund for consent from Council for the relaxation of street building lines from 5 meter to 0 meter as per Clause 5, Paragraph A, Sub-Paragraph 2.4(e) of the Swakopmund Zoning Scheme No. 12.

1. PROPERTY DESCRIPTION, LOCATION AND HISTORY

The property is zoned "Single Residential" with a density of 1:900m² and currently accommodates a dwelling house with its associated outbuildings. The property is located in Diamond Street in the older neighbourhood of Swakopmund known as Vineta and measures 1051m² in size. The property according to the title deeds attached as Annexure A, was legally sold in its current state to the current owner on 1 July 2012 with one half share of the property sold to her husband on 6 June 2016. Due to the current garage structure, our client cannot obtain the required certificate of building compliance certificate from the Swakopmund Municipality for the property to be sold.





Image No 1: Aerial view and location of Erf 2475.

2. MOTIVATION AND INTENTION

The owners of Erf 2475 is in the process to sell the property to a potential buyer. When he applied for a building compliance certificate, they were informed that the current garages is illegally built on the street building line and that the structures is in contravention on the Swakopmund Zoning Scheme No. 12. Due to this, they cannot obtain a building compliance certificate nor sell the property until this matter is not resolved by Council as per letter dated 28 April 2025 as received from the Swakopmund Municipality (Annexure B).

The property in question was purchased by the owner nearly 13 years ago with all current structures on it without her knowledge that these structures are indeed illegal. It is thus the intention of the my clients, if allowed by Council, to keep the existing garage structures that has been constructed more than 13 years ago when the property was purchased without having to demolish it as it is an existing permanent structure that does not look out of character for the area in question. They do however want to convert these garages into storage space and not use it as garages anymore. This can be a made a condition of approval for relaxation of street building lines. It should also be mentioned that Diamond Street is a fairly wide and very quiet street with minimum motor vehicle or pedestrian traffic.

The current owners would now like to rectify this problem without having to demolish the garages (to be converted to storage space) as the potential buyer would like to keep this as storage space.

Please see Google satellite images below from June 2011 and June 2025.



Image No. 2: Satellite Image from June 2011.



Image No. 3: Satellite Image from June 2025.

According to the building line relaxation form as provided by the Swakopmund Municipality garages are allowed to be constructed 5 meters from the street boundary and with consent from Council up to 4 meters or 3 meters depending on the orientation of such garage structures on the property. The current "illegal" structures are located on the street boundary line hence the reason an application for relaxation of the street building line requirements is made to Council for decision. The photo below indicates where the garage structures are located on the property.



Image No. 3: Location of garage structures on Erf 2475.

The Swakopmund Zoning Scheme No. 12 does make provision for the relaxation of such building line requirements as per Clause 5, Paragraph A, sub-paragraph 2.4 (e). This paragraph reads as follows:

“(e) The Council may relax the requirements if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.”

The existing garage structure on the property is not a safety concern nor a visual nuisance to the public or the surrounding property owners as someone would have complained or objected to the Swakopmund Municipality if this was the case.

The owners have already provided the Swakopmund Municipality with as-built plans for the “illegal” structures (Annexure C). All other required documentation such as building line relaxations and an engineers report or any other required documentation will be provided to the Swakopmund Municipality should Council allow my client not to demolish these structures.

3. CONCLUSION

With reference to the above, there exist no reasons that are of such nature that the intention of the owners of Erf 2475 cannot be supported. It is clear from the motivation that the existing garage structures located on the street boundary is not out of context for the area in question and will not interfere with the amenities of the neighbourhood, existing or as contemplated by the Scheme. It will be surely unfair towards the current owners to have the garage structures in question demolished as the property was bought without knowing that the garage structures was not approved by Council. As mentioned earlier, the owner will provide the Swakopmund Municipality with all necessary and required documentation in order for the garage structures (to be converted to storage) to be legal and in accordance with the Swakopmund Zoning Scheme No.12.

4. APPLICATION

On behalf of our client, we herewith formally apply for:

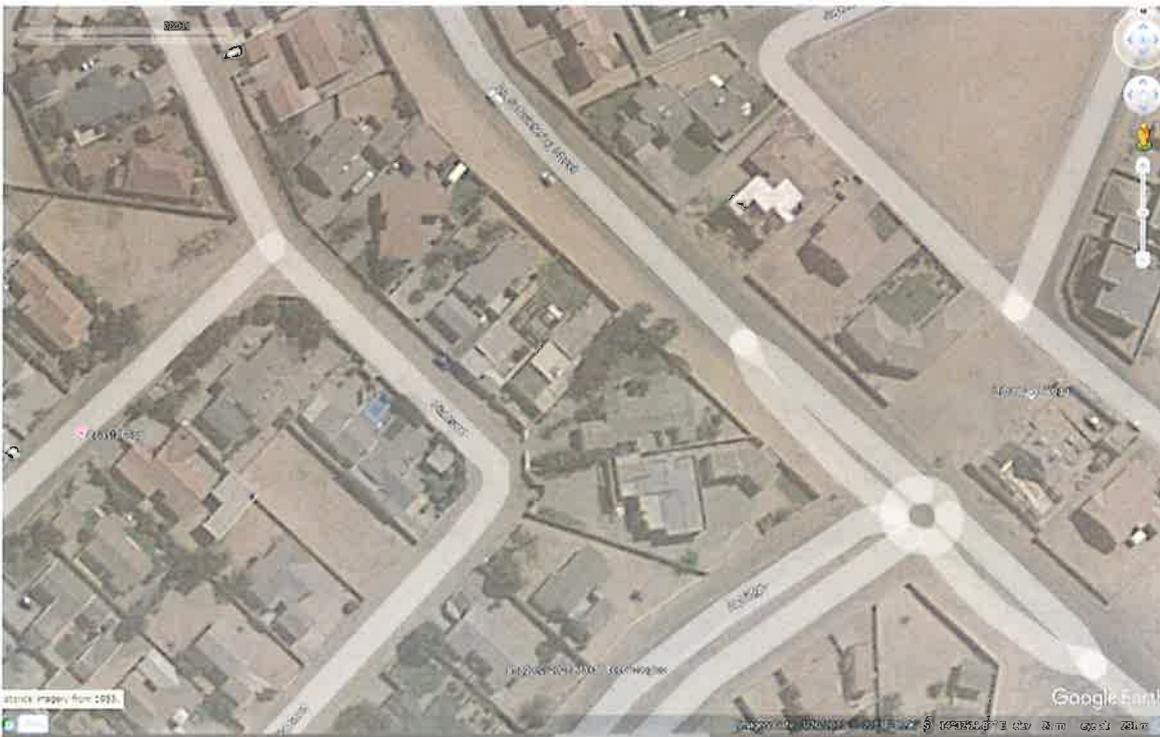
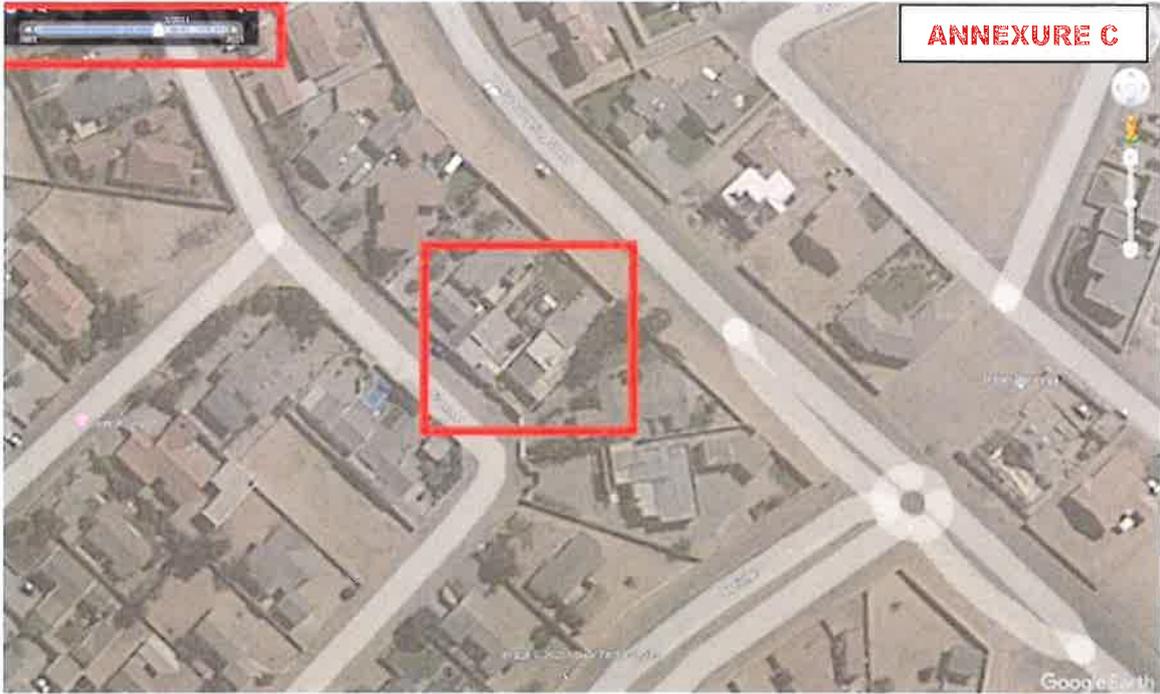
Consent from Council in terms of Clause 5, paragraph A, sub-paragraph 2.4(e) of the Swakopmund Zoning Scheme no. 12 for the relaxation of the street building lines for garage structures from 5m to 0m from the street on Erf 2475, Extension 8, Swakopmund.

It is trusted that Council will find the above application for the relaxation of street building lines in order and please feel free to contact our office at the details provided should you have any questions regarding the application.

Yours faithfully



W I van der Westhuizen



ANNEXURE D

Handwritten notes:
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CONVEYANCER
KOTZE W G

DEED OF TRANSFER

Be it hereby made known:

THAT WILLEM CAREL KOTZE

appeared before me, Registrar of Deeds at WINDHOEK he/she the said Appraiser, being duly authorised thereto by a Power of Attorney granted to him/her by

LUZAINÉ MARLENE HOFF

(Identity Number: 850116 1016 3)

MARRIED OUT OF COMMUNITY OF PROPERTY

dated the 8th day of JUNE 2016, and signed at SWAKOPMUND

Ordinary Council Meeting – 29 January 2026

- 2 -

And the said Appearer declared that his/her Principal had truly and legally donated the undermentioned property on the 6th day of JUNE 2016 to the hereinafter-mentioned transferee; AND WHEREAS the transferee has on the 9th day of JUNE 2016 accepted the donation

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

JEROME WAYNE HOFF

(Identity Number: 840917 1014 7)

MARRIED OUT OF COMMUNITY OF PROPERTY

his Heirs, Executors, Administrators or Assigns,

CERTAIN: ONE HALF SHARE IN ERF NO. 2475 SWAKOPMUND (EXTENSION NO. 8)

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

MEASURING: 1 051 (ONE THOUSAND AND FIFTY ONE) SQUARE METRES

FIRST TRANSFERRED by Deed of Transfer No. T460/1984 with General Plan S.G. No. A74/1975 relating thereto and held by Deed of Transfer No. T5854/2012

SUBJECT to the following conditions imposed in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954), and created in Deed of Transfer No. T3817/2009, namely:

IN FAVOUR OF THE LOCAL AUTHORITY:

1. 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.
2. 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

WHEREFORE the Apparer, renouncing all the right and title which the said TRANSFEROR heretofore had to the premises, did, in consequence also acknowledge the said TRANSFEROR to be entirely dispossessed of, and disinclined to, the same, and that by virtue of these presents, the said TRANSFEREE, his Heirs, Executors, Administrators or Assigns, now is and hereafter shall be entitled thereto, conformably to local custom, the State, however, reserving its rights, and hereby acknowledging that Transfer Duty was paid on the sum of N\$1 430 000,00, being the fair value accepted by the Receiver of Revenue for transfer duty purposes.

Signed at WINDHOEK on

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

In my presence,



Registrar of Deeds



Signature of Apparer

Transfer Duty Receipt No.
OR Exemption Certificate: 304071063
Issued at WALVIS BAY
On 22 JUNE 2016
for N\$25 500,00

Checked: 1. _____
2. _____

2. I, the undersigned, WILLEM CAREL KOTZE hereby certify in terms of Section 78(a) of Act 23/1993 ("the Act") that all rates leviable in respect of the immovable property contained in this Deed, and all the fees, charges and other moneys due to the local authority council in respect of any service, amenity or facility supplied to such property in terms of the Act, inclusive of any availability charge and minimum charge provided for in section 33(1)(a) of the Act, have been paid up to and including the date of registration thereof.

CONVOYANCER

DEPARTMENT OF FINANCE

REPUBLIC OF NAMIBIA

INLAND REVENUE

**TRANSFER DUTY - FORM B
DECLARATION BY PURCHASER**

TRANSFEROR (Seller)	
LUZAINÉ MARLENE HOFF	
TRANSFEREE (Purchaser)	
JEROME WAYNE HOFF	
DESCRIPTION OF PROPERTY	
CERTAIN:	ONE HALF SHARE IN AND TO: ERF NO. 2475, SWAKOPMUND (EXTENSION NO. 8)
SITUATE:	IN THE MUNICIPALITY OF SWAKOPMUND REGISTRATION DIVISION "G" ERONGO REGION
MEASURING:	1 501 (ONE FIVE NIL ONE) SQUARE METRES
Mode of acquisition (donation, lease, exchange, etc): DONATION	
Date of Transaction:	6 June 2016
Consideration:	NIL
TRANSFER DUTY PAID BY:	MALHERBE ASSOCIATES INC.
Postal Address:	P O BOX 75 SWAKOPMUND
Municipal, Divisional Council or other local authority valuation: NS	
FOR OFFICIAL USE	
Transfer duty paid on NS	Fair Value: Bare Dominium Value:
Law under which duty charged	
Seal defacing stamp of office of issue 	CASH REGISTER RECEIPT RECEIVER OF REVENUE [Signature] 2016/06/06 15:00:00

PREPARED BY ME

[Signature]
CONVEYANCER
SWANEPOEL, A

NAMIBIA
REVENUE
N\$500
NAMIBIA
REVENUE
N\$1000
NAMIBIA
REVENUE
N\$1000

[Handwritten notes and signatures]
1/2 Share
MORNINGTON ROAD WINDHOEK (MOSC)
1/2 400/4/2012
1/3554 (2012)
Bank

DR WIEDER KAUTA & HOVEKA INCORPORATED
Attorneys, Notaries and Conveyancers
P O Box 864
WINDHOEK

2012

DEED OF TRANSFER NO

BE IT HEREBY MADE KNOWN:

THAT ~~ANDRÉ SWANEPOEL~~ *[Signature]* Registrar of Deeds at Windhoek, he the said Appearer, being duly authorised thereto by a Power of Attorney granted to him by

BANK WINDHOEK LIMITED
Company Number 79/084

dated the 18th day of July 2012 and signed at WINDHOEK

[Handwritten marks]

AND THE SAID APPEARER declared that his Principals had truly and legally sold on the 1st of July 2012:

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

LUZAINE MARLENE HOFF
Identity Number 850110 1016 3
Married out of community of property

Her Heirs, Executors, Administrators or Assigns

CERTAIN	Erf No. 2475 SWAKOPMUND (Extension No. 8)
SITUATE	in the Municipality of SWAKOPMUND Registration Division "G" ERONGO Region
MEASURING	1051 (One Zero Five One) Square Metres
FIRST TRANSFERRED	by Deed of Transfer No. T 460/1984, with General Plan SG No. A 74/1975 relating thereto and;
HELD	by Deed of Transfer No. T 6985/2011
SUBJECT	to the following conditions imposed in terms of the Town Planning Ordinance No. 18 of 1954 (See BC22/2007) and created in the said Deed of Transfer No. T 3817/2008, namely:

IN FAVOUR OF THE LOCAL AUTHORITY

1. 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.
2. 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



WHEREFORE the Appearer, renouncing all the Right and Title which the said
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

Her Heirs, Executors, Administrators or Assigns, now 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\$ 950 000.00.

SIGNED AT WINDHOEK ON 23 OCT 2015, together with the
appearer, and confirmed with my seal of office.



SIGNATURE OF APPEARER

In my presence



REGISTRAR OF DEEDS

REPUBLIC OF NAMIBIA - MINISTRY OF FINANCE
INLAND REVENUE
TRANSFER DUTY - FORM B

Part I

DECLARATION BY PURCHASER

TRANSFEROR (Seller) BANK WINDHOEK LIMITED
--

TRANSFeree (Purchaser) LUZAI NE MARLENE HOFF

DESCRIPTION OF PROPERTY	
CERTAIN	ERF NO. 2475 SWAKOPMUND (Extension No. 8)
SITUATE	In the Municipality of SWAKOPMUND Registration Division "G" ERONGO Region
MEASURING	1051 Square Metres
PURCHASE PRICE ACCEPTED FOR STAMP DUTY PURPOSES: <u> </u> RECEIVER OF REVENUE	

Date of transaction: 1 JULY 2012	Consideration: N\$950 000.00
TRANSFER DUTY PAID BY Postal address:	DR WEDER KAUTA & HOVEA INC (SWANEPOEL / ts) P O Box 864, WINDHOEK

FOR OFFICIAL USE	
Transfer Duty paid on <u>N\$950 000.00</u>	Being <u> </u>
Law under which duty charged	

Steel detaching stamp of office of issue	496	CASH REGISTER RECEIPT
	<u> </u> Receiver of Revenue	<u> </u> 210919 10200216 00001824



Handwritten initials: JM

SPECIAL POWER OF ATTORNEY

I, the undersigned,

JEROME WAYNE HOFF (ID NO. 84091710147)

in my capacity as

ONE HALF SHARE IN ERF NO. 2475 SWAKOPMUND (EXTENSION 8)

do hereby nominate, constitute and appoint,

NAMPLAN TOWN PLANNING CONSULTANTS AND PROJECTS CC, P.O. BOX 467, SWAKOPMUND, NAMIBIA

with the power of Substitution, to be our lawful Attorney and Agent in our name, place and stead, to make the necessary applications to the Swakopmund Town Council and/or the Urban and Regional Planning Board and/or Surveyor General and or Register of Deeds or any other authority, for the

CONSENT FROM COUNCIL IN TERMS OF CLAUSE 5, PARAGRAPH A, SUB-PARAGRAPH 2.4(E) OF THE SWAKOPMUND ZONING SCHEME NO. 12 FOR THE RELAXATION OF THE STREET BUILDING LINES FROM 5M TO 0M FROM STREET ON ERF 2475, SWAKOPMUND, EXTENSION 8

at the cost of the applicant and generally for effecting the purposes aforesaid, to do or to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes as we might or could do if personally present and acting herein - hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever our said Attorney and Agent shall lawfully do or cause to be done, by virtue of these present

Thus signed at WINDHOEK on this 2nd day of JUNE 2025 in the presence of the undersigned witnesses:

Handwritten signature of Jerome Wayne Hoff
JEROME WAYNE HOFF

WITNESSES:

1. NAME BRUNHILDE ELIZE MOUNON

2. NAME VENOJISUNELA MIEZE

SIGNATURE *Handwritten signature of Brunhilde Elize Mounon*

SIGNATURE *Handwritten signature of Venojisunela Mizeze*



SPECIAL POWER OF ATTORNEY

[Handwritten signature]

I, the undersigned.

LUZAINE MARLENE HOFF (ID NO. 85011010163)

in my capacity as:

ONE HALF SHARE IN ERF NO. 2475 SWAKOPMUND (EXTENSION 8)

do hereby nominate, constitute and appoint,

NAMPLAN TOWN PLANNING CONSULTANTS AND PROJECTS CC, P.O. BOX 467, SWAKOPMUND, NAMIBIA

with the power of Substitution, to be our lawful Attorney and Agent in our name, place and stead, to make the necessary applications to the Swakopmund Town Council and/or the Urban and Regional Planning Board and/or Surveyor General and or Register of Deeds or any other authority, for the:

CONSENT FROM COUNCIL IN TERMS OF CLAUSE 5, PARAGRAPH A, SUB-PARAGRAPH 2.4(E) OF THE SWAKOPMUND ZONING SCHEME NO. 12 FOR THE RELAXATION OF THE STREET BUILDING LINES FROM 5M TO 0M FROM STREET ON ERF 2475, SWAKOPMUND, EXTENSION 8

at the cost of the applicant and generally for effecting the purposes aforesaid, to do or to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes as we might or could do if personally present and acting herein - hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever our said Attorney and Agent shall lawfully do or cause to be done, by virtue of these present

Thus signed at Windhoek on this 2nd day of June 2025 in the presence of the undersigned witnesses

[Handwritten signature]
LUZAINE MARLENE HOFF

WITNESSES:

1. NAME: Beunty de Elize Mouton

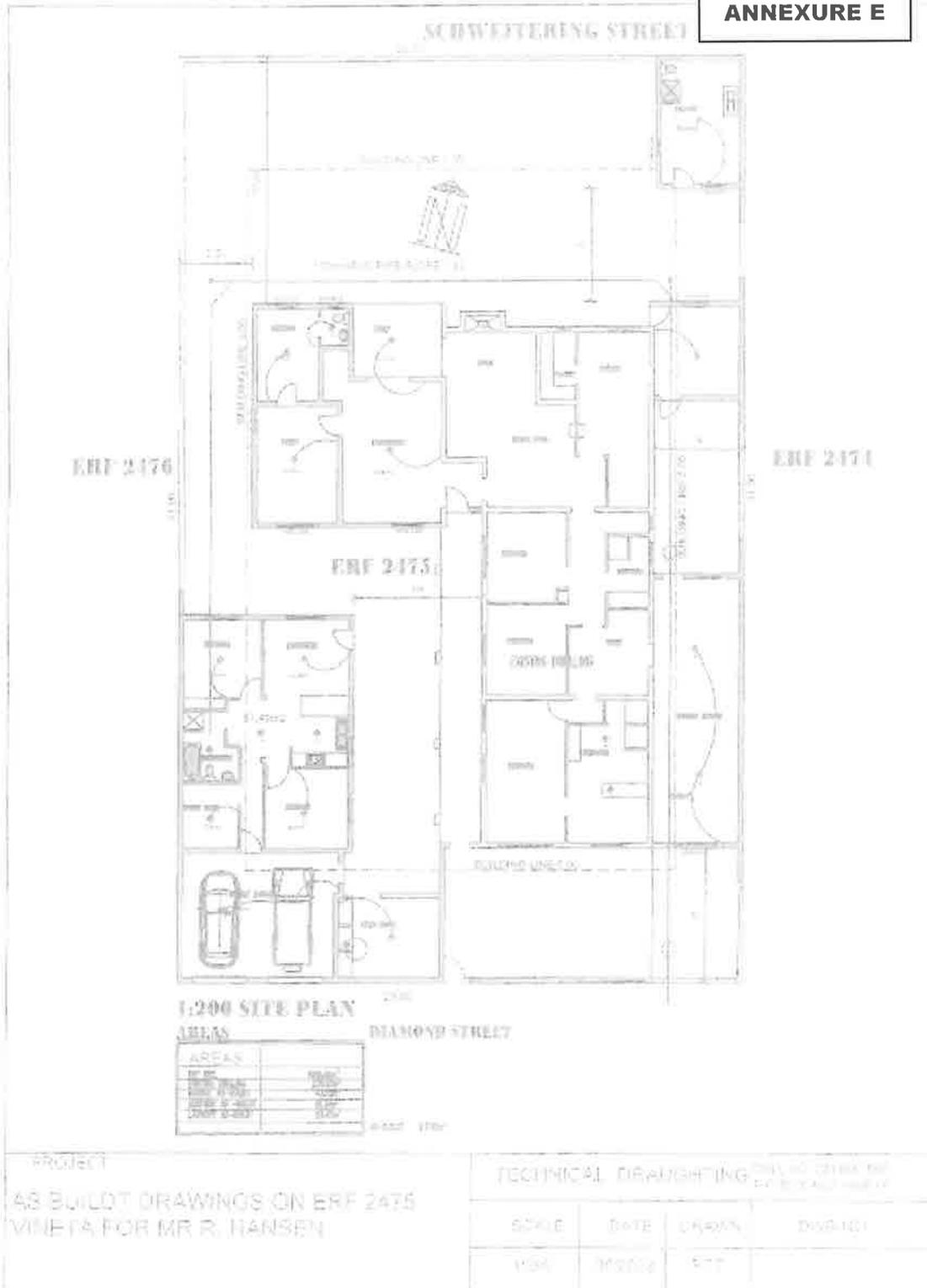
2. NAME: Meredyn van Tonder

SIGNATURE: *[Handwritten signature]*

SIGNATURE: *[Handwritten signature]*



ANNEXURE E



11.1.4

PERMISSION TO PUT UP ADVERTISING MOBILE TRAILERS

(C/M 2026/01/29 - 8/2/1)

Ordinary Management Committee Meeting of 15 January 2026, Addendum **8.3** page **29** refers.

A. This item was submitted to the Management Committee for consideration:**1. Purpose**

The purpose of this submission is to request consent from Council to grant permission to Media Solutions Group to install mobile advertisement trailers within the townlands of Swakopmund by means of a lease agreement.

2. Summary of attachments

- Annexure "A"** : Application letter from Media Solutions Group.
Annexure "B" : Picture of sites as identified by the client.
Annexure "C" : Abstract from the advertisement policy.
Annexure "D" : Locality maps of the recommended and requested sites by the Engineering and Planning Services.

3. Application

A letter dated 20 August 2025 was received from Media Solutions Group, which requests permission to set up mobile advertisement trailers on the following sites as identified by the applicant. (**See Annexure A & D**).

- Site 1:** Sam Nujoma Avenue (after the bridge and opposite the palm trees)
Site 2: Moses //Garob Street (by Trans Namib & opposite food lover's market.
Site 3: Daniel Kambo Street (Municipal parking area).

In terms of the Swakopmund Municipal's Advertisement Policy, such kinds of advertisement are prohibited. The advertisement policy does make provision for such kinds of applications to be submitted to the Management Committee for approval/consideration. (**See Annexure C**)

A public open space was identified on Erf 2310 Mondesa to be used for such advertisement. (**See Annexure D**) This site has previously been approved to be used for a similar type of advertising. The applicant has not indicated any interests in this proposed site. It is recommended that this be proposed to the applicant.

4. Discussion

Site 1: Is located on undetermined land, the erf is allocated to the Municipality of Swakopmund. The proposed location is situated as you enter Swakopmund from Arandis after the railway bridge.

Site 2: This site is located on Erf 444; this erf is the property of Transnamib. The applicant will have to apply through TransNamib, and this application will have to be submitted to Council to consider such a site. Unapproved Mobile Advertising trailers are currently placed on this Erf by HEKAMI TRAILERS, who

have received instructions to remove the trailers previously. This company is uncooperative and insulting towards Municipal Officials, and further proposals by them will not be recommended for approval by Council.

Site 3: This site is also on erf Rem of 5370. The position is located on the west the Municipality of Swakopmund Headquarters in the municipal parking area. The sign is located on the erf and does not create a traffic visibility problem, and the land is currently allocated to parking activities.

As this application is to place mobile trailers, in consideration of the general aesthetics and durability, it is not recommended to allow such advertising for a longer period than 12 months. Allowing such types of advertising to propagate throughout town may create a negative impression in general and alienate existing advertising.

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

RECOMMENDED:

- (a) That the Council grants permission to Media Solutions Group to install mobile advertisement trailers on sites one (1) and three (3)
 - (b) Site two (2) to be declined and the applicant to be informed that he will have to apply for location two (2) through Transnamib.
 - (c) That the mobile advertising trailers currently placed on Erf 444, Transnamib Property, be removed from the property, as it was not approved by Council.
 - (d) That permission only be granted to use sites for twelve (12) months with no option to renew the lease period.
 - (e) That Erf 2310, Mondesa, be proposed to the applicant as an alternative location to place one Mobile Advertising trailer.
 - (f) That Corporate Service, Property Division set up a formal lease agreement for the use of Council's land before any advertising be placed.
 - (g) That Media Solutions Group to pay a monthly fee of N\$2,300.00 per site.
 - (h) That Media Solutions Group be responsible for the maintenance of the mobile trailers.
 - (i) The council reserves the right to cancel the lease agreement at any time during the lease period should the requirement not be met.
 - (j) That the locations for this type of advertising be limited to the approved sites and be made available to other applicants once the lease period has expired.
-



Nordland Street, Erf 38, Lahenz Windhoek P.O. Box 96366 Windhoek, Namibia Tel: 061 309 238 Fax: 061 228 195 Email: info@mediasolutiongroup.com

20 August 2025

ANNEXURE A

SOLUTIONS GROUP

Municipality of Swakopmund
General Manager: Engineering and Planning Services
PO Box 53
Swakopmund
Namibia

Dear Mr. C McClune,

RE: APPLICATION FOR TRAILER ADVERTISING IN SWAKOPMUND

This letter serves in reference to our recent telephonic conversation regarding the request from one of our clients, PST Betting for advertising exposure in Swakopmund.

In light of the aforementioned, we hereby wish to apply for approval to display A-frame trailer advertising within Swakopmund for a period of twelve (12) months.

This will be for one (1) 3m x 6m trailer and the client intends to alternate the trailer between three identified locations on a two-monthly rotation schedule. Attached find Annexure "A" with proposed locations for your consideration.

We will ensure that all advertising material is maintained in a neat and presentable manner and that the placement of the trailer will comply with the Municipality's by-laws and guidelines.

Your consideration of this application is highly appreciated, and we look forward to your favorable response.

Kind regards,

Eugene September
Country Manager: Namibia
Tel: +264 61 309 238
Cell: +264 81 651 5455
E-mail: eugene@mediasolutiongroup.com

SITE 1

ANNEXURE B



Map indicating the proposed location at the Entrance of Swakopmund from Arandis after the railway bridge.

SITE 2



edija solutions group

Map indicating the proposed location on Erf 444, which belongs to TransNamib

SITE 3

redia solutions group



Map indicating the proposed location on Erf 5370 west of the Swakopmund Municipality Head Office

ADVERTISEMENT POLICY

10

ANNEXURE C

- Only one advertising sign per junction/intersection corner is allowed.
- Advertising signs may only be erected on medians, or in the middle of any road with the special consent of the committee established by Council.
- No advertising sign for a business or product may be erected on a residential erf even though the owner of the erf has given his/her approval to the applicant.
- Only advertisements applicable to Swakopmund are allowed. Signs advertising a business in another town are not allowed.
- The applicant is responsible for the erection of the sign to the satisfaction of the General Manager: Engineering Services and the Manager: Traffic Services.
- The exact position of the sign (where applicable) has to be determined in conjunction with the Manager: Traffic Services and the General Manager: Engineering Services.
- The applicant remains responsible for the maintenance of the sign.
- Council reserves the right to remove any sign at the applicant's cost should the applicant fail to maintain such a sign according to our requirements, or if the sign does not meet our specifications / requirements, or if the sign / advertisement differs from what has been approved, or if the sign displays an advertisement which, to Council's opinion, is against moral standards.
- Council also reserves the right to remove such sign should the applicant fail to do so upon request from Council if such removal is necessitated due to future development of the area.
- No advertisement for businesses operated on business premises may be done on a residential erf.
- All approvals given are temporary.
- Any application to erect signs which are not in compliance with the aforementioned policy must be submitted to the Management Committee of the Municipal Council of Swakopmund for consideration thereof.

11.1.5

APPLICATION FOR REZONING OF ERF 4827 (A PORTION OF ERF 4007), SWAKOPMUND EXTENSION 10 FROM GENERAL BUSINESS TO GENERAL INDUSTRIAL

(C/M 2026/01/29 - E 4827)

Ordinary Management Committee Meeting of 15 January 2026, Addendum **8.4** page **38** refers.

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

1. Purpose

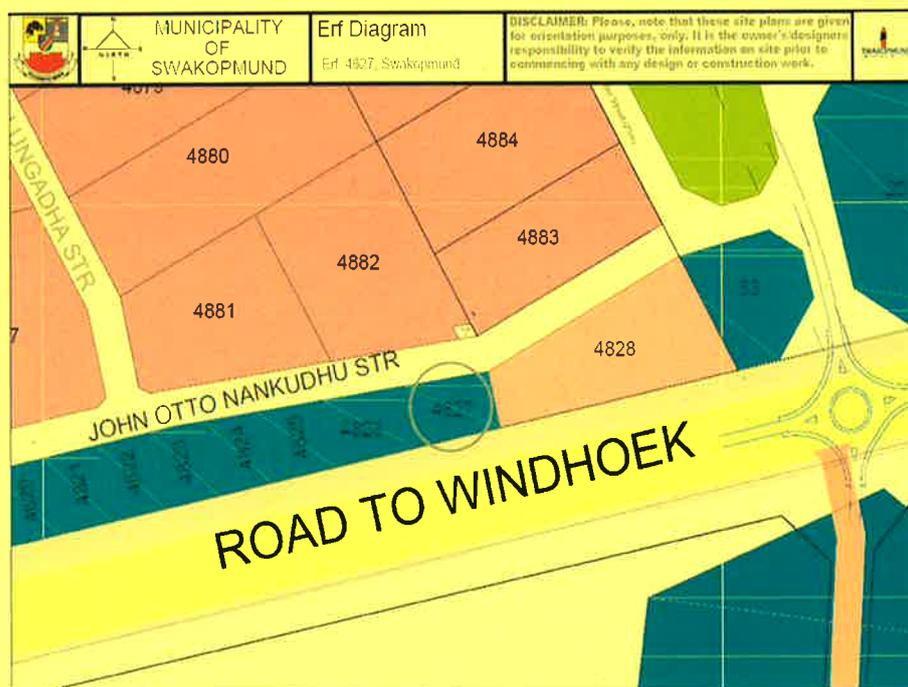
The purpose of this submission is for Council to consider the application for rezoning of Erf 4827, Swakopmund Extension 10, from general business to general industrial in terms of Section 105 (1) (a) (ii) of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018).

2. Introduction and Background

An application for the rezoning of Erf 4827, Swakopmund Extension 10, from general business to general industrial was received by the Engineering and Planning Services from Namplan Town Planning Consultants on behalf of the registered owner, S. M. E. I. Projects Namibia (Proprietary) Limited. The application is attached as **Annexure A**.

3. Zoning, Locality, and Size

Erf 4827, Swakopmund Extension 10 (a Portion of Erf 4007) is zoned general business and is situated on John Otto Nankudhu Street. The Erf measures approximately 2641m² in extent.



4. **Ownership**

The ownership of Erf 4827 (a Portion of Erf 4007), Swakopmund Extension 10, vests in S. M. E. I. Projects Namibia (Proprietary) Limited as indicated in the Deed of Transfer T5859/2024.

5. **Access and parking**

Access to the erf will remain via John Otto Nankudhu Street, and parking for the proposed development will be provided on-site in accordance with the provisions of the Swakopmund Zoning Scheme.

6. **Advertisement**

The proposed consent was advertised on the 3rd, 4th and 11th March 2025 in the New Era and Republikein newspapers.

The neighbouring property owners were notified via registered mail. A notice was placed on-site and on the municipal notice board. Additionally, a notice was published in the Government Gazette No 8675 dated 1st July 2025.

The closing date for objections to the proposal was 14th July 2025. No objections were received.

7. **Proposal**

The applicant's prospects for the erf are to utilise it as a storage facility and metal fabrication. Currently, there is a large warehouse with associated offices on the property; however, these land uses are not primary uses on a general business-zoned property.

8. **Evaluation**

Erf 4827, Swakopmund, is zoned for general business in a predominantly industrial zoned area. The applicant's intended uses of a storage facility (warehouse) and metal fabrication are industrial in nature. The applicant has gotten Council's special consent approval to operate the warehouse and metal fabrication on the premises under the service industry.

Once the property is rezoned to general industrial, the warehouse and the metal fabrication become the primary use.

TABLE B

	1	2	3	4
	ZONE	MAP REFERENCE	PURPOSES FOR WHICH LAND MAY BE USED	PURPOSES FOR WHICH LAND OR BUILDINGS MAY BE USED WITH THE CONSENT OF THE COUNCIL ONLY
G	General Industrial	Dark purple fill	Industrial Building, Scrap Yard, Warehouse, Building Yard, Dry Cleanette, Launderette, Light Industry	Service Stations Office Building, Place of Instruction, Noxious Industry, Shop, Public Garage, Place of Amusement

The applicant did not indicate the preferred bulk factor. The presiding bulk for the industrial zoned properties in the area is 1.0. the same bulk should be allocated to Erf 4827, Swakopmund Extension 10.

9. **Compensation**

The rezoning of Erf 4827, Swakopmund Extension 10, from "General Business" to "General Industrial" is subject to a 30% 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 Fees Policy of 2009.

10. **Conclusion**

The application to rezone Erf 4827, Swakopmund Extension 10 (a Portion of Erf 4007) from general business to general industry does not have any detrimental effect on the area and can therefore be supported.

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

RECOMMENDED:

- (a) **That the rezoning of Erf 4827 (a portion of Erf 4007), Swakopmund Extension 10, from "General Business" to "General Industrial" with a bulk of 1.0 be approved.**
 - (b) **That the rezoning of Erf 4827 (a portion of Erf 4007), Swakopmund Extension 10, from "General Business" to "General Industrial" with a bulk of 1.0 is subject to a 30% compensation fee calculated according to the National Betterment Fee Policy of 2009 and is to be paid by the applicant.**
 - (c) **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.**
 - (d) **That all the parking be provided on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated.**
 - (e) **That the applicant provides proof that the rezoning has been approved by the Minister and promulgated, before any submission of building plans to the Engineering and Planning Services Department for approval, and**
 - (f) **That all additional infrastructure 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.**
-

ANNEXURE A- APPLICATION

P.O. BOX 467 SWAKOPMUND E 4827

TEL: 0812444441

EMAIL: NAMPLAN@NAMPLAN.AFRICA

Chief Executive Officer
Municipality of Swakopmund
P.O. Box 53
SWAKOPMUND
Namibia
13001



22-03-07-4827

29 August 2025

Dear Sir

APPLICATION FOR REZONING OF ERF 4827, EXTENSION 10, SWAKOPMUND, FROM "GENERAL BUSINESS" TO "GENERAL INDUSTRIAL"

Application is herewith made, on behalf of the owners (Annexure E) for the rezoning of Erf 4827, Extension 10, Swakopmund, (Annexure A) from "General Business" (Annexure B) to "General Industrial" (Annexure C).

In order to proceed to Ministerial level for approval it is needed to obtain Council approval for the said intentions.

1. BACKGROUND

Erf 4827 is located in the so called Extension 10 new industrial area in Swakopmund. The property is already developed and accommodates a big warehouse/workshop and offices that are related to the main uses. This area of Swakopmund is very well developed but not to its full potential. Most roads in the area are +30 - 40 meters wide and are paved. The surrounding area already has some properties that was rezoned to "General Industrial".

2. LOCALITY AND ERF SIZE

Erf 4827 is located along John Otto Nankudhu Street in Extension 10 the new industrial area of Swakopmund (Annexure A). Erf 4827 measures approximately 2641m² in size. As mentioned earlier in this application, the Erf in question currently accommodates some physical structures on it.



3. OWNERSHIP

Ownership of Erf 4827, Extension 10, Swakopmund vests with S.M.E.I Projects Namibia (Pty) Ltd and is held by Deed of Transfer T5859/2024 (Annexure E).

4. ACCESS TO THE PROPERTY

Access to the property shall be obtained via the existing street network that is currently supplying access to the property. John Otto Nankudhu Street is approximately between 35 and 40 meters wide which is more than able for the purposes of access to the property for the intended purposes.

5. TOPOGRAPHY

Erf 4827 is located in an already built up area of Swakopmund. The landscape and soil structure is relatively flat with no listed fauna or flora located on it.

6. INFRASTRUCTURE

All changes required by this development in terms of infrastructure requirements shall be dealt with as the project is ongoing and shall be the responsibility of the owner/s. Any needs, should there be any, shall be communicated to the relevant institutions in this regard.

7. MOTIVATION AND INTENTION

The reason for the proposed rezoning stems from the fact that Erf 4827 currently accommodates a "General Business" and our client, in future want to make use of the property for storage purposes as well as metal fabrication. A "General Business" zoning does not allow for such uses on the property as a primary right. Due to the above, our client would at the same time like to apply to Council for consent for these uses as a secondary right as allowed by the Swakopmund Zoning Scheme No.12. This will allow our client to start operating their business while the long statutory proposes of the rezoning are ongoing. Once the rezoning is approved, the above mentioned uses will be a primary right on the property.

The above mentioned development will thus have no detrimental impacts on the existing character of the area. This development will as a matter of fact contribute positively to the industrial area in question. It would also positively contribute to the economic status of the area and Namibia as a whole. No access problems are foreseen as the streets leading to the erf are wide enough to carry extra traffic within the area and on-site parking will be provided.

8. PARKING

An issue that usually arises from such applications and proposed developments is the issue of vehicular parking. It should therefore be noted that provision of on-site parking will be provided on site according to the provisions as contained within the Swakopmund Zoning Scheme No. 12.

9. ADVERTISEMENTS

Advertisements for the rezoning of Erf 4827, Extension 10, Swakopmund, was placed in the Republikein and New Era newspapers on 4, 5 & 11 March 2025. Closing dates for objections/comments for the newspaper notices was on the 27 March 2025. Notices was also placed in the government gazette. Neighbouring properties have also been requested for their comments/objections and no objections from property owners were received by the closing time for objections. Attached please find copies of letters to neighbors via registered post (Annexure F) as well as copies of advertisement placed in the Newspapers and government gazette notice (Annexure G). A notice was also placed on the erf and the public notice board of the Swakopmund Municipality for public comments (Annexure H)

10. CONCLUSION

With reference to the above, there exist no reasons that are of such nature that the intention of the client cannot be supported. The fact that not one property owner commented on the proposed rezoning is a clear indication that the general public supports the application. It is herewith that Council is requested to grant its approval for the intentions of our client. In order for our client to proceed with their intentions, it is required to have a "General Industrial" zoning which our client is now applying for. This development, as mentioned earlier in the application will also contribute positively to the economic status of Swakopmund and Namibia as a whole.

11. APPLICATION

On behalf of our client/s, we herewith formally apply for the:

Rezoning of Erf 487²⁷, Extension 10, Swakopmund, from "General Business" to "General Industrial"

It is trusted that Council will find the above application for the rezoning of Erf 4827, Extension 10, Swakopmund in order

Yours Faithfully,

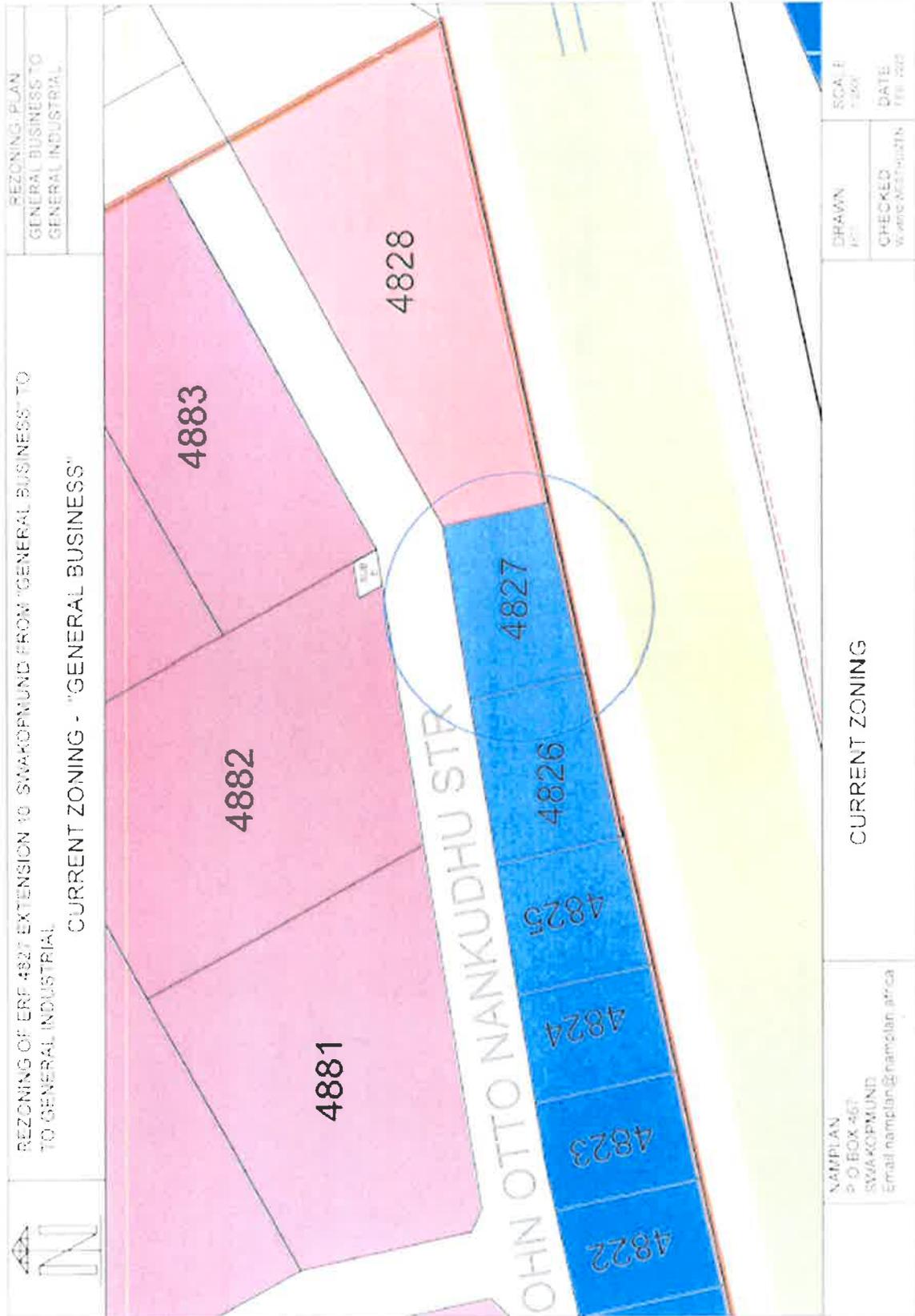


A R van der Westhuizen



W I van der Westhuizen







SPECIAL POWER OF ATTORNEY

I, the undersigned,

WAYNE CHAPMAN (PASSPORT NO. M00171569)

in my capacity as:

COUNTRY MANAGER FOR S.M.E.I PROJECTS NAMIBIA (PTY) LTD (COMPANY NUMBER 2008/0844) AND SOLE OWNERS OF ERF 4827 (A PORTION OF ERF 4007) SWAKOPMUND, EXTENSION NO. 10

do hereby nominate, constitute and appoint,

NAMPLAN TOWN PLANNING CONSULTANTS AND PROJECTS CC, P.O. BOX 467, SWAKOPMUND, NAMIBIA

with the power of Substitution, to be our lawful Attorney and Agent in our name, place and stead, to make the necessary applications to the Swakopmund Town Council and/or the Urban and Regional Planning Board and/or Surveyor General and or Register of Deeds or any other authority, for the:

REZONING OF ERF 4827 (A PORTION OF ERF 4007), SWAKOPMUND, EXTENSION 10 FROM "GENERAL BUSINESS" TO "GENERAL INDUSTRIAL"

at the cost of the applicant and generally for effecting the purposes aforesaid, to do or to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes as we might or could do if personally present and acting herein - hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever our said Attorney and Agent shall lawfully do or cause to be done, by virtue of these present.

Thus signed at Swakopmund on this 27 day of FEBRUARY 2025 in the presence of the undersigned witnesses:


WAYNE CHAPMAN - COUNTRY MANAGER

WITNESSES:

1
NAME Immanuel Kavungu

2
NAME DAVID KAMUKU

SIGNATURE 

SIGNATURE 

Prepared by me

Conveyancer
GREYVENSTEIN B

<p>I certify that STAMP DUTY in the sum of NS 54 000.00 has been paid in respect of the transaction mentioned herein, in terms of Act 15 of 1993 Receipt No. 4000159 535 Date: 26/5/2024</p> <p>RECEIVER OF REVENUE</p>
--

DR WEDER, KAUTA & HOVEKA INC
ATTORNEYS, NOTARIES AND CONVEYANCERS
SHOP 209 1ST FLOOR
PLATZ AM MEER MALL, WATERFRONT SWAKOPMUND
P.O. BOX 2970 SWAKOPMUND

58... 2024

DEED OF TRANSFER NO.

BE IT HEREBY MADE KNOWN

THAT LIANA THERESA VANDENBERG

appeared before me, the Registrar of Deeds at WINDHOEK, he/she the said Appearer,
being duly authorised thereto by a Power of Attorney granted to him/her by

STRYDO CONSTRUCTION CC
Registration Number CC/1999/0751

dated the 29th day of July 2024 and signed at Swakopmund

DR WEDER, KAUTA & HOVEKA INC
ATTORNEYS
PLATZ AM MEER MALL, WATERFRONT SWAKOPMUND

LEGALPRACTICE Version 11.8.402
TR/FDOT_NA.cdc 05-05-2021

AND THAT APPEARER DECLARED THAT the said Principal had on 26 June 2024 sold and that he/she in his/her capacity aforesaid did by these presents cede and transfer, in full and free property to and on behalf of

S.M.E.I. PROJECTS NAMIBIA (PROPRIETARY) LIMITED
Company Number 2008/0644

its successors in title or assigns

CERTAIN	ERF NO 4827 (A PORTION OF ERF 4007) SWAKOPMUND EXTENSION NO 10
SITUATE	IN THE MUNICIPALITY OF SWAKOPMUND REGISTRATION DIVISION "G" ERONGO REGION
MEASURING	2 641 (TWO THOUSAND SIX HUNDRED AND FORTY ONE) SQUARE METRES
FIRST TRANSFERRED	and still held by Deed of Transfer No. T7300/2013 with General Plan A 196/2009 relating thereto
SUBJECT	to the following conditions imposed in terms of the Urban and Regional Planning Act 2018 (Act No 5 of 2018) namely -

IN FAVOUR OF THE LOCAL AUTHORITY

The erf must only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to, the provisions of the Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act 2018 (Act No 5 of 2018) as amended

WHEREFORE the Appearer renouncing all the Right and Title which the said STRYDO CONSTRUCTION CC 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 S.M.E.I. PROJECTS NAMIBIA (PROPRIETARY) LIMITED, its successors in title or assigns now is and henceforth shall be entitled thereto conformably to local custom the State however reserving its Rights and finally acknowledging the purchase price amounting to the sum of N\$7 000 000,00 (SEVEN MILLION NAMIBIA DOLLARS)

SIGNED AT WINDHOEK on 2021-01-11 together with the Appearer, and confirmed with my Seal of Office


SIGNATURE OF APPEARER

In my presence


REGISTRAR OF DEEDS



Form CM 20

REPUBLIC OF NAMIBIA
 COMPANIES ACT 2004
 (Sections 224(2), 284, 328(1), 331(1) and 333(1)) (Regulation 46(1))

CONTENTS OF REGISTER OF DIRECTORS, AUDITORS AND OFFICERS

Companies Registration Office
 PO Box 21214
 WINDHOEK
 NAMIBIA

Registration Number of Company
2008/0844



Name and postal address of Company S.M.E.L PROJECTS NAMIBIA (PTY) LTD

Return of particulars as at 28/07/2013

1. SAGE SECRETARIAL SERVICES
 (name of director or officer)

I declare that the written consent of the directors or officers whose names appear in this return have been obtained on a duly completed Form CM 27, the directors or officers are not disqualified under section 226.

Signed Sage Secretarial Services (Pty) Ltd
 Registration Number: 527
 P.O. Box 2184
 61 Bismarck Street
 Namibia

Date 28/07/2013

KEY TO PERSONAL PARTICULARS REQUIRED		PERSONAL PARTICULARS												
1. Surname		DAVID												
2. Full forenames		DAVID												
3. Former surnames and forenames														
4. Identity number or, if not, available, date of birth		Year	Month	Day										
		?	1	0	3	8	1	5	2	1	4	0	8	8
5. (a) Date of appointment		10/11/2013												
(b) Designation		DIRECTOR												
6. Residential address		10 A CONSTANCE ROAD, BEDDOWVIEW, EXT 114												
7. Business address		143 LILY VAN NIEKENE ROAD, BOKSBURG EAST, 1461												
8. Postal address		P O BOX 14993, WADEVILLE 1428 GERMISTON, SOUTH AFRICA												
9. Nationality (if not Namibian)		SOUTH AFRICAN												
10. Occupation		DIRECTOR												
11. Resident in Namibia (Yes or No)		NO												
12. Nature of change in 1 to 6 above and date		NEW APPOINTMENT										14/11/2013		

FOR KEY TO PARTICULARS, SEE PAGE 1

Registration Number of Company
200700041

1. JONES

2. CLINTON OLIVER

3. N/A

4. Year Month Day

7	2	0	8	1	3	5	0	1	8	0	8	5
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5.(a) 26/11/2012

(b) DIRECTOR

6. 48 KINGS ROAD, BEDFORDVIEW, JOHANNESBURG

7. 141 JULY VAN NIEKERK ROAD, BOKSBURG EAST 1461

8. P.O.BOX 21557, WINDHOEK, NAMIBIA

9. SOUTH AFRICAN

10. NO

11. YES

12. NEW APPOINTMENT 26/11/2012

1.

2.

3.

4. Year Month Day

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(b)

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4. Year Month Day

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5.(a)

(b)

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12.

1. STOLS

2. ANIELDA

3.

4. Year Month Day

6	2	1	2	7	9	0	0	3	6	4		
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5.(a) 07/02/2008

(b) DIRECTOR
NO. 7 KHAN STREET, KHOS, WINDHOEK, NAMIBIA

6. 47 BISMARCK STREET, WINDHOEK, NAMIBIA

7. P.O. BOX 2104, WINDHOEK, NAMIBIA

8.

9. NASSIRIAN

10. MEMBER

11. YES

12. RESIGNED 26/11/2012

1.

2.

3.

4. Year Month Day

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5.(a)

(b)

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4. Year Month Day

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5.(a)

(b)

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12.

FOR KEY TO PARTICULARS, SEE PAGE 1

Registration Number of Companies
2016/09-01

1.	1.
2.	2.
3.	3.
4.	4.
Year	Year
Month	Month
Day	Day
5.(a)	5.(a)
(b)	(b)
6.	6.
7.	7.
8.	8.
9.	9.
10.	10.
11.	11.
12.	12.

B. AUDITOR

1. Name BDO

2. Date of appointment 01/06/2025

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

NO CHANGE

Perforated

(To be completed by company)

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

Dated 16/01/2025

Name of company S.M.G.I. PROJECTS NAMIBIA (PT) LTD

Postal address P.O. BOX 2114,
WINDHOEK
NAMIBIA

CM29

Date received
Date stamp of Companies Registration Office

February 2025

Market Watch

Windhoek Sun 5

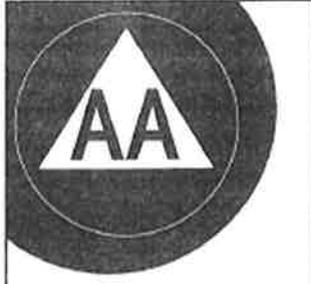


NOTICE OF INTENTION IN TERMS OF THE URBAN AND REGIONAL PLANNING ACT OF 2018 (ACT 5 OF 2018) AND CLAUSE NO 6 OF THE SWABOPMUND ZONING SCHEME NO 12

NOTICE OF INTENTION IN TERMS OF THE URBAN AND REGIONAL PLANNING ACT OF 2018 (ACT 5 OF 2018) REGARDING THE EXTENSION 3 MONTHS FROM "LIGHT INDUSTRIAL TO "RESTAURANT"

Consent in terms of clause 6.1 of the Swabopmund Zoning Scheme No 12 to extend the use of the property to a restaurant.

Consent in terms of clause 6.1 of the Swabopmund Zoning Scheme No 12 to extend the use of the property to a restaurant.



ALCOHOLICS ANONYMOUS NAMIBIA

LOSING CONTROL?

PLEASE TAKE NOTE THAT THE SWABOPMUND ZONING SCHEME NO 12 TO OPERATE A WAREHOUSE AND A SERVICE INDUSTRY FACTORY (E1) IN PORTION OF E1 40071 (EXTENSION 10, SWABOPMUND). Please take note that SWABOPMUND ZONING SCHEME NO 12 TO OPERATE A WAREHOUSE AND A SERVICE INDUSTRY FACTORY (E1) IN PORTION OF E1 40071 (EXTENSION 10, SWABOPMUND). Please take note that SWABOPMUND ZONING SCHEME NO 12 TO OPERATE A WAREHOUSE AND A SERVICE INDUSTRY FACTORY (E1) IN PORTION OF E1 40071 (EXTENSION 10, SWABOPMUND).

PLEASE TAKE NOTE THAT THE SWABOPMUND ZONING SCHEME NO 12 TO OPERATE A WAREHOUSE AND A SERVICE INDUSTRY FACTORY (E1) IN PORTION OF E1 40071 (EXTENSION 10, SWABOPMUND). Please take note that SWABOPMUND ZONING SCHEME NO 12 TO OPERATE A WAREHOUSE AND A SERVICE INDUSTRY FACTORY (E1) IN PORTION OF E1 40071 (EXTENSION 10, SWABOPMUND).

PLEASE TAKE NOTE THAT THE SWABOPMUND ZONING SCHEME NO 12 TO OPERATE A WAREHOUSE AND A SERVICE INDUSTRY FACTORY (E1) IN PORTION OF E1 40071 (EXTENSION 10, SWABOPMUND). Please take note that SWABOPMUND ZONING SCHEME NO 12 TO OPERATE A WAREHOUSE AND A SERVICE INDUSTRY FACTORY (E1) IN PORTION OF E1 40071 (EXTENSION 10, SWABOPMUND).

PLEASE TAKE NOTE THAT THE SWABOPMUND ZONING SCHEME NO 12 TO OPERATE A WAREHOUSE AND A SERVICE INDUSTRY FACTORY (E1) IN PORTION OF E1 40071 (EXTENSION 10, SWABOPMUND). Please take note that SWABOPMUND ZONING SCHEME NO 12 TO OPERATE A WAREHOUSE AND A SERVICE INDUSTRY FACTORY (E1) IN PORTION OF E1 40071 (EXTENSION 10, SWABOPMUND).

Windhoek:
081 379 6366

Om te adverteer skakel:

Kleinadvertensies
061-297 2175



PUBLIC NOTICE
TEMPORARY CLOSURE OF PETER NANYEMBA AND HEREFORD NORTH INTERSECTION

26 February 2025

Description of work: Namibia Construction (Pty) Ltd is working on a project to upgrade and downgrade Peter Nanyemba (Name Change) Road in Windhoek.

Deviation of the Affected Road: The public is hereby informed that the intersection of Peter Nanyemba Road and Hereford North Road will be temporarily closed due to construction work taking place on the surrounding area of Peter Nanyemba Road. A designated detour via Windberger and Hereford Streets will be created.

Duration: Construction work on this section of the road will continue from 10 February to 31 August 2025. We urge all members of the public to adhere to the traffic signs and observe cautions around the construction work.



For further information or to make a press enquiry contact us at:

AL CONSULTING (ENGINEERS & INFRASTRUCTURE MANAGERS)
Mr. Nilsa-Rompo (081 300 11 300) (P147)
Cell: +264 61 355 3509
Tel: +264 61 308 106
Fax: +264 61 308 107
Email: nrompo@alconsult.com

CITY OF WINDHOEK
Ms. Motha Ndumuna (060)
Engineer, Contract Management
Department of Infrastructure Water
Technical Services
Tel: +264 61 290 3680
Email: MothaNdumuna@windhoek.org.na



AL-ANON

ONLY PROVIDE ASSISTANCE FOR PEOPLE WHO LIVE WITH ALCOHOLICS.

HELP FOR RELATIVES OF ALCOHOLICS

AL-ANON Family groups offer help for friends & relatives of alcoholics.

Call: 081 256 6228

Tuesday 11 March 2025 • NEW ERA

17

CLASSIFIEDS

(061) 208 0800/44

(061) 220 584

classifieds@nepc.com.na

Services Notice Notice Notice Notice Employment SPCA

CLASSIFIEDS
Rates and Deadlines

To place an advertisement appearing on the 8th page of the New Era Weekly, Classifieds must be received 12 (twelve) working days prior to placing. Classifieds are published on Saturdays 16:00. Two days before date of publication or on any day.

Notices (SAT-Sunday)
Legal Notice NS600.00
Level Lease F-16 NS750.00
Utility Licenses NS480.00
Name Change NS150.00
Birthdays (over NS100.00)
Death Notices from NS300.00
Telegrams (including from NS100.00)
Thank You Messages from NS200.00

Terms and Conditions Apply

CALL FOR PUBLIC PARTICIPATION

Environmental Impact Assessment for an Expansion and Re-zoning of the existing EP1952 (also known as the Orange Region, Namibia)

The proposed expansion and re-zoning of the existing EP1952 (also known as the Orange Region, Namibia) is being undertaken by the applicant, Mr. [Name], who is a resident of the Orange Region, Namibia. The proposed expansion and re-zoning of the existing EP1952 (also known as the Orange Region, Namibia) is being undertaken by the applicant, Mr. [Name], who is a resident of the Orange Region, Namibia.

CALL FOR PUBLIC PARTICIPATION

Environmental Impact Assessment for an Expansion and Re-zoning of the existing EP1952 (also known as the Orange Region, Namibia)

The proposed expansion and re-zoning of the existing EP1952 (also known as the Orange Region, Namibia) is being undertaken by the applicant, Mr. [Name], who is a resident of the Orange Region, Namibia. The proposed expansion and re-zoning of the existing EP1952 (also known as the Orange Region, Namibia) is being undertaken by the applicant, Mr. [Name], who is a resident of the Orange Region, Namibia.

NOTICE OF INTENTION IN TERMS OF THE URBAN AND REGIONAL PLANNING ACT OF 2008 (ACT 3 OF 2008) AND CLASSIFICATION OF THE SWAKOPOLDS ZONING SCHEME NO. 12

REZONING OF ERF 4827 (A PORTION OF ERF 4007) SWAKOPOLDS, EXTENSION TO, FROM GENERAL BUSINESS TO GENERAL INDUSTRIAL AND CONSENT TERMS CLAUSE NO. 6 OF THE SWAKOPOLDS ZONING SCHEME NO. 12 TO OPERATE A HAIRDRESS AND A SERVICE INDUSTRY ERDF 4827 (A PORTION OF ERF 4007) EXTENSION TO SWAKOPOLDS

NOTICE OF INTENTION IN TERMS OF THE URBAN AND REGIONAL PLANNING ACT OF 2008 (ACT 3 OF 2008)

REZONING OF ERF 1500 EXTENSION 3 HEIGHTS BAY FROM LIGHT INDUSTRIAL TO INSTITUTIONAL

The applicant, Mr. [Name], who is a resident of the Orange Region, Namibia, is proposing to rezone Erf 1500 Extension 3 Heights Bay from Light Industrial to Institutional. The proposed re-zoning of Erf 1500 Extension 3 Heights Bay from Light Industrial to Institutional is being undertaken by the applicant, Mr. [Name], who is a resident of the Orange Region, Namibia.

Chesiah
The Chesiah Consumer Fund (CCF) has a list of products that are available for purchase. The products are available for purchase at a special price. The products are available for purchase at a special price.

CCF EUROPE AFFILIATE LISTING

For more information, please contact the CCF at (061) 208 0800/44.

DBV SPCA
Windhoek

Adopt a Pet

Open your heart to those in need. Give them a warm & loving home!

For more information, please contact the SPCA at (061) 220 584.

Notice

CALL FOR PUBLIC PARTICIPATION

Environmental Impact Assessment for an Expansion and Re-zoning of the existing EP1952 (also known as the Orange Region, Namibia)

Proposed Public Inquiry

Environmental Impact Assessment for an Expansion and Re-zoning of the existing EP1952 (also known as the Orange Region, Namibia)

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Proposed Public Inquiry

Environmental Impact Assessment for an Expansion and Re-zoning of the existing EP1952 (also known as the Orange Region, Namibia)

DESKER INVESTMENT (PVT) LTD

A company registered in the Republic of Namibia. The company is seeking investors for its business. The company is seeking investors for its business.

SPCA

For more information, please contact the SPCA at (061) 220 584.

CALL FOR PUBLIC PARTICIPATION

Environmental Impact Assessment for an Expansion and Re-zoning of the existing EP1952 (also known as the Orange Region, Namibia)

CALL FOR PUBLIC PARTICIPATION

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CALL FOR PUBLIC PARTICIPATION

Environmental Impact Assessment for an Expansion and Re-zoning of the existing EP1952 (also known as the Orange Region, Namibia)

DRILL

Drilling services for various projects. The company is seeking clients for its services. The company is seeking clients for its services.

REPUBLIC OF NAMIBIA MINISTRY OF INDUSTRIALIZATION AND TRADE

Notice of application for a Commission in terms of the Labour Act, 1998. The notice is being published in the New Era Weekly.

Proposed Public Inquiry

Environmental Impact Assessment for an Expansion and Re-zoning of the existing EP1952 (also known as the Orange Region, Namibia)

Proposed Public Inquiry

Environmental Impact Assessment for an Expansion and Re-zoning of the existing EP1952 (also known as the Orange Region, Namibia)

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Environmental Impact Assessment for an Expansion and Re-zoning of the existing EP1952 (also known as the Orange Region, Namibia)

REPUBLIC OF NAMIBIA MINISTRY OF INDUSTRIALIZATION AND TRADE

Notice of application for a Commission in terms of the Labour Act, 1998. The notice is being published in the New Era Weekly.

SPCA

For more information, please contact the SPCA at (061) 220 584.

FOR Classifieds
061-2080800

No. 412

2025

**REZONING OF ERF 4827 (A PORTION OF ERF 4007),
SWAKOPMUND EXTENSION 10**

Namplan Town Planning Consultants and Projects cc, on behalf of our client, intends to apply to the Swakopmund Municipal Council for:

Rezoning of Erf 4827 (a portion of Erf 4007), Swakopmund Extension 10 from “general business” to “general industrial”.

Erf 4827 currently measures 2641m² in extent and is located in John Otto Nankudhust Street in Swakopmund Extension 10. The erf currently accommodates a large warehouse with associated offices on the property. The reason for the proposed rezoning stems from the fact that Erf 4827 currently accommodates a “general business” and our client, in future want to make use of the property for storage purposes as well as metal fabrication. A “general business” zoning does not allow for such uses on the property as a primary right. Once the rezoning is approved, the above mentioned uses will be a primary right on the property.

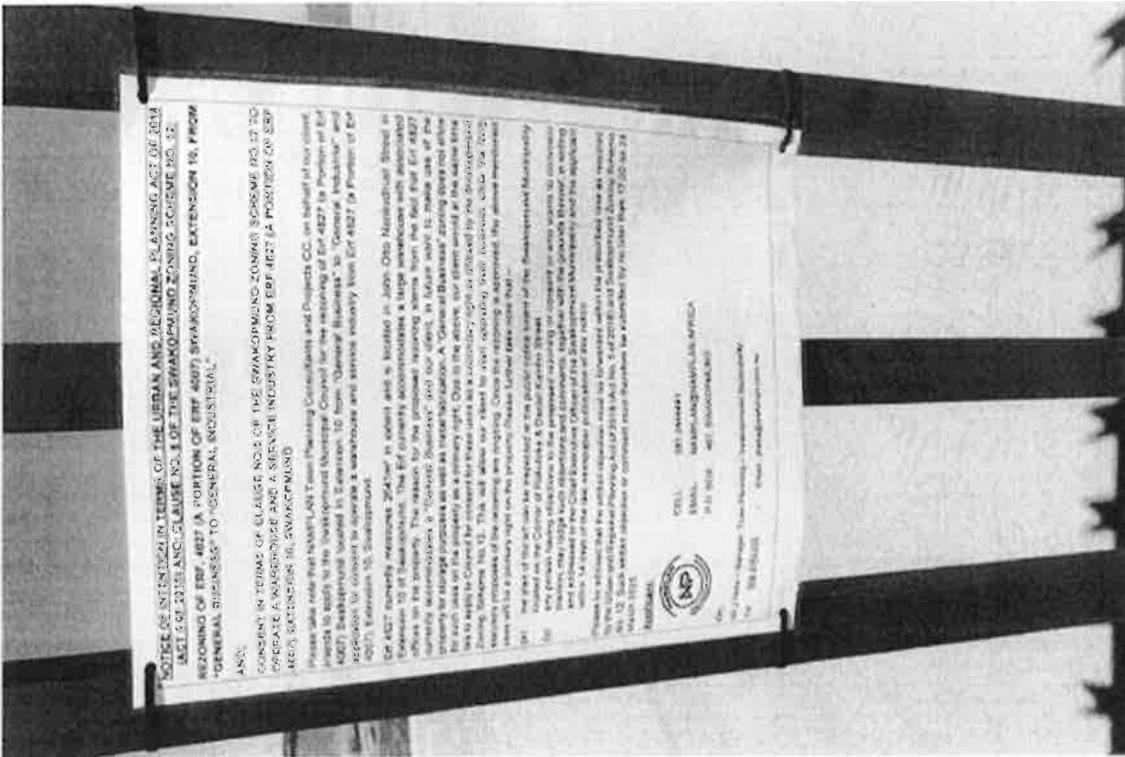
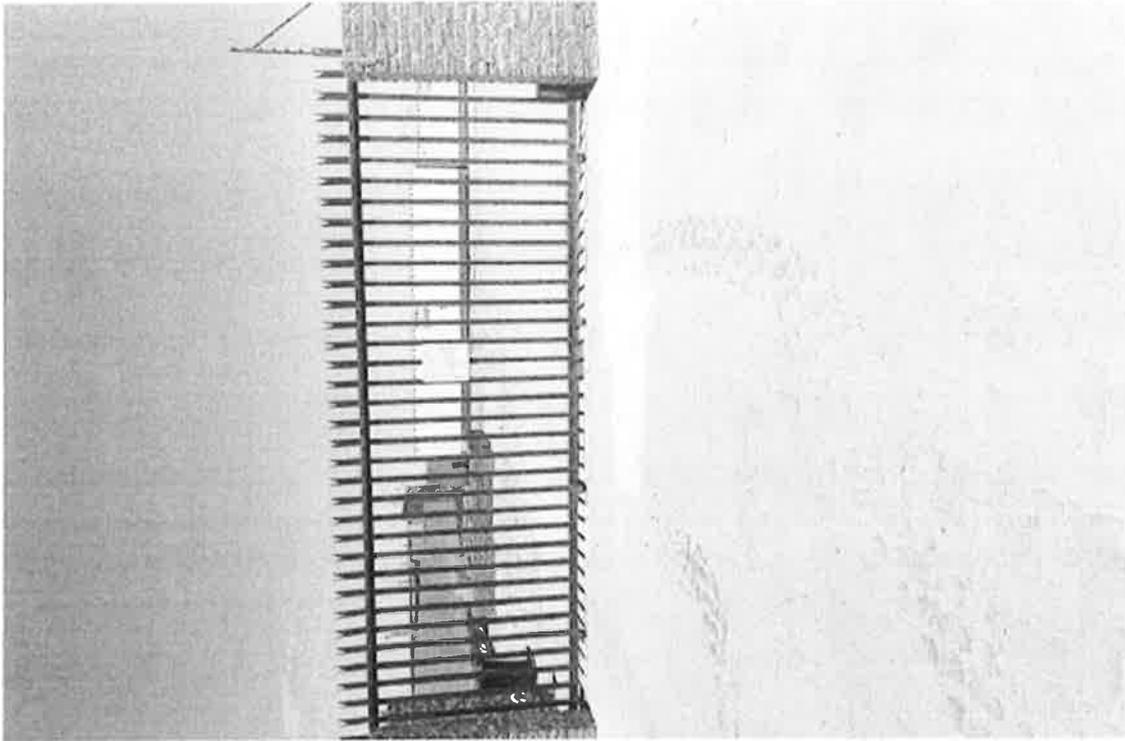
Take note that –

- (a) The plan of the erf can be inspected at the Public Notice Board of the Swakopmund Municipality located on the corner of Rakutoka and Daniel Kamho Streets; and
- (b) Any person having objections to the proposed rezoning or consent or who wants to comment thereon, may lodge such objections and comments, together with the grounds thereof, in writing and addressed to the Chief Executive Officer of the Swakopmund Municipality and the applicant within 14 days of publication of this notice.

Written objection must be forwarded within the prescribed time as required by the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018). Such written objection or comment must therefore be submitted by no later than 17h00 on 14 July 2025.

Applicant:
Namplan Town Planning
Consultants and Projects cc
Tel: 081 2444441
P.O. Box 467, Swakopmund
Email: namplan@namplan.africa

J. Helta – Manager:
Town Planning – Swakopmund Municipality
Tel: 064 4104403
P.O. Box 53, Swakopmund, Namibia
Email: jhelta@swkmun.com.na



11.1.6

REZONING OF ERF 637 (A PORTION OF ERF 390), SWAKOPMUND, FROM "SPECIAL" FOR BREWERY TO SPECIAL FOR WAREHOUSE AND CONSENT TO OPERATE THE WAREHOUSE WHILE THE REZONING IS IN PROCESS

(C/M 2026/01/29 - E 637)

Ordinary Management Committee Meeting of 15 January 2026, Addendum **8.5** page **59** 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 637 (a portion of Erf 390), Swakopmund from "Special" for Brewery to "Special" for Warehouse and consent to operate the warehouse while the rezoning is in process in terms of Section 105 (1) (a) of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018) and the Swakopmund Zoning Scheme.

2. Introduction and Background

A rezoning application was received by the Engineering and Planning Services department from Stubenrauch Planning Consultants on behalf of the registered owner, O and L Leisure (Proprietary) Limited. The application is attached as **Annexure A**.

3. Ownership

Ownership of Erf 637 (a portion of Erf 390), Swakopmund, is held in the Deed of Transfer T2699/2024 and vests in O and L Leisure (Proprietary) Limited. Proof of ownership has been attached together with the application.

4. Zoning, Locality, and Size

Erf 637 (a portion of Erf 390), Swakopmund is zoned "Special" for Brewery, the Erf is situated in the Central Business District, which is on Swakop Street. The property measures 1,793 m² in extent.



5. Access, parking, and municipal services

Erf 637 (a portion of Erf 390), Swakopmund, is situated in Swakop Street. Parking for the proposed development will be provided in accordance with the Swakopmund Zoning Scheme provisions. The Erf is already connected to the services network. However, all additional infrastructure resulting from the proposed development should be the responsibility of the applicant or the property owner.

6. Advertisement

The proposed development was advertised on the 7th and 14th August 2025 in the New Era and the Namibian newspapers. Closing dates for objections were on the 8th September 2025. A notice was also placed on site for public comments and the Municipal Board. Notice was also given to neighbouring property owners via email.

A notice was published in the Government Gazette No 8716 dated 15th August 2025. The last date for objections was 8th September 2025.

One objection has been received from the owner of Erf 627, Swakopmund. The applicant and objector had a meeting regarding concerns raised, and mitigation measures were put in place during the meeting, resulting in the withdrawal of the objection. Both the objection and withdrawal are attached for ease of reference.

7. Proposal

It is the intention of the applicant to rezone the property to utilise the property as a warehouse. The current permanent structure on the property, which covers the whole property, was used as a brewery for the Hansa Brewery operations until 2005. When the brewery operations moved across the street, the facility was repurposed as a warehouse for Namibia Breweries Limited. The warehouse for the Namibian Breweries Limited was then moved to Walvis Bay in 2013; however, some equipment and products were still stored on the premises until 2019. The property has thus been vacant since.

Currently, there is an urgent need for a warehouse for the Namibian Dairies to store and distribute their products to the coast. O and L Leisure (Proprietary) Limited, the owner, therefore sees the need to rezone the property to accommodate the current need. It is also due to the above urgent need that it is proposed to request consent to utilise the structure for warehouse storage and distribution whilst the rezoning is in process.

8. Evaluation

Erf 637 is currently zoned as "Special" for brewery use. However, the existing zoning is no longer optimal for the property's current or future use. Due to a shift in demand, the operation of a warehouse facility is a more suitable use for the land. The proposed warehouse use would serve as a valuable addition to the existing industrial infrastructure, supporting logistics, trade, and local commerce.

The proposed warehouse will complement and enhance the existing infrastructure without creating any undue pressure on the surrounding area. By changing the zoning to allow for warehouse use, the land will be better positioned to accommodate modern business operations, offering long-term benefits to the property owner and the local economy. The proposed warehouse facility will create job opportunities, which would contribute to the economy of the town.

Lastly, given the long statutory process for the rezoning and that the structure on the property already exists, the consent to proceed can be supported.

9. **Conclusion**

The application to rezone Erf 637 (a portion of Erf 390), Swakopmund, from "Special" for Brewery to "Special" for Warehouse, and consent to operate the warehouse while the rezoning is in process can be supported and does not have detrimental effects on the surroundings.

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

RECOMMENDED:

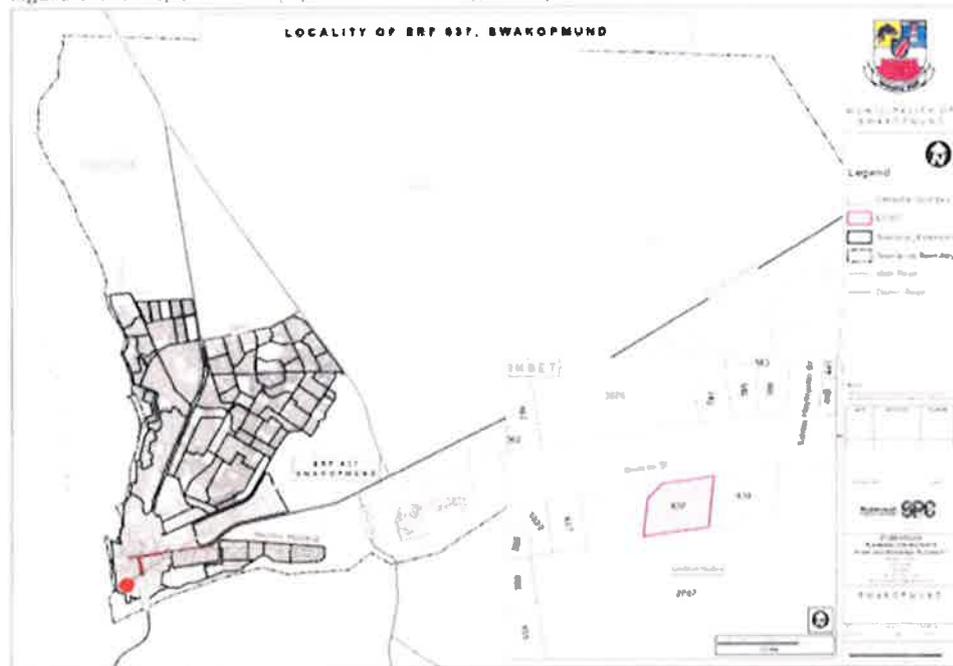
- (a) **That the rezoning of Erf 637 (a portion of Erf 390), Swakopmund, from "Special" for Brewery to "Special" for Warehouse be approved.**
 - (b) **That the consent to operate the warehouse while the rezoning is in process be approved, provided that:**
 - ***That Council reserves the right to cancel a consent use should there be valid complaints.***
 - ***That the applicant must operate within the Swakopmund Zoning Scheme regulations.***
 - ***That consent is not transferable.***
 - ***That no on-street parking will be tolerated***
 - (c) **That the applicant provides proof that the rezoning of Erf 637 (a portion of Erf 390), Swakopmund, has been approved by the Minister and promulgated before any submission of building plans, inclusive of relaxation of building lines and aesthetics approval to the Engineering and Planning Services Department for approval.**
 - (d) **That the rezoning of Erf 637 (a portion of Erf 390), Swakopmund, from "Special" for Brewery to "Special" for Warehouse is not subject to a compensation fee calculated according to the Betterment Fee Policy of 2009 and is to be paid by the applicant.**
 - (e) **That all additional infrastructures required because of the proposed development shall be for the account of the applicant or the owner and in accordance with the specifications and satisfaction of the General Manager: Engineering and Planning Services.**
 - (f) **That onsite parking be provided as per the Swakopmund Zoning Scheme, and no street parking will be permitted.**
-

2. PROPERTY DESCRIPTION

2.1 Locality

Erf 637 (a portion of Erf 390) Swakopmund, is located southwestern side of the Swakopmund Townlands and is bordered by Swakop Street on the northern boundary as depicted in Figure 1 below.

Figure 1: Locality of Erf 637 (a portion of Erf 390) Swakopmund



2.2 Ownership

According to the Deed of Transfer No. T2699/2024 attached, Erf 637 (a portion of Erf 390) Swakopmund, vests with O and L Leisure (Proprietary) Limited.

2.3 Size

Erf 637 (a portion of Erf 390) Swakopmund, measures 1793m² in extent according to the attached diagram.

2.4 Zoning

In accordance with the Swakopmund Town Planning Scheme No. 12 (now known as the Swakopmund Zoning Scheme) as well as the attached Zoning Certificate as obtained from the Swakopmund Municipality, Erf 637 (a portion of Erf 390) Swakopmund, zoned "Special" for Brewery

2.5 Servitudes and Conditions

There are no conditions or servitudes registered against Erf 637 (a portion of Erf 390) Swakopmund, that could prohibit the intended development.

2.6 Status Quo

As depicted in **Figure 2** below, Erf 637 (a portion of Erf 390) Swakopmund, is completely occupied by a permanent structure, with no vacant space left on the property. This permanent structure was used by Namibia Breweries operated on the erf.

Figure 2: Aerial photo clip



3. BACKGROUND INFORMATION AND PROPOSED DEVELOPMENT

As mentioned in paragraph 2.6, there is a permanent structure situated on Erf 637 (a portion of Erf 390) Swakopmund, that was used as a brewery for the Hansa Brewery operations until 2005, when the brewery operations on Erf 637 (a portion of Erf 390) Swakopmund, closed and moved across the street, the facility was repurposed as a warehouse for Namibia Breweries Limited. In 2013, the

warehouse for Namibia Breweries was relocated to Walvis Bay, however some equipment and products were still stored on the premises until 2019 and has been vacant ever since.

Since there is an urgent need for a warehouse for Namibia Dairies to store and distribute their products at the coast, our client, O and L Leisure (Propriety) Limited, agreed to rezone Erf 637 (a portion of Erf 390) Swakopmund, in order for Namibia Dairies to use the existing building situated on Erf 637 (a portion of Erf 390) Swakopmund, as a warehouse to store and distribute their products.

It should be noted that in accordance with the Swakopmund Town Planning Scheme No. 12 (now known as the Swakopmund Zoning Scheme), Erf 637 (a portion of Erf 390) Swakopmund, is zoned as "Special" for a Brewery, hence the erf must be rezoned to "Special" for a warehouse to align the proposed land use activities with the appropriate zoning.

The amendment of Annexure A: Special Use in the Swakopmund Town Planning Scheme No. 12 (now known as the Swakopmund Zoning Scheme) needs to be amended. Table A below depicts the amendment and should read as follows:

Table A: Amendment of Annexure A: Special Use

Number on Map	Number of erf zoned "Special"	Uses permitted with the special consent of the local authority
....	Erf 637 Swakopmund	Warehouse

Furthermore, since the rezoning process is time consuming, our office would like to apply for consent in order for Namibia Dairies to operate the warehouse while the rezoning is in process.

4. ENGINEERING SERVICES

Municipal services for Swakopmund Proper have already been installed. These services are respected, and no municipal services need to be re-aligned.

4.1 Electricity

Erf 637 (a portion of Erf 390) Swakopmund, is already connected to Swakopmund Municipality's distribution grid which currently provides electrical power to Swakopmund and will remain the same after the project has been finalised.

4.2 Water and sewer

Erf 637 (a portion of Erf 390) Swakopmund, is already connected to the reticulation system of water and sewer of the Municipality of Swakopmund and will remain the same after the project has been finalised.

4.3 Storm Water

The storm water on Erf 637 (a portion of Erf 390) Swakopmund, will follow the natural drainage paths on site. Further measures necessary to manage the storm water within the area are to be employed in accordance with the Swakopmund Municipality's drainage system.

5. ACCESS

Erf 637 (a portion of Erf 390) Swakopmund, currently obtains access from the internal street network (Swakop Street) of Swakopmund Proper and will remain the same after the project has been completed. It should be noted that Swakop Street (40m wide) is wide enough to accommodate the additional traffic that the proposed development might bring.

It should be noted that offloading of goods will take place within the warehouse, as such, no obstruction of traffic will occur while the trucks are being offloaded and reloaded.

6. ENVIRONMENTAL ASPECT

It should be noted that this rezoning is not a listed activity under the Environmental Management Act, 2007 (Act No. 7 of 2007), hence no Environmental Impact Assessment will be done.

No undesirable impacts to the environment are expected to arise from the proposed rezoning and consent use as is primarily aimed at providing a storage facility for non-hazardous materials for Namibia Dairies.

7. COMPLIANCE WITH THE URBAN AND REGIONAL PLANNING ACT (ACT 5 OF 2018)

Section 57 of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) deals with the matters to be taken into account as contemplated in Section 58. The subject application complies with the following relevant considerations:

7.1 Impact on the surrounding area

The proposed rezoning and consent use is not expected to cause any harm, nor will it change the character of the surrounding area as the existing building on Erf 637 (a portion of Erf 390) Swakopmund, will be used as is.

Repurposing the vacant building for a warehouse will increase the foot traffic in the area which then in turn will assist in supporting the surrounding businesses by means of additional clients.

7.2 Socio-Economic Impact

Repurposing the historic building will have a positive socio-economic impact as it would bring renewed economic activity to the area and create employment opportunities in warehousing, logistics, and maintenance.

It would also contribute to the preservation of the building through adaptive reuse, helping to maintain its architectural and cultural heritage. The establishment of a local warehouse would improve the efficiency of dairy distribution in the coastal region, ensuring quicker and more reliable delivery of fresh products to local retailers, schools, and hospitality establishments.

7.3 Impact on Existing Municipal Services

The proposed rezoning will not have any negative impacts on the existing municipal services, as the property is already connected to the municipal services of water, electricity and sewer.

7.4 Impact of Cultural Heritage

Erf 637 (a portion of Erf 390) Swakopmund, is not listed as a heritage site in accordance with the Swakopmund Town Planning Scheme No. 12 (now known as the Swakopmund Zoning Scheme) under Annexure B: Heritage Use. As such, no undesirable impacts on the heritage resources or the area are anticipated.

7.5 Compliance with the legislation

The proposed rezoning and consent use on the subject erf is in compliance with the Urban and Regional Planning Act, 2018 (Act 5 of 2018), as well as the Swakopmund Town Planning Scheme No. 12 (now known as the Swakopmund Zoning Scheme).

8. THE NOTIFICATION PROCEDURE

The Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) as promulgated, sets out the regulations that govern the urban and regional planning fraternity. These regulations under Section 10 require that on receipt of a complete application in terms of Section 105 of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018), the Chief Executive Officer of the Local Authority or the authorised planning authority must request the applicant to give notice of the application in the prescribed manner to –

- a) Prescribed persons
- b) General Public

To comply with the Urban and Regional Planning Act (Act 5 of 2018), we hereby request the Swakopmund Municipality to instruct our office in writing to give notice of the proposed development in the prescribed manner.

We further request the Swakopmund Municipality to provide our office with the postal addresses and contact details to which the notifications are to be sent. A request for the contact details is attached to this application for your easy reference.

9. CONCLUSION

Stubenrauch Planning Consultants hereby seeks Okahandja Municipality's approval for the following:

- a) Rezoning of Erf 637 (a portion of Erf 390) Swakopmund, from "Special" for a Brewery to "Special" for a Warehouse;
- b) Consent to operate the warehouse while the rezoning is in process; and
- c) Inclusion of the rezoning in the next Zoning Scheme to be prepared for Swakopmund.

Should Council be in agreement, please kindly provide our office with the following documentation:

- a) Council Resolution
- b) Formal Council Minutes, including the front and second page indicating who attended, extract dealing with the amendment of title conditions as well as the last page signed by both the Chief Executive Officer and the Mayor.
- c) Date stamped maps of the attached sets of maps.
- d) Recommendation Letter

10. ANNEXURES

Kindly find enclosed the following documents for your reviewing in support of this application.

Annexure A: Relevant Maps

Annexure B: Zoning Certificate

Annexure C: Copy of the Deeds of Transfer

Annexure D: Example of Written Instruction to Notify

Annexure E: Request for Addresses of the Surrounding Property Owners

Annexure F: Example of a Recommendation Letter

Annexure G: Company Resolution

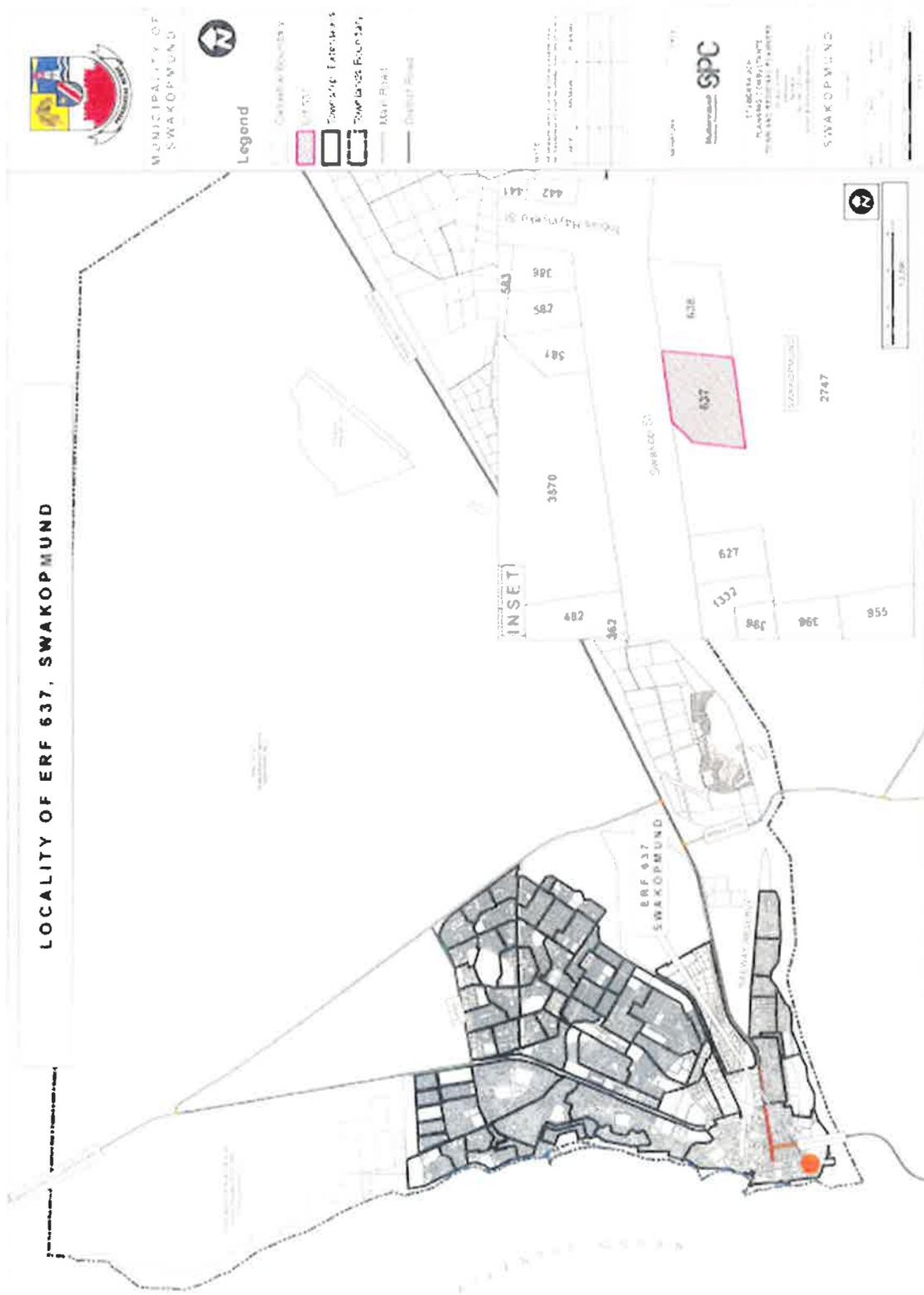
Annexure H: Power of Attorney

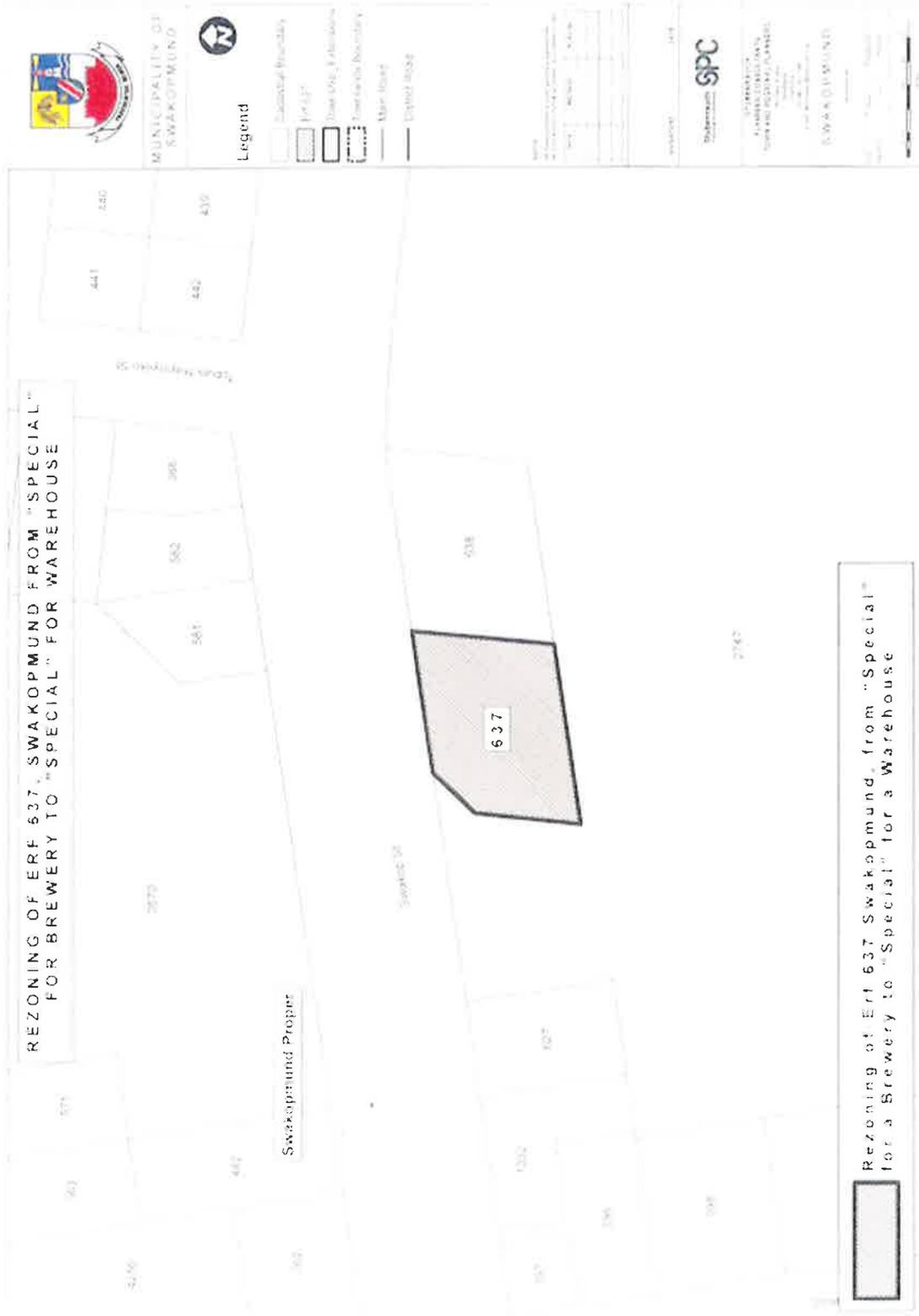
We trust that you will support this application.

Yours Sincerely,



.....
Günther Stubenrauch





2024-15-22

DEED OF TRANSFER

2699

2024

ENGLING, STRITTER & PARTNERS

Attorneys, Notaries and Conveyancers

P.O. Box 43

12 Love Street

WINDHOEK

HS/tn/N224697

Prepared by me



CONVEYANCER
STRITTER HW

I hereby certify that in terms of the Stamp Duties Act (Act No 15 of 1993) stamp duty to the value of N\$49 032,00 has been paid and that Receipt No. 00107450 dated 28-03-2024 has been issued



RECEIVER OF REVENUE

DEED OF TRANSFER

T2629 / 2024

BE IT HEREBY MADE KNOWN:

THAT HERKO WILFRIED STRITTER

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

NAMIBIA BREWERIES LIMITED

COMPANY NUMBER 2/1920

dated the 12 day of MARCH 2024 and signed at WINDHOEK,

|

W

AND the said appearer declared that his said Principal had truly and lawfully sold on 23 FEBRUARY 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

O AND L LEISURE (PROPRIETARY) LIMITED
COMPANY NUMBER: 2007/0050

its Successors-in-title or Assigns,

CERTAIN ERF NO 637 (A PORTION OF ERF NO 390) SWAKOPMUND

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

EXTENT 1793 (ONE SEVEN NINE THREE) SQUARE METRES

FIRST transferred by Deed of Transfer No T 1039/1960 with Diagram No A 221/53 relating thereto

AND HELD BY DEED OF TRANSFER NO T 734/1998

SUBJECT to the following conditions imposed by the Council of the Municipality of Swakopmund and created in the said Deed of Transfer No T 1039/1960, namely:-

1. (a) The said Erf/Erven shall be used for storage purposes only and not more than one building with the necessary outbuildings and appurtenances shall be erected thereon, provided, however, that the main building to be constructed shall be erected and completed simultaneously with the outbuildings.
- (b) No person shall be permitted to reside on the said Erf/Erven save with the prior consent of the Council which consent shall in the Council's entire discretion only be granted in the case of a bona fide caretaker.
2. Unless a building, as described in paragraph 1 hereof, of a building value of at least N\$6 000,00 shall be erected on the said property on or before the 18th September 1961 and thereafter maintained at the said value, the Council shall have the right at its option and in its entire discretion, to demand payment from the owner annually or half-yearly of an amount





SPECIAL POWER OF ATTORNEY

I, the undersigned, Sonja Bartsch

in my capacity as director of O and L Leisure (Propriety) Limited
Registration Number: 2007/0050

The registered owner of Erf 637 (a portion of Erf 390) Swakopmund

do hereby nominate, constitute and appoint

Stubenrauch Planning Consultants cc
P.O. Box 41404
Windhoek

with power of Substitution, to be my lawful Attorney and Agent in my name, place and stead, to make the necessary application to the Swakopmund Municipality and Urban and Regional Planning Board (URPB) for the following:

1. Rezoning of Erf 637 (a portion of Erf 390) Swakopmund from "Special" for a Brewery to "Special" for a Warehouse;
2. Consent to operate the warehouse while the rezoning is in process; and
3. Inclusion of the rezoning in the next Zoning Scheme to be prepared for Swakopmund.

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 I might or could do if personally present and acting herein - hereby ratifying, allowing and confirm all and whatsoever my said Attorney and agent shall lawfully do, or cause to be done, by virtue of these presents.

SIGNED at Windhoek this 22nd day of July 2025, in the presence of the undersigned witnesses:

WITNESSES:

1. [Signature]

2. [Signature]

[Signature]
Director

4. A notice was placed in the Government Gazette on the 15 August 2025; and
5. Notices were placed on site and on Council's Notice Board.

This application notification was to allow the surrounding property owners the opportunity to view the subject application as submitted to the Local Authority and to allow them to comment or object against the proposed development for a period of 14 working days.

A summary of the letters that was delivered and the responses received from the letters to the surrounding property owners is outlined in Table A below.

Table A: Responses received during the notification period

Erf Number	Name of Owner	Response
Erf 482, Swakopmund	WUM (PTY) LTD	No response
Erf 581, Swakopmund	Besser Emil Gottfried	No response
Erf 582, Swakopmund	Haiping Lin	No response
Erf 627, Swakopmund	Bise De La Mer Body Corporate (F. A. F. Schultz)	Objection received
Erf 638, Swakopmund	Erf 638 Swakopmund Cc	No response
Erf 2747, Swakopmund	Swakopmund Municipality	No response
Erf 3570, Swakopmund	Ohtraver & List Centre (Pty) Ltd	No response

Kindly note that as per the attached letters and comment forms sent to the owners of the surrounding properties, neighbours are encouraged to respond to the letters of notification, and that if our office does not receive any response from them, our office will assume that they do not object to the proposed development.

An immediate neighbour surrounding Erf 637, Swakopmund submitted an objection, on behalf of Bise De La Mer Body Corporate, to our office and is discussed below:

2.1 Objector: Bise De La Mer Body Corporate

An objection was received from an immediate neighbour, F Frank Schultz, on behalf of Bise De La Mer Body Corporate, by the time the objection period lapsed on 8 September 2025 (objection letter is attached).

During the month of September 2025, the Body Corporate had a meeting with the owners of Erf 637 (a portion of Erf 390) Swakopmund regarding the concerns raised in the object letter dated 3 September 2025. During the meeting the concerns raised were addressed and mitigation measures were put in place.

It should thus be noted that the mitigation measures as discussed during the meeting between the Body Corporate and the owners and was confirmed in writing in an email dated 26 September 2025 (email is attached). In a letter dated 8 October 2025, the Body Corporate withdrew the objections made in the letter dated 3 September 2025 (withdrawal letter attached) on the following conditions:

Objection 1:*Hooting of Trucks***Response from the owner as per the email:**

1. All vehicles used will be inhouse vehicles, therefore full control over the drivers that will allow us to ensure that hooting are not done.
2. All vehicles will only be operated between business hours. Any vehicle that will arrive after business hours will be parked at the Swakopmund Truck Port and not at the premises.
3. The warehouse will only be operated during business hours and not during the night that will allow for a peaceful environment.

Condition as per withdrawal letter:

Above listed response be implemented accordingly.

Objection 2:*Trucks parked in the street***Response from the owner as per the email:**

1. All vehicles will be operated (loading and of loading) will be operated from inside the warehouse.
2. No delivery vehicles will be parked in the street during the night. Any vehicles that arrive outside of the normal business operating hours will be parked at the Swakopmund Truck Port until the next day when normal operating hours resume.
3. The warehouse will receive deliveries 3 time a week during business hours. Should any of the smaller delivery vehicles return to the warehouse during the time whiles the stock is being offloaded from the long-distance truck, the smaller delivery vehicles will be parked in an orderly manner on the outside till they can be pulled into the warehouse again.

Condition as per withdrawal letter:

Above listed response be implemented accordingly.

Objection 3:*Noise from cooling systems and running engines***Response from the owner as per the email:**

1. There will be a cooling unit installed within the warehouse for certain products. However, with today's technology, it will be low noise units, and all units will be fitted within the warehouse that will eliminate the noise on the outside of the building.
2. All delivery vehicles will be prohibited to be parked outside of the warehouse during the night. All vehicles arriving after the business hours of the warehouse will be parked

at the Swakopmund Truck Port until such time as the warehouse resumes trading hours.

Condition as per withdrawal letter:

Above listed response be implemented accordingly

Objection 4:

Misuse of the public street by truck drivers for defecation and littering

Response from the owner as per the email:

1. No trucks will be allowed in the street outside of the normal trading hours of the warehouse.
2. All trucks will be operating from the inside of the warehouse therefore no lingering of truck drivers will be allowed outside the warehouse.
3. Access controlled guarding will be employed at the entrance of the warehouse, drivers and staff will not be allowed to leave the warehouse unnecessarily.
4. The warehouse is fitted with adequate ablution facilities for both genders that will be available for use by the staff during all times.
5. The warehouse will also have 24-hour man guarding with a response team. The guards will be instructed to remove unwanted people from the vacant erf next to the warehouse during the night. This will hopefully allow for a safer environment throughout the entire street.

Condition as per withdrawal letter:

Above listed response be implemented accordingly.

Objection 5:

Continuation of non-residential use contrary to the sound town planning principles

Response from the owner as per the email:

1. Usage of the building as a warehouse is an intermediate solution to cover the ever-increasing municipal costs.
2. The building of Erf 637, Swakopmund and the old Hansa Brauerei building are earmarked for development within the next 4 – 5 years.

Condition as per withdrawal letter:

That the rezoning/consent be granted for a maximum of three (3) years, which can then be extended over time.

It should be noted that once the rezoning has been approved by the Municipal Council of Swakopmund and officially promulgated in the Government Gazette, the new zoning designation becomes legally effective. This legal status is not subject to any time limitations and remains valid indefinitely unless formally amended or revoked through due legal process.

Objection 6:*Incompatibility with heritage character of the area***Response from the owner as per the email:**

1. The owners take note of this and therefore the decision to rather develop the two sites that keep them for current intended purposes.
2. The rest will flow hand in hand with the research survey and feedback on the research.

Condition as per withdrawal letter:

No condition was stipulated.

3. RECOMMENDATION

Stubenrauch Planning Consultants cc herewith recommends the Swakopmund Municipality to table and approve the following:

- a) Rezoning of Erf 637 (a portion of Erf 390) Swakopmund, from "Special" for a Brewery to "Special" for a Warehouse;
- b) Consent to operate the warehouse while the rezoning is in process; and
- c) Inclusion of the rezoning in the next Zoning Scheme to be prepared for Swakopmund.

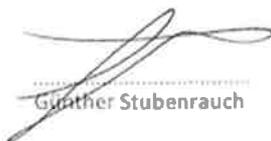
4. ANNEXURES

Kindly find attached the following documentation in support of this application.

- Annexure A: Instruction to notify from the Swakopmund Municipality
- Annexure B: Letters sent to the surrounding property owners via registered mail
- Annexure C: Copy of objections lodged
- Annexure D: Copy of confirmation email on the meeting
- Annexure E: Copy of the objection withdrawal letter
- Annexure F: Gazette Notice
- Annexure G: Newspaper notices
- Annexure H: Notices on-site and on the Council's Notice Board
- Annexure I: Example of the Council Recommendation letter
- Annexure J: Relevant Maps
- Annexure K: Application fees invoice and Proof of Payment

Looking forward to your response.

Yours faithfully



.....
Günther Stubenrauch

LIST OF REGISTERED ITEMS POSTED



Subsidiary Planning Consultants

Sender's reference no.	Addressee's name and address	Registration no.
W/25004	The owner of Lot 3520 Swakopmund Outlines & Lot (Pty) Ltd PO Box 15, Windhoek	BA 002 971 552 NA
W/25004	The owner of Lot 622, Swakopmund LAF Shuttle PO Box 331, Swakopmund	BA 002 971 480 NA
W/25004	The owner of Lot 2167, Swakopmund Swakopmund Municipality PO Box 53, Swakopmund	BA 002 971 493 NA
W/25004	The owner of Lot 638, Swakopmund Lot 638 Swakopmund CC PO Box 586, Swakopmund	BA 002 971 476 NA
W/25004	The owner of Lot 582, Swakopmund Hanging Lin PO Box 9254, Klein Windhoek	BA 002 971 462 NA
W/25004	The owner of Lot 551, Swakopmund Bertel Emil Geddeh PO Box 4568, Kariba, Swakopmund	BA 002 971 459 NA
W/25004	The owner of Lot 492, Swakopmund NAM (Pty) Ltd PO Box 76, Windhoek	BA 002 971 445 NA

000001
 MAT Acc no: 0974051015
 Branch: Ausspannplatz
 Date: 06/06/2025 Time: 11:26:12
 Counter: 4 BUSH STROBILITAT
 Qty Product Price Unit
 7 U-Straßen 134,40
 1 Seife 151,66
 400 841,00
 Tax Code Amount Total Tax
 VAT A (0%)
 VAT B (15%)
 Total 841,00
 VAT 600,00
 Charge -159,00
 Name: 4001555

Receipt No: 264-0802-4-1564055-2
 TWANK VOR FÜR ES/IE YOUR POST OFFICE
 PAMITE DAT U DIE POSTAMT DER GEBORIX
 TUMBI ESNI MRLUMITRA IMPROSA TOME

nber of Items 7 Received by Am
 compensation will be considered unless enquiry regarding this postal article is made
 in one year after the date of posting.

Date-stamp

Our Ref: W/25014

Name: Brise de la Mer Body Corporate
Tell: _____
Cell: 081 284 386 / 081 228 338
Fax: _____
Email: jaf@inway.net
03 / 09 / 2025

(please fill in your personal details above)

Stubenrauch Planning Consultants cc
PO Box 41404
Windhoek
Email: office2@spc.com.na

Dear Sir / Madam,

- a) Rezoning of Erf 637 (a portion of Erf 390) Swakopmund, from "Special" for a Brewery to "Special" for a Warehouse;
- b) Consent to operate the warehouse while the rezoning is in process; and
- c) Inclusion of the rezoning in the next Zoning Scheme to be prepared for Swakopmund.

Herewith do I / we (please print) BM Esslinger and FA Frank-Schultz
on behalf the owner/s of Brise de la Mer Body Corporate (Erf 627 Swakopmund)

declare that // we (please indicate an X in the appropriate box):

DO NOT OBJECT

- Do not object against the Rezoning of Erf 637 (a portion of Erf 390) Swakopmund, from "Special" for a Brewery to "Special" for a Warehouse;
- Do not object against the Consent to operate the warehouse while the rezoning is in process; and
- Do not object against the inclusion of the rezoning in the next Zoning Scheme to be prepared for Swakopmund.

DO OBJECT

- Do object against the Rezoning of Erf 637 (a portion of Erf 390) Swakopmund, from "Special" for a Brewery to "Special" for a Warehouse;
- Do object against the Consent to operate the warehouse while the rezoning is in process; and
- Do object against the inclusion of the rezoning in the next Zoning Scheme to be prepared for Swakopmund.

If objecting please indicate the reasons for doing so:

As set out in the attached letter: i) Non residential use
ii) disturbing neighbourhood iii) Not in line with Town
Planning Scheme and Town Planning principles.

Should this form not be returned to our office by Monday, 8 September 2025, we will assume there are no objections against above-mentioned development

Signed: Wendrick on this 5 day of September 2025.

[Signature]
Signature of Property Owner

[Signature]
Witness

BRISE DE LA MER BODY CORPORATE

ERF 627 SWAKOPMUND - PO Box 3131 - SWAKOPMUND - E-Mail: fafs@iway.na

3 September 2025

Stubenrauch Planning Consultants

PO Box 41404

WINDHOEK

Dear Sir/Madam

OBJECTION AGAINST THE REZONING OF ERF 637 SWAKOPMUND

Your rezoning notice for Erf 637 Swakopmund, Ref: W/25604 has reference.

This objection is made on behalf of the Brise de la Mer Body Corporate, owner of Erf 627 Swakopmund. Being a nearby property we are directly affected by the planned rezoning and the use of Erf 637 Swakopmund.

It has to be emphasized that the area in which Erven 627 and 637 are situated is predominately a residential area and for this very reason have all new developments in the area been of a residential and related nature. Furthermore is the present zoning of Erf 637 a non-conforming existing use, which should have been discontinued once the non-conforming use (brewery) ended some years ago.

Our complex has in the past two decades been subjected to the following nuisances:

- Hooting trucks who want to gain entry to the brewery sites
- Trucks parking in Swakop Street with noisy cooling systems and running engines.
- Truck Drivers using Swakop Street as toilet and dumping ground for their refuse.

Additional problems might be caused by cooling facilities which will most likely be installed to cool the products to be stored on Erf 637.

We henceforth object against the proposed rezoning on the following grounds:

- The proposed use is a continuation of the non-residential use of erf 637, which contradicts proper town planning principles
- The proposed use has the potential of disturbing the residential neighbourhood
- The intended use is not in line with the heritage area concept, which has been implemented some years back and to which all new developments in the area where subjected to.

Please find the other forms attached.

It will be appreciated if you could please confirm receipt of this objection and also send all future correspondence to fafs@iway.na

Yours faithfully



B Esslinger

Chairperson



F Frank-Schultz

Vice Chairperson / Treasurer

fafs@iway.na

From: Jan Brand <jan.brand@brollnamibia.com.na>
Sent: Friday, September 26, 2025 5:18 PM
To: fafs@iway.na
Subject: Urgent application for amendment to zoning of Erf 637, no 13 Swakop Street

Dear Mr. Schultz,

Hope this mail finds you well.

Thank you for taking the time to discuss the Body Corporates objections on the Amendment to zoning of Erf 637, no 13 Swakop Street.

Herewith the points discussed, and the mitigation from our side for the concerns raised:

- 1) Hooting of trucks:
 - a. All vehicles used will be inhouse vehicles, therefore full control over the drivers that will allow us to ensure that hooting are not done
 - b. All vehicles will only be operated between business hours. Any vehicle that will arrive after business hours will be parked at the Swakopmund Truck Port and not at the premises
 - c. The warehouse will only be operated during business hours and not during the night that will allow for a peaceful environment
- 2) Trucks parked in the Street:
 - a. All delivery vehicles will be operated (loading and of loading) will be operated from inside the warehouse
 - b. No delivery vehicles will be parked in the street during the night. Any vehicle that arrives outside of the normal business operating hours will be parked at the Swakopmund Truck Port until the next day when normal operating hours resume
 - c. The warehouse will receive deliveries 3 x a week during business hours. Should any of the smaller delivery vehicles return to the warehouse during the time whiles the stock is being offloaded from the long-distance truck, the smaller delivery vehicles will be parked in an orderly manner on the outside till they can be pulled into the warehouse again.
- 3) Noise from cooling systems and running engines:
 - a. There will be a cooling unit installed within the warehouse for certain products. However, with today's technology, it will be low noise units, and all units will be fitted within the warehouse that will eliminate the noise on the outside of the building.
 - b. As mentioned above, all delivery vehicles will be prohibited to be parked outside of the warehouse during the night. All vehicles arriving after the business hours of the warehouse will be parked at the Swakopmund Truck Port until such time as the warehouse resumes trading hours.
- 4) Misuse of the public street by truck drivers for defecation and littering:
 - a. As mentioned above, no trucks will be allowed in the street outside of the normal trading hours of the warehouse

- b. All trucks will be operating from inside the warehouse therefore no lingering of truck drivers will be allowed outside the warehouse
 - c. Access controlled guarding will be employed at the entrance of the warehouse, drivers and staff will not be allowed to leave the warehouse unnecessarily
 - d. The warehouse is fitted with adequate ablution facilities for both genders that will be available for use by the staff during all times
 - e. The warehouse will also have 24-hour man guarding with a response team. The guards will be instructed to remove unwanted people from the vacant erf next to the warehouse during the night. This will hopefully allow for a safer environment throughout the entire street
- 5) Continuation of non-residential use contrary to the sound town planning principles:
- a. Usage for the building as a warehouse is an intermediate solution to cover the ever-increasing municipal costs.
 - b. Both this building and the old Hansa Brauerei building are earmarked for development within the next 4 to 5 years
 - i. We are currently working with a research team to do a survey of the requirement in Swakopmund.
 - ii. Ideas that have been thought of were as follows:
 - 1. Retirement home with clinic and medical facilities
 - 2. Luxury apartments
 - 3. Luxury penthouses
 - 4. Small section of retail
 - 5. Or a combination of all of the above
 - iii. As with any of the developments these days, investors would like to make double sure that what they invest in will give them a return on investment and therefore the decision to rather do a full research survey before any decision is made on a brief to an architect.
 - iv. The above will be subject to the research feedback and feasibility studies.
- 6) Incompatibility with heritage character of the area:
- a. We take note of this and therefore the decision to rather develop the 2 sites that keep them for current intended purposes.
 - b. The rest will flow hand in hand with the research survey and feedback on the research. I believe this will be shared with the public once a feasible, viable and sustainable project can be tabled.

I hope the above gave some clarity to the intended use for the short term with the future possibilities in view. We stay fully committed to ensure the current proposed usage are used without disturbance to neighboring residential areas.

We kindly request that point 5 & 6 (future development ideas) are treated with confidentiality at this point and time as competition is touch between developers and we would to protect the ideas from being copied by others.

Please feel free to contact me, should you have any questions.

Kind Regards,

BRISE DE LA MER BODY CORPORATE

ERF 627 SWAKOPMUND - PO Box 3131 - SWAKOPMUND - E-Mail: fafs@lway.na

8 October 2025

Stubenrauch Planning Consultants

PO Box 41404

WINDHOEK

Dear Sir/Madam

OBJECTION AGAINST THE REZONING OF ERF 637 SWAKOPMUND

Your rezoning notice for Erf 637 Swakopmund, Ref: W/25604 and our subsequent objection (attached) have reference.

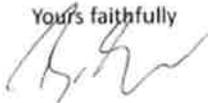
The matter has been discussed with Mr Jan Brandt of the owners. In a mail dated 26 September 2025 (attached) he has agreed to mitigate any possible concerns.

We are hence force prepared to withdraw our objections, subject to the following conditions:

- That the Broll undertakings as listed under points 1, 2, 3 & 4 be imposed as conditions of the consent;
- That the consent be granted for a maximum of three years, which is in line with point 5 of the Broll e-mail.

Please confirm receipt of this mail and keep us informed on the next steps of this process.

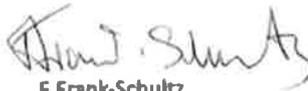
Yours faithfully



B Esslinger

Chairperson

0811228338



F Frank-Schultz

Vice Chairperson / Treasurer

0811284386

A copy of the application, maps and its accompanying documents are available for inspection during normal office hours at the Okahandja Municipality and Stubenrauch Planning Consultants cc Office, 45 Feld Street, Windhoek.

Any person objecting to the proposed change in land use as set out above may lodge such objection/ comments together with their grounds thereof, with the Okahandja Municipality and the applicant Stubenrauch Planning Consultants cc in writing before the **Monday, 8 September 2025** (14 days after the last publication of this notice).

Applicant:
Stubenrauch Planning Consultants cc
P.O. Box 41404, Windhoek
Tel: (061) 25 1189
Email: office2@spc.com.na
Our Ref: W/25057

Chief Executive Officer
Okahandja Municipality
P.O. Box 15, Okahandja

No. 625

2025

REZONING OF ERF 637 (A PORTION OF ERF 390), SWAKOPMUND

Stubenrauch Planning Consultants cc has been appointed by O&L Leisure (Pty) Ltd, the registered owner of Erf 637 (a portion of Erf 390), Swakopmund, to apply on their behalf to the Swakopmund Municipality and to the Urban and Regional Planning Board for the following:

- **Rezoning of Erf 637 (a portion of Erf 390), Swakopmund from "special" for a brewery to "special" for a warehouse;**
- **Consent to operate the warehouse while the rezoning is in process; and**
- **Inclusion of the rezoning in the next zoning scheme to be prepared for Swakopmund.**

Erf 637 (a portion of Erf 390), Swakopmund, is located on the southwestern side of the Swakopmund Townlands and is bordered by Swakop Street on the northern boundary. The erf measures approximately 1793m² in extent. In accordance with the Swakopmund Town Planning Scheme No. 12 (now known as the Swakopmund Zoning Scheme), Erf 637 (a portion of Erf 390), Swakopmund, is zoned "special" for brewery.

The purpose of the subject application is to align the intended land use activity (warehouse for Namibia Dairies) with the respective zoning in accordance with the Swakopmund Zoning Scheme.

A copy of the application, maps and its accompanying documents are available for inspection during normal office hours at the Swakopmund Municipality and Stubenrauch Planning Consultants cc Office, 45 Feld Street, Windhoek.

Any person objecting to the proposed change in land use as set out above may lodge such objection/ comments together with their grounds thereof, with the Swakopmund Municipality and the applicant Stubenrauch Planning Consultants cc in writing before the **Monday, 8 September 2025** (14 days after the last publication of this notice).

Applicant:
Stubenrauch Planning Consultants cc
P.O. Box 41404, Windhoek
Tel: (061) 25 1189
Email: office2@spc.com.na
Our Ref: W/25064

The Chief Executive Officer
Swakopmund Municipality
P.O. Box 53, Swakopmund

CLASSIFIEDS



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CLASSIFIEDS

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To post an advertisement in our classifieds, please send your advertisement to the following address: **CLASSIFIEDS**, P.O. Box 1234, Windhoek, Namibia. For more information, please contact us at 061 208 0800.

Services and Vacancies Available:

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- IT Support
- Legal Services
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- Healthcare
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- Manufacturing
- Retail
- Food and Beverage
- Energy
- Telecommunications
- Media
- Non-Profit
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- Design
- Architecture
- Art and Creative
- Consulting
- Investment
- Banking
- Finance
- Insurance
- Legal
- Medical
- Pharmaceutical
- Biotechnology
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- Agribusiness
- Manufacturing
- Retail
- Food and Beverage
- Energy
- Telecommunications
- Media
- Non-Profit
- Government
- Academia
- Research
- Engineering
- Design
- Architecture
- Art and Creative
- Consulting
- Investment
- Banking
- Finance
- Insurance
- Legal
- Medical
- Pharmaceutical
- Biotechnology
- Environmental
- Agribusiness

EMPLOYMENT OFFERED

Engineering Services

Seeking experienced mechanical engineers for various projects in the Windhoek area. Competitive salaries and benefits. Contact: 061 208 0800.

Software Development

Join our team of software developers working on innovative web applications. We offer a flexible work environment and excellent growth opportunities. Contact: 061 208 0800.

EMPLOYMENT OFFERED

Marketing Specialist

Seeking a creative marketing specialist to develop and execute marketing campaigns for various clients. Must have 5+ years of experience. Contact: 061 208 0800.

General Practitioner

Seeking a general practitioner for a busy clinic in the central part of Windhoek. Competitive salary and benefits. Contact: 061 208 0800.

NOTICE LEGAL NOTICE

Notice of Intention to Sell

Notice is hereby given that the undersigned, being the holder of a mortgage bond over the property described below, intend to sell the property in terms of the provisions of the Mortgage Bond Act, No. 93 of 1957. The property is situated in the town of Windhoek, and is described as follows: [Property Description].

EMPLOYMENT OFFERED

FabuPharm

VACANCY QUALITY & COMPLIANCE SPECIALIST

Location: Windhoek

Job Description: The Quality & Compliance Specialist will be responsible for ensuring that all products and services meet the highest standards of quality and compliance. This role involves conducting audits, managing documentation, and implementing corrective actions.

Key Responsibilities:

- Develop and maintain quality management systems.
- Conduct internal and external audits.
- Manage documentation and records.
- Implement corrective and preventive actions.
- Ensure compliance with regulatory requirements.

NOTICE LEGAL NOTICE

Notice of Intention to Sell

Notice is hereby given that the undersigned, being the holder of a mortgage bond over the property described below, intend to sell the property in terms of the provisions of the Mortgage Bond Act, No. 93 of 1957. The property is situated in the town of Windhoek, and is described as follows: [Property Description].

NOTICE LEGAL NOTICE

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Notice is hereby given that the undersigned, being the holder of a mortgage bond over the property described below, intend to sell the property in terms of the provisions of the Mortgage Bond Act, No. 93 of 1957. The property is situated in the town of Windhoek, and is described as follows: [Property Description].

NOTICE LEGAL NOTICE

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Notice is hereby given that the undersigned, being the holder of a mortgage bond over the property described below, intend to sell the property in terms of the provisions of the Mortgage Bond Act, No. 93 of 1957. The property is situated in the town of Windhoek, and is described as follows: [Property Description].

NOTICE LEGAL NOTICE

Notice of Intention to Sell

Notice is hereby given that the undersigned, being the holder of a mortgage bond over the property described below, intend to sell the property in terms of the provisions of the Mortgage Bond Act, No. 93 of 1957. The property is situated in the town of Windhoek, and is described as follows: [Property Description].

NOTICE LEGAL NOTICE

Notice of Intention to Sell

Notice is hereby given that the undersigned, being the holder of a mortgage bond over the property described below, intend to sell the property in terms of the provisions of the Mortgage Bond Act, No. 93 of 1957. The property is situated in the town of Windhoek, and is described as follows: [Property Description].

NOTICE LEGAL NOTICE

Notice of Intention to Sell

Notice is hereby given that the undersigned, being the holder of a mortgage bond over the property described below, intend to sell the property in terms of the provisions of the Mortgage Bond Act, No. 93 of 1957. The property is situated in the town of Windhoek, and is described as follows: [Property Description].

NOTICE LEGAL NOTICE

Notice of Intention to Sell

Notice is hereby given that the undersigned, being the holder of a mortgage bond over the property described below, intend to sell the property in terms of the provisions of the Mortgage Bond Act, No. 93 of 1957. The property is situated in the town of Windhoek, and is described as follows: [Property Description].

Namibian wrestlers shine at Johnnie Reitz open

By Imba Mpetum

THE Namibia Wrestling Federation (NWF) senior development team, Oshobho, along with many junior wrestler entries from Windhoek Wrestling Club and Rosis Wrestling Club in Stampriet, delivered an outstanding performance, bringing home a total of 25 medals: 13 gold, nine silver and five bronze.

The wrestlers participated in the 2025 Johnnie Reitz Big 5 Open Championships in Pretoria, South Africa, the largest wrestling tournament in the Southern Hemisphere, which drew an astounding 1,800 entries this year. They competed with a record number of 48 athletes and 11 coaches, officials, and team leaders. In a statement, Asha Erasmus, secretary general of the NWF, said the Namibian wrestlers stood up for their tenacity, preparation, and technical prowess, consistently outperforming expectations.

"Their success is a testament not only to the athletes' talent and resilience, but also to the exceptional efforts of the NWF coaching team, whose strategic guidance ensured every wrestler was competition ready. A particularly heartening aspect of this success story was the strong representation of rising, primary school wrestlers, mainly from Windhoek Wrestling Club and Rosis Wrestling Club. Their rising stars showed immense potential and maturity beyond their years, and the NWF looks forward to what their futures may hold."

"Participating in such a prestigious event and excelling on a platform of this magnitude is a major milestone for Namibian wrestling. It demonstrates that with commitment and vision, our athletes can compete with the best in the region and world," concluded Erasmus.

Impetum@nwf.com.na



Namibian wrestlers put up a great performance at the 2025 Johnnie Reitz Big 5 Open Championships in Pretoria, South Africa, recently.

Give your business the best boost you can! Advertise in our weekly motor supplement WOEMA! Be it any accessories or gadgets for your vehicle. Call us on 061 2080800 or fax us on 290584 Put the WOEMA boost into your business!

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A1 Notice on site



A3 Notice on Council's notice board



11.1.7 **SUBDIVISION OF FARM NO. 166, SWAKOPMUND INTO PORTION A AND REMAINDER**

(C/M 2026/01/29 - FARM 166)

Ordinary Management Committee Meeting of 15 January 2026, Addendum **8.6** page **93** 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 subdivision of Farm No. 166, Swakopmund, into Portion A and the 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

Council in April 2017 entered into a sales agreement with Oluga Enterprise (Pty) Ltd to acquire the proposed Portion A. However, because there are no services near the portion, the development stalled. The recent Council resolution to service Swakopmund Extensions 32 and 33 would bring services closer to the proposed portion, and as such, the sales can be concluded.

In addition, Oluga Enterprise (Pty) had to comply with 3 conditions imposed by Council as per the April 2017 Council Resolution, namely, the appointment and payment of a town planner, providing proof of ability to finance the project, as well as providing a good standing from the Ministry of Finance.

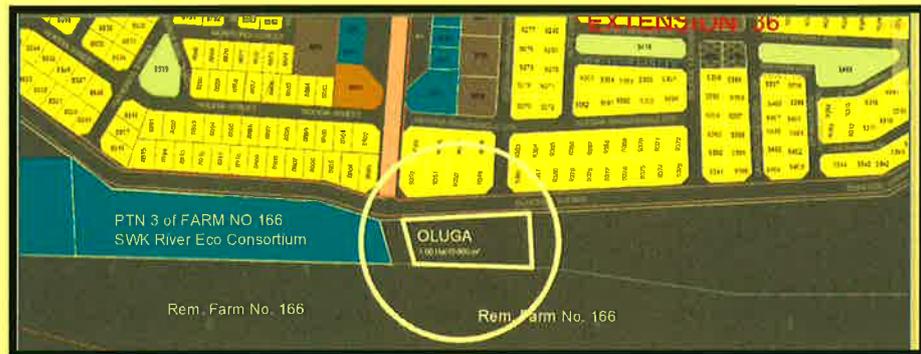
Council, in their meeting of the 2nd October 2025, resolved to allow the subdivision because the set requirements were met. However, note should be taken that no township subdivision is allowed on the portion of land. The Council resolution is herewith attached. The applicant has now adhered to all three conditions; hence, the resubmission as resolved on 02 October 2025.

3. Ownership

Ownership of Farm No. 166, Swakopmund, is held in the Certificate of Consolidated Title No. 2262/1988, which vests in the Municipality of Swakopmund. Proof of ownership has been attached together with the application.

4. Zoning, Locality, and Size

Proposed Portion A and Remainder Farm No. 166, Swakopmund, are zoned undetermined and is located along Duneside Avenue on the southern boundary of Swakopmund. The proposed Portion is approximately 10,000 m² in extent, and the Remainder Farm No. 166, Swakopmund, would be approximately 266.2572 hectares in extent.



5. **Access, parking, and municipal services**

Access to the proposed Portion A of Farm No. 166, Swakopmund, is gained from Duneside Avenue. Parking for the proposed development will be provided as stipulated by the Swakopmund Zoning Scheme. The erf is currently not connected to the municipal infrastructure, and any infrastructure resulting from the proposed development shall be the responsibility of the owner of the property.

6. **Public Notification**

The neighbouring property owners have been consulted via email for comments on the subdivision. Site notices were placed on the erf and the Municipal Notice Board, and the last date of objection was the 1st April 2025.

No objection was received by the end of the objection period; however, there is one comment from a member of the public requesting Council consider keeping the space open for recreational purposes.

7. **Proposal**

The applicant intends to subdivide the Farm into Portion A and Remainder as set out by the Municipality of Swakopmund to conclude the sale of the property to Oluga Enterprises.

It should be noted that the applicant doesn't include a rezoning request in this application because clarity is required from the Engineering and Planning Department on the proposed zoning. It is not established whether the Council proposes a general business or a special zone. Once clarity is provided, the statutory process will be initiated. Therefore, the said portion remains undetermined; however, Council may approve plans as it deems fit so that the applicant can construct whilst the rezoning is in process to ensure the project is completed within a reasonable time frame as desired by the applicant.

The proposal is indicated in the table below:

Proposed Portion number	Area (Ha)	Zoning
Portion A	1	Undetermined
Remainder	265.2572	Undetermined

8. Evaluation

It should be noted that there was no objection to the proposed subdivision; however, a request has been made to Council to consider keeping open spaces for recreational purposes. The portion in question falls within the townlands and is zoned undetermined; therefore, Council is not selling off open space but rather a piece of the undetermined land.

The applicant has indicated that clarity is needed from Council pertaining to the proposed zoning; however, Council will not be able to advise on an appropriate zone without an indication of what the intended use of the portion is. This then prompted a request to the applicant to clarify the intended use, and the applicant has indicated that the intention is to establish a licensed hotel and tourism-related activities (shops and booking offices).

Given that there are no objections to the proposed development, the intended use, as well as the fact that the erven next to the proposed are zoned for business. It is proposed that the proposed zoning for the development may be zoned general business with a bulk of 0.5. The proposed bulk is the most beneficial to both the applicant and the surrounding neighbours, as well as the Council.

Swakopmund Extension 36 (Kramersdorf) is known for its quiet, low-density residential atmosphere. A bulk of 0.5 allows a business building to cover only 50% (and in this case 5000m²) of the total area of the proposed Portion A, promote and preserve open space, greenery, and the aesthetic appeal of the area. This approach maintains harmony with the surrounding residential properties and avoids over-commercialization. Additionally, Swakopmund generally faces environmental sensitivities like wind, desert conditions, and coastal fog. A lower bulk factor reduces heat islands, enables natural light and ventilation, and minimizes pressure on infrastructure, such as roads and drainage.

A bulk of 0.5 also facilitates and limits the size and intensity of commercial developments, avoiding traffic congestion in an otherwise quiet neighbourhood. This ensures maintaining liveability for residents while still allowing for business activities such as cafes, boutique offices, and small shops. It encourages smaller-scale, community-serving enterprises, rather than high-impact commercial developments. A bulk of 0.5 maintains a balanced urban fabric, reassuring residents and investors that their surroundings will not be dominated by large, potentially disruptive developments. It encourages quality over quantity in development, attracting more desirable tenants and business owners.

The applicant has further suggested that Council may approve building plans to ensure construction is undertaken whilst finalizing the rezoning. At this stage, it is regarded as premature to engage in building plans when no formal application for the intended use is submitted to Council. Therefore, it is advised that the applicant submits a formal application to Council for the rezoning as well as consent to construct whilst the rezoning is in progress.

9. Title Deeds Conditions

The current title deed conditions registered against the title of Farm No. 166, Swakopmund, should be retained against the title of the Remainder of Farm No. 166, Swakopmund, and the following conditions should be registered against the title of the newly created Portion A of Farm No. 166, Swakopmund:

- (i) *The erf shall only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to the provisions of the Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018).*
- (ii) *The building value of the main building, including the outbuildings, to be erected on the erf, must be at least four times the prevailing valuation of the erf.*

10. **Conclusion**

The subdivision of Farm No. 166 into Portion and Remainder is in line with the Swakopmund Zoning Scheme provisions. It does not have detrimental effects on the surrounding neighbourhood, and it can be supported. Allocation of a general business zoning with a bulk factor of 0.5 offers a balanced approach to business development in Kramersdorf. It supports economic use of land while respecting the environmental, social, and aesthetic integrity of the area. This makes it the best long-term option for sustainable, community-friendly business growth in Swakopmund.

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

RECOMMENDED:

- (a) **That the subdivision of Farm No. 166, Swakopmund, into Portion A (measuring 1 Ha in extent) and Remainder, be approved.**
- (b) **That no township subdivision (establishment) be allowed on Portion A of Farm No. 166, Swakopmund.**
- (c) **That the applicant be advised to undertake the statutory process to rezone the property from undetermined to general business with a bulk of 0.5.**
- (d) **That the applicant provides proof that the subdivision of Farm No. 166, Swakopmund, into Portion A has been approved by the Minister before any submission of building plans to the Engineering and Planning Services Department for approval.**
- (e) **That no building plans be approved until Council has received proof of payment of the compensation fee for the newly created portions.**
- (f) **That all additional infrastructure that is 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.**
- (g) **That the current title deed conditions registered against the title of Farm No. 166, Swakopmund, be retained for the Remainder of Farm No. 166,**

Swakopmund, and the following conditions be registered against the title of the newly created Portion A of Farm No. 166, Swakopmund:

- (i) *The erf shall only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to the provisions of the Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018).***
 - (ii) *The building value of the main building, including the outbuildings, to be erected on the erf, must be at least four times the prevailing valuation of the erf.***
- (h) That onsite parking be provided in accordance with the Swakopmund zoning scheme.**
- (i) That the applicant be informed of this decision and of their right to 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

TOWN PLANNING & PROPERTIES

PO BOX 15111
SWAKOPMUND - NAMIBIA
Tel: +264 54 22 11 11
Fax: +264 54 22 11 12
Email: info@swakopmund.na

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.

3. OWNERSHIP

According to the Certificate of Consolidated Title Nr. 2262/1988, ownership of Farm No. 166, currently vests with the Municipality of Swakopmund (**Annexure B**). There exist no conditions within the Certificate of Consolidated that prohibits the intended intention to subdivide Farm No. 166, Swakopmund into Portion A and Remainder.

4. ACCESS TO THE PROPERTY

Access to the newly proposed Portion A will be directly from Riverside Avenue. At this stage no formal plan has been presented and as such the access point will be approved by the Engineering department with the submission of the building plans.

5. TOPOGRAPHY

The site is located in an area that is characterised by hard granite formations, both underground and visible above the ground at places. The Southern boundary of proposed Portion is a sheer drop of around 10m towards the Swakop River.

The topsoil that is found on site consists mainly of fine dry sandy soil with scattered rocks ranging from fine sand cm to 4 - 10cm in size. The soil has a very high salt quantity present. The property is relatively flat and there exist no natural features that would prohibit the proposed intentions of the client (**Annexure C2, 50cm Contour Plan**).

6. INFRASTRUCTURE AND SERVICES

Currently there is no road infrastructure on or near the site. Since the decision of the Municipality to service Extension 32 service connection will become available for the developer to connect to in the near future.

With the development of the extensions to the north and northeast of proposed Portion A, Dunside Avenue will be further developed and completed in terms of pre-approved plans. This road will be providing vital access to many of the proposed properties for the area, including proposed Portion A.

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.

8. INTENTION OF CLIENT & MOTIVATION

It is the intention of the Client to, as mentioned earlier in this document, to subdivide Farm No. 166 into Portion A and Remainder (**Annexure C1**). The intentions as proposed by the client is in line with the requirements as set out by the Municipality to conclude the sale of the property to Oluga Enterprises.

The client, based on the communications received from the Municipality, has to create the portion and forward proof of the process to the Municipality. Note should be taken of the fact that no rezoning is applied for at this stage as clarity is needed on the proposed zoning from the Engineering Department. At this stage we are not sure if the Municipality wants a General Business or Special zoning allocated to the property. Once this is established and we have received a formal resolution stating the appropriate zoning we can initiate such process.

For the time being the zoning of the property will remain "Undetermined" and due to the zoning, the Municipality may approve any use and plans it deems fit. This will allow the client to finalise the zoning while construction is in progress and not lose time on the completion of the project.

Proposed Subdivision of Farm No. 166, Swakopmund into Portion A and Remainder will be as follows:

Subdivision Table of proposed Portions and Sizes

Proposed Portions	Portion Sizes in ha
Portion A	1 ha
Remainder of Farm No. 166	266 2572 ha
Total m²	267, 2572 ha

9. PUBLIC PARTICIPATION

Neighbouring properties were requested for their comments. Attached please find copies of letters to neighbours via email (**Annexure D**). Notice was also placed on the land for public comments (**Annexure E**). Closing date for objections was on the 1st of April 2025.

10. RESPONSE FROM PUBLIC

Closing date for comment/objection to the proposed intentions was on the 1st of April 2025. By the closing of the objection period NO objections were received, only a comment from a member of the public via email (**Annexure F**). We were also contacted by the Ms Sandra Muller and it was indicated to her that we are merely attending to the statutory procedures related to past Council decisions. She was informed that her comments will be included for transparency purposes. It should be noted that she is not objecting against the intentions.

but merely requesting Council to consider keeping the space open for recreational purposes.

The comment reads as follows:

'Having seen your notice board in the area where I always walk my dogs, I'd like to comment on the proposed development. People need this free space outside of Kramersdorf for recreational use. I always meet people with dogs or cyclists and joggers when I walk there every day. We're already banned from walking in the river and don't want to lose out remaining space to another residential development that will only benefit rich people.

Thanks for taking this into consideration".

11. CONCLUSION

Swakopmund is under constant pressure to grow as the population increases so does the need for land for various uses. With the intention of Council to Service Extensions 32 and beyond (33 & 36) in the near future, it is unlocking the potential of the area.

Once the service infrastructure is in place the area will develop fast. The intentions of the client are in line with the requirements of the Swakopmund Municipality. After the subdivision is approved and Council has officially provided the correct zoning then can the rezoning process be attended to.

It is clear from the lack of objections that the general public is in favour of the application and that the proposed intentions are welcomed.

12. APPLICATION

On behalf of our client/s, we herewith formally apply for Conditional Approval pending the Environmental Clearance Certificate for the following statutory processes:

- **SUBDIVISION OF FARM NO. 166, SWAKOPMUND, INTO PORTION AND REMAINDER;**

CONDITIONS TO BE REGISTERED AGAINST REMAINDER OF FARM NO. 166:

- (a) The conditions currently registered against the remainder be retained.

CONDITIONS TO BE REGISTERED AGAINST PROPOSED PORTION A:

IN FAVOUR OF THE LOCAL AUTHORITY

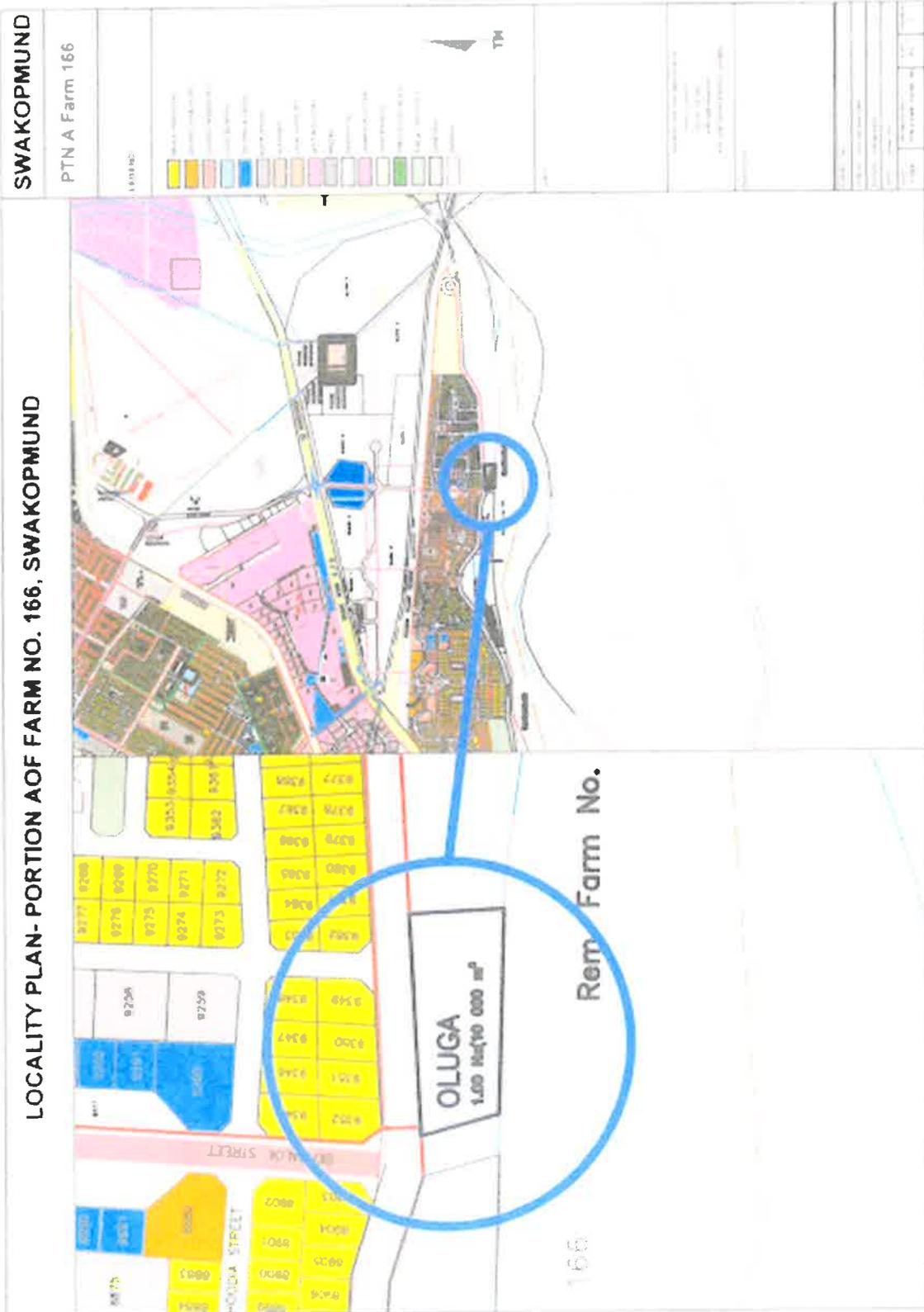
- (a) The erf must only be used or occupied for purposes which are in accordance with, and the use or occupation of the erf shall at all times be subject to the provisions of the Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018).
- (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 the Subdivision of Farm No. 166, Swakopmund, into Portion A and remainder, in order.

Yours Faithfully,



A R VAN DER WESTHUIZEN



ORIGINAL
OORSPRONKLIKE
STAMPED,
GETEEL.

DUTY
RECEIVED R. /

FEES
PAID R. 2.00

Opgestel deur by

 TRANSPORTRESORSEUR
 J.G. QUARBY

Plat = 3 1450 HA

TRANSFERRED TO Desert Brege Properties (Pty) Ltd (log - C12002/3731)
 No. 14574/201 - 299, 1605 HA

2011-08-01

W.T.S. EISEB
 Registrar

By Notarial Deed No. K 044/201 dated 22-08-2011
 the within-mentioned property is subject to a 30 metre wide and 20 metre wide servitude right of way for a road represented by the figures C/E, G, H, J, K and P, as shown in diagram No. 1887/201 attached to Part I of the form held by Notary of Registrar. It is to be registered.

appear on reference to the said Notarial Deed in the office of the Registrar.

W.T.S. EISEB
 REGISTRAR OF DEEDS

DEEDS OFFICE,
 WINDHOEK

2011-08-01

FOR DOCUMENTS SEE PAGE 4

SERTIFIKAAFT VAN VERENIGDE TITEL

2262 / 19 83

(Uitgereik kragtens die bepaling van Artikel 40 van die Registrasie van Aktes Wet, 1937. (Wet 47 van 1937))

NADEMAAL die MUNISIPALITEIT VAN SWAKOPMUND

aansoek gedoen het om die uitreiking aan die

MUNISIPALITEIT VAN SWAKOPMUND

van 'n Sertifikaat van Verenigde Titel kragtens die bepaling van

Artikel 40 van die Registrasie van Aktes Wet, 1937; en

NADEMAAL die MUNISIPALITEIT VAN SWAKOPMUND

die geregistreerde Eienaar is van



8/

1. SEKERE Gedeelte 38 (n Gedeelte van Gedeelte B) van
die Plaas SWAKOPMUND TOWN and TOWNLANDS Nr 41
GELEK in die Munisipaliteit van SWAKOPMUND
Registrasie Afdeling "O"
GEHOU kragtens Sertifikaat van Geregistreeerde
Title Nr T 226/1988
2. SEKERE Gedeelte 39 (n Gedeelte van Gedeelte B) van
die Plaas SWAKOPMUND TOWN and TOWNLANDS Nr 41
GELEK in die Munisipaliteit van SWAKOPMUND
Registrasie Afdeling "O"
GEHOU kragtens Sertifikaat van Geregistreeerde
Title Nr T 226/1988
3. SEKERE Plaas 164
Registrasie Afdeling "G"
GEHOU kragtens Goewermentsgrondbrief Nr T 3401/1986

wat verenig is tot die grond hieronder beskryf;

SO IS DIT dat ingevolge die bepalings van genoemde Wet, ek, die
Registrateur van Aktes in Windhoek hierby sertifiseer dat genoemde

MUNISIPALITEIT VAN SWAKOPMUND

By Opvolgers in titel of Regverkyrgendes die geregistreeerde eienaar is
van

SEKERE Plaas Nr 166
GELEK in die Munisipaliteit van SWAKOPMUND
Registrasie Afdeling "G"
GROOT : 302,3059 (Drie Hul Twee Komma Drie Hul Vyf Hege)
Hektare
SOOS soos aangedui op die aangehegte Kaart Nr A 77/86.

1

86

X

9

- 3 -

ONDERHEWIG met betrekking tot die figuur a b c d e f g h
 - regter oewer van die Swakop Rivier - d1 d2 d3 d4 - regter
 oewer van die Swakop Rivier - d5 d6 d7 d8 z op die aangehegte
 Kaart Nr A 77/86 aan h serwituut om elektrisiteit te lei oor
 bogemelde eiendom deur middel van een transmissielyn ten gunste
 van S. W. A. Water- en Elektrisiteitskorporasie (Eiendoms)
 Beperk (Ingelyf in die Republiek van Suid-Afrika) geskep
 kragtens Notariële Akte van Serwituut Nr K 119/1985 S
 onderhewig aan voorwaardes en met bykomstige regte.

EN DAT kragtens hierdie Sertifikaat genoemde

MUNISIPALITEIT VAN SWAKOPMUND

Sy Opvolgers in titel of regsverkrygendes nou en voortaan draartoe
 geregtig is ooreenkomstig plaaslike gebruik, maar behoudens die regte
 van die Goewerment.

WAARN.

TEN BEWYSE WAARVAN ek, die genoemde Registrateur hierdie Akte
 onderteken en met die ampseel bekragtig het.

ALDUS GEDOEN en geteken in die Kantoor van die Registrateur
 van Aktes in WINDHOEK op 1988 -17-1 4

WAARN.

S. M. M. M.
 REGISTRATEUR VAN AKTES
 WINDHOEK

Ab

d

as
9

CERTIFICATE of Registered TITLE

No. 14575 / 2011 issued in terms of

Section 43 Act 47/1937

In respect of Plot 2 of Farm No. 166

= 4,9483 HA

Remains 290, 2100 HA

2011-08-01 **W.T.S. EISEB**

CERTIFICATE of Registered TITLE

No. 14576 / 2011 issued in terms of

Section 43 Act 47/1937

In respect of Plot 3 of Farm No. 166

= 3,6158 HA

Remains 290, 5264 HA

2011-08-01 **W.T.S. EISEB**

CERTIFICATE of Registered TITLE

No. J1497 / 2012 issued in terms of

Section 43 Act 47/1937

In respect of Plot 4 of the Farm No. 166

= 23,3392 HA

Remains 26,72572 HA

03 APR 2017 **W.T.S. EISEB**

5/8/25, 11:22 AM

van der Westhuizen Town Planning and Properties Mail - Notice of intention: Subdivision of Farm 166 Swakopmund



Andrew van der Westhuizen <andrew@vdwtp.com>

Notice of intention: Subdivision of Farm 166 Swakopmund

1 message

Andrew van der Westhuizen <andrew@vdwtp.com>
To: Kirby Mackintosh <kirby@mlaarch.com>

Thu, Mar 13, 2025 at 12:06 PM

Good day Kirby,

We are currently assisting Dennis de Wet with their application for subdivision next to Portion 3 and need to notify neighbouring properties of our intention. Please see attached documentation. The consent form needs to be filled in, signed and returned to us.

Please let us know if you have any queries.

Kind Regards,

Andrew van der Westhuizen



TOWN PLANNING & PROPERTIES

PO BOX 1598
SWAKOPMUND, NAMIBIA
+264 91 421 451
+264 91 421 452
andrew@vdwtp.com

3 attachments

- Portion 3 Swakop River Eco Consortium (PTY) Ltd.pdf
157K
- Subdivision Plan Oluga.pdf
252K
- CONSENT FROM ADJOINING OWNERS.pdf
370K

TOWN PLANNING & PROPERTIES

PO BOX 1016
SWAKOPMUND, NAMIBIA
091 501 1111
www.van-der-westhuizen.com

Your Ref: Oluga, Farm 166

**PORTION 3 OF FARM 166, SWAKOPMUND
SWAKOP RIVER ECO CONSORTIUM (PTY) LTD**

Per Email: kirby@mmlaarch.com

Att. Kirby Mackintosh

13 March 2025

Dear Sir,

NOTICE OF INTENTION IN TERMS OF THE URBAN AND REGIONAL PLANNING ACT OF 2018 (ACT 5 OF 2018): SUBDIVISION OF THE FARM NO. 166, SWAKOPMUND, INTO PORTION "A" AND REMAINDER.

Notice is hereby given in terms of Urban and Regional Planning Act of 2018 (Act 5 of 2018), that Van Der Westhuizen Town Planning and Properties CC, on behalf of our client Oluga Enterprises (Pty) Ltd., intends to apply to the Swakopmund Municipality for the following:

- **SUBDIVISION OF THE FARM NO. 166, SWAKOPMUND, INTO PORTION "A" AND REMAINDER.**

The proposed Portion "A" is approximately 10 000m² (1ha) in extent and located along the norther banks of the Swakopmund River immediately south of Duneside Avenue. The statutory processes are necessary in order to meet the requirements set by the Municipality of Swakopmund for the intended sale of proposed Portion "A" to Oluga Enterprises (Pty) Ltd. It is the intention to develop the property for Tourism and accommodation purposes.

Please further take note that –

- the proposed Subdivision plan can be inspected at the Public Notice Board of the Swakopmund Municipality located on the Corner of Rakotoka Street & Daniel Kamho Avenue.
- any person having objections to the proposed Subdivision or who wants to comment thereon, may lodge such objections and comments, together with the grounds thereof, in writing to the Municipality of Swakopmund and the Applicant within 14 days of the last publication of this notice.

Please be advised that the written objection must be forwarded within the prescribed time as required by the Urban and Regional Planning Act of 2018. Such written objection/s or comment/s must therefore be submitted by no later than 17:00 on 1 April 2025.

Yours Faithfully,



A R VAN DER WESTHUIZEN

TOWN PLANNING & PROPERTIES

PO BOX 1596
SWAKOPMUND, NAMIBIA
Tel: +264 81 22 3881
Fax: +264 81 22 3881
www.mlaarch.com

CONSENT FROM ADJOINING OWNERS / NEIGHBOURS FOR BUSINESS REGISTRATION / CONSENT USE / SUBDIVISION / CONSOLIDATION / REZONING AND OR ENVIRONMENTAL CLEARANCE

We, Swakop River Eco Consortium Properties (Pty) Ltd, the owner of Erf No. Portion 3 of Farm. 166, Swakopmund

Street Address	Desert & Ocean Co-working Offices, Einstein Street, Swakopmund
Postal Address	P O Box 658
Telephone No	0811273555
Email Address	rod@mlaarch.com

am aware that an application for: Subdivision of the Farm No. 166, Swakopmund, into Portion "A" and remainder

On Erf Farm No. 166 by Messrs Van Der Westhuizen Town Planning & Properties

is intended to be lodged at the Municipality of Swakopmund and our response is as follows:

NO OBJECTION



Signature of Owner

OBJECTION

Signature of Owner

(Please mark whichever is applicable in the block)

Against the proposed application intended by the applicant:

(If you have any objection against the said intentions then please stipulate your reasons / remarks below)

Reasons / Remarks



Roderick Jon Lautenbach

13/03/2025

SIGNATURE

FULL NAME

DATE

(Please attach certified copy of I.D. to this document for verification of signature)



ANNEXURE B: COUNCIL RESOLUTION

Ref No: 16/1/4/2/1/5
Enquiries: Mr M Haingura

07 October 2025

Ms Helena Dala
Oluga Enterprises (Pty) Ltd
P O Box 2860
Swakopmund
13003

Dear Madam

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

The above-mentioned refers.

Your email dated **08 May 2025** received from Howard Krogh Architects acting on behalf of Oluga Trading Enterprises (Pty) Ltd was submitted to Council to consider the future of portion of land (1 ha) along the Swakop riverbanks for the development of an accommodation establishment.

Council at its meeting on **02 October 2025** discussed your application and made the following decision under item 11.1.10:

- "(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, complies and submits a good standing certificate from the Ministry of Finance.**
- (c) That Council grants an extension of time to Oluga Trading Enterprise (Pty) Ltd, for a further period of twelve (12) months to perform as per the initial conditions approved by Council, and that no township subdivision be allowed.**
- (d) That it be noted that the proof of financing is not issued in the name of Oluga Trading Enterprise (Pty) Ltd, but in the personal names of Mr D and Ms C Howard, and that Oluga Trading Enterprise (Pty) Ltd be requested to submit the proof of financing.**
- (e) That Oluga Trading Enterprise (Pty) Ltd, shareholding structure/ownership should NOT be amended.**



- (f) That Clause 7.5 of the Property Policy be complied with in terms of purchase price escalation which is prescribed as follows:
- (i) Should a period of more than one year, but less than 5 years, lapse since Council approved a purchase price, the purchase price be escalated with 5% per annum and be submitted to Council for approval.
 - (ii) Should a period of more than five years lapse since approval by Council of the purchase price, fresh valuations be obtained and submitted to Council for approval.
 - (iii) That the transaction be concluded within 120 days from date when the Surveyor-General approved diagram is in place.
 - (iv) That ministerial approval be obtained as a result of the change of the purchase price due to price escalation.

Please take note of above decision and kindly confirm in writing on / before Friday, **31 October 2025** whether you accept the conditions indicated above. Once written confirmation is received from you accepting the Council's decision the following procedures will follow:

- ① Fresh valuations will be obtained from the Municipal valuator as per point (f) (ii) above in order to determine a new purchase price for consideration by Council. You will once again be requested to confirm in writing acceptance of the new purchase price.
- ② Ministerial approval will thereafter be applied for as per point (f) (iv).
- ③ Provide formal proof of your ability to finance the project in the capacity of Oluga Enterprises (Pty) Ltd and not in a third party. (see point (d) of Council's decision).
- ④ Please ensure compliance with point (c) above by Friday, **02 October 2026**. The various Council resolutions and require as set-out in our letter dated **20 January 2025**.
 - (i) Please comply with the following as it was requested as per our letter dated **20 January 2025** with respect to previous Council resolutions within the 12 months as from the date of the above Council resolution, ie by Friday, **02 October 2026**
 - (ii) 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."
 - (iii) 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**.

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

Yours faithfully


 Mpsai Haingura
 GM: CORPORATE SERVICES & HC
 /en
 16



Copies:

- ① GM: Engineering & Planning Services

11.1.8

ERONGO RED: MANDATE FOR COUNCIL'S REPRESENTATIVES: ANNUAL GENERAL MEETING: 06 FEBRUARY 2026

(C/M 2026/01/29 - 9/1/4/2)

Ordinary Management Committee Meeting of 15 January 2026, Addendum **10.1** page **03** refers.

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

Notice has been given that the Annual General Meeting of shareholders of Erongo Regional Electricity Distributor Company (Proprietary) Limited (Erongo RED) to be held at the Strand Hotel, Swakopmund, on **Friday, 6 February 2026, at 10:00.**

Council at an ordinary meeting held on **2 February 2016**, item 11.1.4 resolved as follows:

That the following Councillors attend all Erongo RED Shareholder meetings:

- Chairperson of Management Committee
- Alternate Chairperson of Management Committee (Secundi)
- Any other member of the Management Committee in the absence of the secundi

Council's representative will have to speak and vote on Council's behalf or to abstain from voting at the **Annual General Meeting**. Management Committee/Council is requested to furnish their representatives, being the Chairperson of the Management Committee and the Chief Executive Officer, with mandates with regard to the matters listed below: one vote per share:

	Insert an "X" or the number of votes exercisable (one vote per share)		
	In favour of	Against	Abstain
1. To approve the minutes of the previous Annual General Meeting held on 18 March 2025.			
2. To receive and adopt the Annual Financial Statements of Erongo RED for the year ended 30 June 2025.			
3. To receive and note the Finance Report.			
4. To receive and adopt the declaration/non-declaration of dividends for the year ended 30 June 2025.			
5. To appoint/confirm the appointment of Auditors			
6. To receive the Board Effectiveness Report 2025.			
7. To appoint/confirm the appointment of Directors in terms of the Shareholders Agreement.			

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

RECOMMENDED:

- (a) That the Chairperson of the Management Committee, Councillor A S Hangula, the Alternate Chairperson of the Management Committee, Councillor M N Amushila, and Chief Executive Officer, Mr A Benjamin, be mandated to represent Council at the Erongo RED Annual General Meeting to be held on 06 February 2026, at the Strand Hotel in Swakopmund, be approved.
- (b) That the mandate be condoned for the matters as set out in the table below for the Annual General Meeting:

	Insert an "X" or the number of votes exercisable (one vote per share)		
	In favour of	Against	Abstain
1. To approve the minutes of the previous Annual General Meeting held on 18 March 2025.			
2. To receive and adopt the Annual Financial Statements of Erongo RED for the year ended 30 June 2025.			
3. To receive and note the Finance Report.			
4. To receive and adopt the declaration/non-declaration of dividends for the year ended 30 June 2025.			
5. To appoint/confirm the appointment of Auditors			
6. To receive the Board Effectiveness Report 2025.			
7. To appoint/confirm the appointment of Directors in terms of the Shareholders Agreement.			



**ERONGO REGIONAL ELECTRICITY DISTRIBUTOR COMPANY
(PROPRIETARY) LIMITED - REG NO. 2004/074**
(Incorporated in the Republic of Namibia)
NOTICE OF THE ANNUAL GENERAL MEETING

SHAREHOLDERS:

Municipality of Walvis Bay represented by Ms Victoria Kapenda
Municipality of Swakopmund represented by Proxy Mr. Wilfried Groenewald
NamPower represented by Mr. S Haulofu
Municipality of Henties Bay represented by Proxy Ms. Ignasia Neis
Arandis Town Council represented by Mr. Stanley Norris
Municipality of Omaruru represented by Hon.Cllr Vincent Kahua
Usakos Town Council represented by Mr. Lesley Goraseb
Karibib Town Council represented by Hon.Cllr Lazarus Kanelombe
Uis Village Council represented by Mr Mupenzi Ntelamo
Erongo Regional Council represented by Mr Mupenzi Ntelamo

REGISTERED ADDRESS:

91 Hage Geingob Street
Walvis Bay
Namibia

AUDITORS:

Ernst & Young

NOTICE OF ANNUAL GENERAL MEETING

Notice is hereby given that the Annual General Meeting for the Shareholders of Erongo Regional Electricity Distributor Company (Proprietary) Limited (Erongo RED) will be held at **Strand Hotel, 1 Molen Weg, Swakopmund**, on **Friday, 06 February 2026, at 10h00** to consider, and if approved, pass the following resolutions with or without modification.

AS ORDINARY RESOLUTIONS

1. Opening of the meeting:
 - 1.1 Welcome by the Chairperson
 - 1.2 Attendance and Proxies
 - 1.3 Adoption of Agenda
2. To approve the minutes of the previous Annual General Meeting held on 18 March 2025 (Enclosure 2).
 - 2.1 Matters arising from the previous Annual General Meeting held on 18 March 2025 (Enclosure 3).
3. To receive and adopt the Annual Financial Statements of Erongo RED for the financial year ended 30 June 2025, together with the reports of the directors and auditors thereon. (Enclosure 4).
4. To receive the Finance Report of Erongo RED by the Finance Executive Manager. (Enclosure 5).
5. To receive and adopt the Declaration/Non-Declaration of Dividends for the year ended 30 June 2025 (Enclosure 6).
6. To appoint/confirm the Appointment of Independent External Auditors. (Enclosure 7)
7. To receive and note the Board Effectiveness Report 2025. (Enclosure 8)
8. To appoint/confirm the Appointment of Directors in accordance with the Shareholders Agreement. (Enclosure 9)
9. Other business that may be transacted at an Annual General meeting.
10. Closure of meeting

QUORUM

No business shall be transacted at the General Meeting unless a quorum of members is present at the time when the meeting proceeds to business. Save as herein otherwise provided, the quorum for any general meeting of the Shareholders of the Company is at least 1 (one) duly authorised representative from each Shareholder, present in person or by proxy.

APPROVALS REQUIRED FOR RESOLUTIONS

Resolutions enumerated under points 2 - 9 above require approval of at least 75% (seventy-five percent) of the number of Shareholders entitled to vote, regardless of the weighted average of Shareholding held by each Shareholder.

ATTENDANCE AND VOTING OF SHAREHOLDERS

Any Shareholder is entitled to attend and vote at the meeting or to appoint a representative to attend, speak, and vote in their stead. The person so appointed need not be a Shareholder of the Company. The Shareholders entitled to vote may, at any Shareholder Meeting, only vote on a poll.

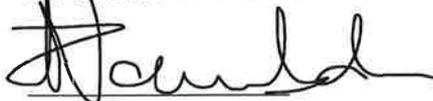
The Chairperson of the Meeting of Shareholders does not have a casting vote in addition to their ordinary vote as a representative of a Shareholder.

A company or body corporate may, by resolution of its directors or other governing body, authorise any person to act as its representative at any meeting of any company by which it is a member or at any meeting of any class of members of that company.

Kindly note that Council Resolutions must accompany all proxies.

Resolutions and proxies must be forwarded to **Ms Alta Smit** of **Erongo RED** at asmit@erongored.com.na or by fax + 264 64 214673 by no later than **Friday, 30th January 2026 at 10:00**

BY ORDER OF THE BOARD OF DIRECTORS



**Ms ZOE YN NAMBAHU
CHAIRPERSON**

**WALVIS BAY
23 December 2025**

**ERONGO REGIONAL ELECTRICITY DISTRIBUTOR COMPANY
(PROPRIETARY) LIMITED - REG NO. 2004/074
PROXY**

I/We,, representing the shareholderof Erongo Regional Electricity Distributor Company (Proprietary) Limited hereby appoint as my proxy to act for me at the annual general meeting of shareholders of the company to be held at **Strand Hotel, 1 Molen Weg, Swakopmund, on Friday, 06 February 2026 at 10h00** and at any adjournment thereof.

As my/our proxy to attend, speak, and vote for me/us and on my/our behalf or to abstain from voting at the Annual General Meeting of the Company and at any adjournment thereof, as follows:

	Insert an "X" or the number of votes exercisable (one vote per share)		
	In favour of	Against	Abstain
8. To approve the minutes of the previous Annual General Meeting held on 18 March 2025.			
9. To receive and adopt the Annual Financial Statements of Erongo RED for the year ended 30 June 2025.			
10. To receive and note the Finance Report.			
11. To receive and adopt the declaration/non-declaration of dividends for the year ended 30 June 2025.			
12. To appoint/confirm the appointment of Auditors			
13. To receive the Board Effectiveness Report 2025.			
14. To appoint/confirm the appointment of Directors in terms of the Shareholders Agreement.			

SIGNED ATTHIS DAY OF2026
SIGNATURE: