

# AGENDA

Ordinary Council Meeting

on

**THURSDAY**

**29 AUGUST 2019**

at

**19:00**



**MUNICIPALITY OF SWAKOPMUND**

**MUNICIPALITY OF SWAKOPMUND**

☎ (064) 4104206  
☎ 088 614 514  
✉ 53 Swakopmund  
NAMIBIA  
✉ akahuika@swkmun.com.na

Ref No A 2/3/5  
Enquiries: *Aloysia Kahuka*

14 August 2019

The Mayor and Councillors  
Municipality  
**SWAKOPMUND**

Dear Sir / Madam

**NOTICE: ORDINARY COUNCIL MEETING**

Notice is hereby given of an **ORDINARY COUNCIL MEETING** to be held in the Council Chambers, Municipal Office Building, Swakopmund on:

**THURSDAY, 29 AUGUST 2019 AT 19:00,**

**A Benjamin**  
**CHIEF EXECUTIVE OFFICER**

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(C/M 2019/08/29 - A 2/3/5)
- 4.1 Minutes of an Ordinary Council Meeting held on 25 July 2019.  
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- 6.1 Long Service Awards.

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7. PETITIONS  
None.

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8. MOTIONS OF MEMBERS  
None.

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9. ANSWERS TO QUESTIONS OF MEMBERS OF WHICH NOTICE WAS GIVEN  
None.

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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 AUGUST 2019

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None.

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13. DRAFT REGULATIONS AND TARIFFS, IF ANY

None.

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**MINUTES**

of an Ordinary Council Meeting held in the Council Chambers, Municipal Head Office, Swakopmund on Thursday, 25 July 2019 at 19:00.

**PRESENT:**

Councillor P Nashilundo	.....	Mayor
Councillor M Elago	.....	Deputy Mayor
Councillor E Shitana	.....	Chairperson of MC
Councillor K N Jason	.....	Alternate Chairperson of MC
Councillor A M Marsh	.....	Member of Management Committee
Councillor W O Groenewald	.....	Alternate Member of MC
Alderman E /IKhoaseb	.....	Member of Council
Councillor U Kaapehi	.....	Member of Council

**OFFICIALS:**

Mr A Benjamin	.....	Chief Executive Officer
Mr M P C Swarts	.....	GM: Corporate Services & HR
Mr C McClune	.....	GM: Engineering Services
Mr H Inaruseb	.....	GM: Finance
Mr C Lawrence	.....	GM: Health Services
Mr V S Kaulinge	.....	Acting GM: Community Development Services
Mr L Mutenda	.....	Manager: Health Services
Ms M Bahr	.....	Manager: Human Resources
Mr M Cloete	.....	Manager: Traffic Services
Mr A Louw	.....	Manager: Design & Build
Ms D Heita	.....	Acting Manager: Town Planning
Ms A Gebhardt	.....	Corporate Officer: M & C
Mr U Tjunube	.....	Corporate Officer: Admin
Ms D Hanes	.....	P A to the Mayor
Ms A A Kahuika	.....	Administrative Officer

**ALSO PRESENT:**

Also present were members of the Junior Town Council, Five (5) staff members receiving long service awards, Two (2) members of the Media, and Twenty nine (29) Members of the public.

**1. OPENING BY PRAYER**

Pastor Kevin Mwashuma opened the meeting with scripture reading and prayer.

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

On proposal of Councillor A M Marsh seconded by Councillor E Shitana it was:

**RESOLVED:**

That the agenda be adopted.

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

3.1 Application for leave of absence:

Councillor N N Salomon - Approved  
 Councillor E K Hargula - Approved

3.2 Declaration of interest:

None.

4. **CONFIRMATION OF MINUTES**

(C/M 2019/07/25 - A 2/3/5)

4.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 27 JUNE 2019**

On proposal of Councillor A M Marsh seconded by Councillor E Shitana it was:

**RESOLVED:**

CO: A  
 GM: CS&H

That the minutes of the Ordinary Council Meeting held on 27 June 2019, be confirmed as correct.

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

(C/M 2019/07/25 - A 2/3/5)

5.1 Her Worship, the Deputy Mayor, also announced as follows:

Honourable Councillors, Pastor Kevin Mwashumba, The Chief Executive Officer, Mr Athias Benjamin, General Managers, Managers, Officials, Junior Town Council, Members of the Community, Members of the Media, Ladies and Gentlemen, All Protocol observed

Good evening and welcome to our July Council Meeting. I am pleased to see each and every one of you here tonight.

Please allow me to share a bible verse from the book of Romans Chapter 12 verse 2 and it reads: "Don't copy the behaviour and customs of this world, but let God transform you into a new person by changing the way you think."

Ladies and Gentlemen

On behalf of Council, the Office of the Mayor attended to the following official engagements during July 2019:

- Ministerial High level consultative retreat for political office bearers organized by the Ministry of Urban and Rural Development, Wavita Bay
- Welcoming Remarks at the Official Opening of the 4th Interpol Chemical Awareness And Crime Scene Management Course in Swakopmund by Deputy Mayor, Honourable Councillor Elago
- Conference of the FNCC and Networking Cocktail in Windhoek
- Benchmark visit by the City of Windhoek to our Council
- Visit by the President of German Bundestag, President-Minister David Gierther
- Regional Drought Assessment Missions and Town Hall Meeting with His Excellency, Dr. Hage G. Geingob in Swakopmund
- Junior Town Council Inauguration Ceremony
- Annual Conference of the International Association of School & Institute of Administration, Lisbon, Portugal by Councillor Salomon
- Official handover ceremony of CNUC as new majority shareholder of Rising Uranium Limited in Arandis today
- Various in-house meetings

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Honourable Councillors, your commitment and dedication towards the work of the Council is highly appreciated.

Ladies and Gentlemen,

Please allow me to express my profound appreciation to the community of Swakopmund for their attendance and fruitful engagements during the Regional Drought Assessment Missions and Town Hall Meeting hosted by His Excellency, Dr. Hage Geingob and his cabinet delegation at the Tamaritaka Town Hall in Swakopmund on the 19<sup>th</sup> of July 2019.

During his meeting, His Excellency emphasized on the importance of accountability as purposeful governance and urged Namibians to fight for a better Namibia in unity. He encouraged Namibians to engage in dialogue in order to solve issues of concern. This meeting provided a platform for Questions and Answers for the public to engage with the Presidential delegation.

On behalf of Council, I would like to reaffirm the community of Swakopmund that we are in support of the President's call for accountability and open dialogue and we encourage you to contact our offices should you have the need to raise your concerns.

Honourable Councillors

Ladies & Gentlemen

In its effort to continuously strengthen the local economy, the Municipality of Swakopmund is in the process of finalizing the Local Economic Development (LED) Strategy. The Council is aware of the various challenges facing the community of Swakopmund such as the high prevalence of unemployment, limited diversification of the economy due to the dependency on tourism only, the increase of business activities in neighboring towns and the lack of local and foreign investors. The LED Strategy thus aims to contribute to the elimination (or at least) reduction of these challenges.

And as part of local economic development, an Investment Profile has been crafted to promote Swakopmund as an investment hub for local and international investors. The purpose of the Investment Profile is to attract and retain local and economic investors in Swakopmund. As Council, our vision is to provide the town of Swakopmund in ways that will benefit its community at large.

Ladies and Gentlemen, Honourable Councillors

On the 23<sup>rd</sup> of July, the Junior Town Council inaugurated its new Members and bid farewell to the outgoing Councillors. It was indeed delightful to have witnessed the inauguration ceremony, specifically because of the Leadership qualities and drive that these young people have in serving the community. It is my honour to announce the new Junior Town Council members to you. Congratulations to the new executives on their portfolios. May you serve the youth of Swakopmund with pride and passion.

Please feel free to knock on my door should you need guidance and assistance.

The executive portfolios are as follow:

- Junior Mayor: Her Worship, Cllr. Nakiya Milne
- Deputy Mayor: Cllr. Siowetha Gasse
- Public Relations Officer: Shakira Isaacks
- Treasurer: Frances Burger
- Secretary: Theodore Shikongo

Once again, congratulations to all of you.

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

### 6.1 Long Service Awards

Ladies & Gentlemen

#### Long Service Awards

On behalf of Council, I hereby would like to acknowledge the following staff members and present them with long service awards. We applaud each and every one of them for every effort, their commitment, trust and loyalty that they have ploughed into this Council.



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The staff members are as follows:

**10 YEARS SERVICE**

- \* Marolda Tjirange
- \* Ronacho Mawha
- \* Selina Tjikalivize
- \* Leonie Adzefango

**15 YEARS SERVICE**

- \* Andre Piazgla

*Thank you very much for your loyalty and we look forward to more years and decades of working together.*

The Council wishes to express its gratitude to the following employees who will be retiring after many years of their service. We wish for you a well-deserved retirement filled with rest and peace.

**Retirement**

**17 years, 2 months**

Elias Nyandi

**38 years, 2 months**

Mdimulunde Ndlovu

Ladies & Gentlemen

Thank you for your undivided attention  
 Pelema Nashundzo  
 MAYOR

7. **PETITIONS**

None.

8. **MOTIONS OF MEMBERS**

None.

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

None.

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

10.1 **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY MANAGEMENT COMMITTEE DURING JUNE 2019**

10. Minutes of Ordinary Management Committee meeting held on 11 July 2019 and Special Management Committee meetings of 27 June 2019 and 17 July 2019.

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11. RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE11.1 SPECIAL MANAGEMENT COMMITTEE MEETINGS HELD ON 27 JUNE AND 17 JULY 2019 AND ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 11 JULY 201911.1.1 APPLICATION FOR DRY PORT TERMINAL: 20HA SITE BY ECOBOND SERVICES NAMIBIA CC  
(C/M 2019/07/25 - G 4/1/1)

CD: P GM: ES GM: CS&HR
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RESOLVED:

- (a) That the application by Ecobond Services Namibia CC to lease a portion of land measuring approximately 20ha (200 000m<sup>2</sup>) (including a buffer zone) for the establishment of a dry port be approved:
- (i) That Engineering Services obtains a diagram indicating the location of the lease area and the required buffer zone.
- (b) That once valuations are obtained a lease tariff for the areas to be used respectively for administration and placement of containers, be considered.
- (i) That the total size of the buffer zone be excluded from the above calculation.
- (ii) That the lease tariff escalates annually by 10% on 1 July.
- (c) That the lease period be 9 years and 11 months with an option to renew.
- (i) That the option to purchase during the lease period not be considered at this stage as such is not provided for in Council's Property Policy.
- (ii) That should it be determined that due to the nature of the business permanent structures are required, the lessee must submit a motivation and Council at that stage consider the sale of the lease area (see (h) (vii)).
- (d) That approval be applied for from the Ministry of Urban and Rural Development as required in terms of the Local Authorities Act to proceed with the intended lease.
- (e) That the lease period commences 1 month after notice was given to Ecobond Services Namibia CC that the Ministry of Urban and Rural Development approved the lease and the necessary EIA is approved (see (h) (ix) 8.).
- (f) That as required in terms of Council's resolution passed on 22 November 2018 under Item 11.1.37, Ecobond Services Namibia CC consults the following entities for approvals / supply of services at their cost: Roads Authority, Environmental Impact Assessment, NamWater, NamPower and Erongo RED.
- (g) That all services be installed to the satisfaction of the General Manager: Engineering Services and at the cost of Ecobond Services Namibia CC.

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- (h) That the following conditions be applicable:**
- (i) That a refundable deposit, equal to one month's rent be paid and be adjusted annually.
  - (ii) That a rehabilitation deposit of N\$100 000.00 be paid for the rehabilitation of the area, if required.
  - (iii) That, if applicable, Ecobond Services Namibia CC be required to pay a refundable electricity deposit equal to the monthly rental which shall be applied and used only if an outstanding account remains with Messrs Erongo RED upon termination of the lease.
  - (iv) That the remainder of (ii) be refunded to the lessee on presentation of proof to the General Manager; provided that the electricity account from Messrs Erongo RED in the name of the lessee has been paid in full.
  - (v) That, if required, Council gives consent to Ecobond Services Namibia CC in terms of the Town Planning Amendment Scheme 12 to engage in the business of establishing a dry port.
  - (vi) That either party can give 3 calendar months' written notice of the cancellation of the agreement.
  - (vii) That Council's standard conditions of lease be made applicable to the agreement.
  - (viii) That no permanent structures be constructed; unless required by the nature of the business, in which case building plans be submitted to the Engineering Services Department for approval.
  - (ix) That the following special conditions be applicable:
    1. That the lessee shall be responsible for the cleanliness and tidiness of the property.
    2. That there is no guarantee that the property is suitable for the lessee's purposes.
    3. That written permission be obtained, should the lessee wishes to erect any sign or advertising material outside the property.
    4. That no subletting be allowed.
    5. The Council be indemnified against any claim from whatever cause arises.
    6. That the area be properly fenced in.
    7. That no person is allowed to overnight or to reside on the premises, except for bona fide security services engaged in operating during a night shift.
    8. That an environmental clearance certificate be obtained in terms of the Environmental Management Act of 2007.
- (i) That Ecobond Services Namibia CC must take possession and commence with the approved activity within 1 year of the approval of the lease by the Ministry of Urban and Rural Development; or the completion of the installation of services, whichever is the earliest, failing which the lease will be terminated on 3 months' notice.**
- (j) That the Messrs Ecobond be required to commence substantive commercial activities within 24 months, failing which the agreement be cancelled.



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11.1.2

**OBJECTIONS AGAINST THE SALE OF ERF 72, MILE 4 ARE REFERRED BACK BY THE HONOURABLE MINISTER OF URBAN AND RURAL DEVELOPMENT**

(C/M 2018/07/25 - Erf 72, WF 4 AND G-4/1/1 (10))

**RESOLVED:**

GM: ES

- (a) That it be noted that the Ministry of Urban and Rural Development as per their letter dated 23 April 2019 Annexure "A2" (on file) requested Council's comments regarding objections against the sale of Erf 72, Waterfront.
- (b) That the following Council's comments be submitted to the Ministry of Urban and Rural Development as required in terms of Section 63 (3) (b) of the Local Authorities Act 23 of 1992:

Obj	Objection	Comments
1.	By proceeding with the publication of the notice to sell Erf 72, Waterfront to 28 entities Council acted against the instructions of the Attorney-General not to act in any way as the owners/stakeholders of affected portions.	The transaction relates to the existing building not a new project.
2.	That ownership of Erf 72, Waterfront is not yet confirmed and Council illegally traded with state land, that the specific erf is in existence due to unlawful activity. The consolidation process to create the erf is also questioned.	Erf 72 WF, is part of Portion 74 in terms of approved GP120- 20A 226/2003 and declared by Government Gazette as an approved township within the Swakopmund municipal boundary by GRM Gazette as N.3272 of 01 June 2004. Erf 72 was also approved by the Surveyor General on 09 December 2017 as per diagram No 4478/2017 and consolidated thereof. Erf 72 is not part of sea-shore. The history of the Swakopmund boundary and on the western boundary indicated as "high water mark" is explained under point 3.1 and township establishment of Portion 74 where Erf 72 was created is also explained in detail under 3.2.
3.	That standing previous objections still need to be attended to.	This objection is vague and cannot be considered. The previous objections were not submitted in response to an official notice published by Council. There were objection against the concept of the development which have been overtake by time as the building already stands. This is not relevant to the sale of this portion.
4.	That the process preceding the publication of the notice of the intended sale is not legitimate.	Council resolutions were in place authorizing the sale. Council resolutions (24 September 2015, Item 71.1.4, 22 February 2018, Item 11.1.78 & 21 May 2018, Item 11.1.50)
5.	The period since the Council resolution in 2015 until the publication of the notice is questioned.	It is assumed that this objection refers to the delay since the decision was passed on 24 September 2015 until the notice was published on 14 and 21 September 2018. The publication of the sale was pending the establishment of the erf.
6.	The developer built on land zoned "street" and it is questioned whether the correct procedures were followed for the closure of the street portion.	The procedures for street closure of Erf 72 WF was done and followed correctly. The Closure was also confirmed and approved by Township Board on 22 August 2017, Item 142/2017.
7.	The height of the building is not within the prescriptions	The height of the building is within the prescription of the Town Planning Scheme



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	Objection of the Town Planning Scheme.	Comments
		<p>ST Height restrictions have been varied by the Amendment Scheme Number 81. All development that are zoned "general business" and situated within the municipal area of jurisdiction as depicted on maps of the Amendment Scheme Number 12 are subject to a maximum height of 40 metres.</p> <p>Thus any rights and duties accruing to a site holder in the terms and conditions of Scheme 81 replaced those under Scheme 12. Therefore this objection is invalid.</p>
8.	The developer charged rental for land that does not belong to them.	<p>Although Eof 72 is not yet transferred to the developer, Council approved the building plan meaning permission was granted for the developer to build on Council land with no limitation put on the developer to trade with third parties. Council also resolved to exchange the portion of land for the paving of a portion of land adjacent to the waterfront to the same value, meaning Council received its <i>quid pro quo</i>.</p>
9.	The developer breached various conditions of the agreement with Council therefore the whole agreement is invalid.	<p>The objector did not specify what conditions in the agreement were breached thus the statement is denied and cannot be responded to.</p>
10.	The sale of Eof 72, Waterfront presents a danger and jeopardy to the public due to the construction of the break water and the retaining wall not being up to standard.	<p>The objection does not relate to the sale of Eof 72. The objector has not provided proof that during the construction that the designs were not followed and that the thus integrity of the structure can be questioned.</p>

- (c) That Council does not support the three objections received as these are without merit and are based on speculative and incorrect legal conclusion.

11.1.3

**APPLICATION FOR OPEN AIR SEAFOOD RESTAURANT**

(C/M 2019/07/25 - 14/1/3/1)

**RESOLVED:**

CO: P  
GM: ES  
GM: CLK/HB

- (a) That the application received from Mr Werner Verwey for the establishment of an open air seafood restaurant at the seafront not be approved, keeping in mind that:

Beach areas must remain accessible to all in terms of the Management Committee resolution passed on 13 September 2007 and Council's resolution passed on 31 May 2011; as well as in terms of the Master Development Plan.

- (b) That the Engineering Services Department, together with the Corporate Services & HR Department identifies a portion of land for the establishment of an open air seafood restaurant at the seafront.

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11.1.4

**ERF 4342, MONDESA: EXTENSION OF TIME AND WAIVER OF PENALTY INTEREST**

(C/M 2018/07/25 - M 4342, 19.03.02)

CO: P GM: C/ENR
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**RESOLVED:**

- (a) That Council consents to the extension of the due date for the transfer of Erf 4342, Mondesa to 25 June 2019.
- (b) That Council takes note of the missing Original Title Deed (CRT No. T1264/1999) and that a copy was obtained by Koop & Partners.
- (c) That it be noted that the interest applicable to the transaction for Erf 4342, Mondesa, calculated from 19 March 2019 until 28 April 2019 (the date the property could have registered) amounts to N\$3 608.29 and that it be defrayed from Council's Legal Fees Vote: 102010210500 where N\$450 245.00 is available.
- (d) That the interest charges for the period from 29 April 2019 until date of registration, 25 June 2019 in the amount of N\$5 232.03, be waived.

11.1.5

**APPROVAL OF SWAKOPMUND TOWN PLANNING AMENDMENT SCHEME NO. 68**

(C/M 2019/07/25 - 16/14/1/1)

GM: ES
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**RESOLVED:**

- (a) That Amendment Scheme Number 68 as submitted before Council be approved, to include the following items:
- (i) Rezoning of Erven 605, 4373 and Remainder 404, Mondesa from "Undetermined" to "Institutional" (C/M 2017/09/26).
  - (ii) Rezoning of Erf 3050, Swakopmund, from "Residential 1" with a density of 1.800 to "Residential 1" with a density of 1.600 (C/M 2017/01/28).
  - (iii) Rezoning of Erven 7067 and 7068, Swakopmund Extension 26 from "General Residential 2" with density of 1.250 to "General Business" with a bulk of 2.0 (C/M 2017/01/28).
  - (iv) Rezoning of Portion "A" (a Portion of Erf 286), Rossmund from "General Residential" with a density of 1.250 to "Single Residential" with a density of 1.000. (C/M 2018/09/27).
  - (v) Rezoning of a portion of Erf 4326 (Erf A /4326) Mondesa, from "Local Business" to "Business" with a bulk of 1.20, for the purpose of a Licenced hotel.
- (b) That Stubenrauch Planning Consultants be authorized to compile and submit the Amendment Scheme No. 68 to the Ministry of Urban and Rural Development for approval by the Honourable Minister.

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11.1.6

**APPROVAL OF PROPOSED STREET NAMES BY THE NAMING OF STREETS, PUBLIC PLACES, NATURAL AREA AND COUNCIL-OWNED BUILDINGS / FACILITIES ADVISORY COMMITTEE**

(C/M 2019/07/25 - 11/14/28, 16/14/1/5)

**RESOLVED:**

C/M: 15

- (a) That the list of names below be approved for streets in Matutura Extension 11, as depicted on the attached map, under the theme "Books of the Bible":
- Genesis
  - Exodus
  - Leviticus
  - Numbers
  - Deuteronomy
- (b) That the list of names below be approved for streets in Matutura Extension 12, as depicted on the attached map, under the theme "Uranium Mines":
- Husab
  - Langer Heinrich
  - Valencia Uranium
  - Arava
  - Reptile Uranium
- (c) That the list of names below be approved for streets in Swakopmund Extension 24, as depicted on the attached map, under the theme "Local Artists from Swakopmund":
- Stella Kavenojo
  - Steven Namuseb
  - Big Ben Kandukira
  - John Nand
  - Lucky Gaseb
  - Stenely Namuseb
  - Phura Duree
  - Erwit Gawaseb
- (d) That the list of names below be approved for streets in Swakopmund Extension 25, as depicted on the attached map, under the theme "Motivational Words":
- Catalyst
  - Leadership
  - Progressive
  - Transformation
  - Visionary
  - Achiever



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11.1.7 **REZONING OF ERF 680, SWAKOPMUND, FROM "GENERAL RESIDENTIAL 2" WITH A DENSITY OF 1:250M<sup>2</sup> TO "GENERAL BUSINESS"**

(C/M 2019/07/25 - E 680)

**RESOLVED:**

GM: IS

- (a) That Erf 680, Swakopmund be rezoned from "General Residential 2" with a density of 1:250m<sup>2</sup> to "General Business".
- (b) That the rezoning of Erf 680, Swakopmund be included in the next Swakopmund Amendment Scheme.
- (c) That Erf 680, Swakopmund be subject to a betterment fee calculated according to the Betterment Fee Policy of 2009 and be paid by the applicant before any submission of building plans to the Engineering Services Department for approval.
- (d) That the objectors be informed of their rights to appeal against the Council decision (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister, within 28 days of this notice against Council's decision, provided that written notice of such an appeal shall be given to the Ministry, as well as the Council within the said period.
- (e) That all the parking be provide on-site in line with the Swakopmund Town Planning Scheme.

11.1.8 **AMENDMENT AND RECTIFICATION OF PORTION NUMBERS AS PER NAMIBIA PLANNING ADVISORY BOARD (NAMPAB APPROVAL) CERTIFICATE UNDER ITEM NUMBER 146/2013**

(C/M 2019/07/25 - 16/1/4/1/3)

**RESOLVED:**

GM: IS

- (a) That the NAMPAB Approval Certificate under item Number 146/2013 be amended and portion numbers be rectified for the heading to read as follows:  
*"Subdivision of the Remainder of Portion 8 of the Farm Swakopmund Town and Townlands No. 41 into Portions 128 to 131 and Remainder; Subdivision of the Remainder of Portion 5 of the Farm Swakopmund Town and Townlands No. 41 into Portions 132 and Remainder; Subdivision of the Remainder of Portion 27 of the Farm Swakopmund Town and Townlands No. 41 into Portions 133 to 135 and Remainder; Consolidation of Portions 132 and 129 into Portion 137, Portions 133 and 130 into Portion 138, Portion 134 and 131 into Portion 139; Subdivision of Portion 137 of the Farm Swakopmund Town and Townlands No. 41 into Portions 140 to 152 and Remainder and the Need and Desirability for the Township Establishment on Portions 138 to 139, 140 to 152 and the Remainder of Portion 27 of the Farm Swakopmund Town and Townlands No. 41"*
- (b) That Council instruct Messers Ritta Khiba Planning Consultants to apply to the Ministry of Urban and Rural



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Development (NAMPAB) for the amendment of Approval Certificate as per Item Number 146/2013.

- (c) That all costs pertaining to the amendment and rectification of portion numbers to conform to the Surveyor General's Office records be defrayed from Vote: 163034020800 where an amount of N\$1 694 059.57 is available.

11.1.9

**TRANSFER OF FUNDS**

(C/M 2019/07/25 - 16/2/6/3)

GM: F  
GM: ES**RESOLVED:**

That permission be granted to the General Manager: Finance to transfer the following projects to the 2019 / 2020 Financial Year as continuation projects:

Vote	Description	Value N\$
1020 328 272 00	New Corporate Vehicle	100,000.00
1020 328 194 00	New Corporate Vehicle	100,000.00
6030 328 275 00	New G.I.S. Vehicle	105,000.00
6030 328 196 00	New G.I.S. Vehicle	105,000.00
6030 328 278 00	New Animal Control LDV	175,000.00
6030 328 197 00	New Animal Control LDV	175,000.00
3010 340 277 00	New Refuse Compactor Truck	1,250,000.00
3010 320 128 00	New Refuse Compactor Truck	1,250,000.00
3025 340 282 00	New Jetrac Truck	1,700,000.00
3025 320 131 00	New Jetrac Truck	1,700,000.00
3025 340 238 00	New "Honey Sucker" Truck	782,500.00
3025 320 124 00	New "Honey Sucker" Truck	782,500.00
1030 330 332 00	De-rust & Re-spray of vehicles	70,000.00
3025 330 338 00	De-rust & Re-spray vehicles	215,000.00
3043 330 338 00	De-rust & Re-spray Grader M134712	100,000.00
6005 320 338 00	Anti-rust Treatment of vehicle	60,000.00
1045 316 346 00	New Note-Vator	75,000.00
1045 316 346 00	New Ride-on Mower	250,000.00
2025 340 284 00	Replace Blinds in Council Chambers	260,000.00
5005 330 337 00	CO2 Office Partitioning	150,000.00
1030 330 330 00	Partitioning of Production Room	65,000.00
2015 340 281 00	Walkway Extension - Waterfront/ Vrede Road	499,667.00
3025 320 123 00	Trailer Mounted Sludge Pump	322,000.00
3025 340 221 00	Trailer Mounted Sludge Pump	322,000.00
3025 323 119 00	Upgrade Waterfront Pump Station Pumps	200,000.00
3025 323 117 00	New Personal Air Supply Respirators	200,000.00
3025 323 118 00	Replace Chemical Pump at Scrubber	60,000.00
3025 323 115 00	Back-up Spares: VSD Drives	200,000.00
3025 323 116 00	Replace Jetrac High Pressure Hoses	120,000.00
3025 340 223 00	Sewer Line Inspections	240,000.00

11.1.10

**RECYCLING AND WASTE MANAGEMENT IN SWAKOPMUND - RENT-A-DRUM PRIVATE PARTNERSHIP AGREEMENT**

(C/M 2019/07/25 - M 2)

GM: HS

**RESOLVED:**

- (a) That the concerns raised by Rent-A-Drum (RAD) be noted.

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- (b) That the existing lease agreement with RAD be reviewed and that consultations be entered into that will result in being mutually beneficial to both parties.
- (c) That Council continues to raise awareness among the residents of Swakopmund about the benefits of recycling but that no formal venture on advertising be entered into with RAD.
- (d) That Council continues to levy the basic fee as approved by Council for businesses that make use of the services of private waste entrepreneurs as an "availability of service fee".
- (e) That Rent-A-Drum continues with the collection of recyclables at their own cost and that the company registers all other waste management services in consultation with and approval by Council.
- (f) That RAD be advised that Council procures services from the best economically beneficial service providers at all times subject to availability and quality of services rendered.
- (g) That RAD be advised that Council approved the appointment of Informal Recyclers to qualifying candidates so that they can recycle for their own benefit and market and that they be supervised by the appointed Landfill Site Management.

11.1.11

**OLD AND REDUNDANT ITEMS: COMMUNITY DEVELOPMENT SERVICES, MUNICIPAL REST CAMP**

(C/M 2019/07/25 - N 7/3/1/2)

CO: A  
GM: CDS  
CM: C&HR

**RESOLVED:**

- (a) That the following redundant items be written off and sold at the next public auction:

Quantity	Description
	Loose materials from kitchen cupboards
22	Mesh wires
22	Loose poles (Large)
48	Loose poles (Small)
373	Duvet covers single
215	Fitted sheets
865	Pillow cases
7	Duvet covers - double
8	Fitted sheets - double
2	Duvet inner - double
86	Duvet inner - single
38	Chairs covers
1	Delfy Stove
1	Fridge - large
1	Fridge - small
1	Wooden bed - single
2	Wooden table - small
7	Wooden window frames
1	Wooden cupboard
1	Wardrobe



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1	Metal table
	Loss wooden material from the store room after renovation
2	Old gears
173	Brooms
34	Broken brooms
6	Broken rakes
12	Mops
12	Broken sticks
200	Electrical kettles
47	Pots
8	Pans

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

11.1.12 APPLICATION FOR EXTENSION OF TIME FOR ERF 4341, MONDESA

(C/M 2019/07/25 - M 4341, 19.03.02)

CO: P  
GM: CS&HR

RESOLVED:

- (a) That the appeal and motivation by First National Bank (FNB) to allow extension of time for Mr L T Shitumbapo to secure the purchase for Erf 4341, Mondesa be noted.
- (b) That point (b) of Council resolution of 23 May 2019, item 7.2 be repealed and replaced with the following:

Current wording:

- (b) That Alexander J Trading CC (Erf 4327, Mondesa) and Mr L T Shitumbapo (Erf 4341, Mondesa) be informed that their transactions are cancelled on 15 April 2019 due to failure to comply with the conditions of sale.

Amended wording:

- (b) That Council allow extension of time to Mr L T Shitumbapo to secure the purchase for Erf 4341, Mondesa until 21 August 2019.

- (c) That interest be applicable at a rate of 10.5% for the period 19 March 2019 until date of registration.

11.1.13 REQUEST FOR PRICE REDUCTION FOR THE MEDULETU HALL BY MR PAULUS JONAS

(C/M 2019/07/25 - M1802, 19.03.02)

CO: P  
GM: CS&HR

RESOLVED:

That Council approves the change of the name of the entity to purchase Erf 1802, Mondesa from Paulus Jonas to PJN Investment (Pty) Ltd and the purchaser provides the registration documentation of the entity.

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11.1.14

**EXTENSION 13, MATUTURA;**• **BLACK RIVER INVESTMENT (PTY) LTD**• **EXCLUSIVE CLOSED BID**

(C/M 2019/07/25 - E 2747 M, E 2748 M, SA13/13M)

**RESOLVED:**CO: P  
GM: CSHR

- (a) That Urban Edge Properties be informed of Council's resolution passed on 28 March 2019 under item 11.1.14 that no applications for business land in the northern suburbs be considered until all statutory process are finalized and that no ranking list will be kept.
- (b) That Erf 2747 (measuring 1 742m<sup>2</sup>) and Erf 2748 (measuring 1 093m<sup>2</sup>) located in Extension 13 Matutura be consolidated at the cost of the purchaser and be allocated for the exclusive closed bid sale approved by Council on 22 November 2018 under item 11.1.32.
- (c) That the upset price be determined at N\$266.59/m<sup>2</sup>.
- (d) That the purpose for the acquisition of the erf is for the development of a fuel station and shopping mall and that the normal town planning procedures apply for the intended activities.
- (e) That the three approved bidders pay a refundable registration fee of N\$10 000.00 to take part in the closed bid sale and register by providing the registration documentation of their entities.
- (f) That the following standard conditions be applicable:
1. That upon allocation of the erf to the successful purchaser, Council's intention to sell the erf be advertised for possible objections as required in terms of the Local Authorities Act, Act 23 of 1992 at the cost of the purchaser.
  2. That the transaction be concluded within 120 days from approval being granted by the Ministry of Urban and Rural Development in proceed with the intended transaction.
  3. That payment of the purchase price be secured either in cash or formal bank guarantee in favour of the Swakopmund Municipality within 120 days from the Honourable Minister's favourable response.
  4. Failure to secure the purchase price within the required period will result in cancellation without the need to place the purchaser on terms.
  5. Should the purchase price be secured by a bank guarantee the transfer must be effected on / before the 120<sup>th</sup> day, else interest will be levied as from the date of Ministerial approval (date of sale) until the date of registration of transfer at a rate as confirmed with Council's bank on the date of sale.
  6. That the purchaser accepts that no rights will accrue to it 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.
  7. The erf is sold "voetstoots" or "as is" with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the lay-out or situation or subterranean



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

That where the General Manager: Engineering Services determines that the purchaser must upgrade or extend the existing services to the erf, the purchaser must do so at its own cost and to the satisfaction of the General Manager: Engineering Services.

8. That the property or any portion thereof may not be alienated without being offered to Council at the purchase price such was obtained from Council.
9. That no development or construction be permitted to commence until the statutory processes have been completed and the erf is transferred.
10. That the purchaser must construct structural improvements worth at least 4 times the municipal valuation of the property. Structural improvements, for purposes of this condition, shall not include the construction of boundary walls or any changes to the subterranean composition of the property;
11. That the said improvements must be completed within 24 months (2 years) from date of transfer.
12. That the property may not be alienated unless a completion certificate is issued in respect of the structural improvements, referred to in point 11 above. This restraint of alienation is to be registered against the title deed of the property.
13. That the purchaser provides the registration documentation of the entity (Council resolution of 27 April 2017 under item 11.1.10) and that the shareholders / members must be cautioned that the company remain the same until the transfer takes place and they have complied with all conditions of sale.
14. That the agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of receipt thereof by the purchaser.
15. That the purchaser indemnifies Council against any claims resulting from blasting, should blasting need to be done.

11.1.15

**ERF 1123, TAMARISKIA: MR S G JANUARY**

(C/M 2019/07/25 - T 1123)

CO: P CAC: CS&HR
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**RESOLVED:**

- (a) That the deed of sale provided by Mr S G January concluded with a third party for the sale of Erf 1123, Tamariskia, be noted.
- (b) That Council accepts the merit of the application by the owner of Erf 1123, Tamariskia, Mr S G January to sell his property to a third party; being that he is unemployed and in arrears at his financial institution; and waives the pre-emptive right and approves the sale of the property.

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11.1.16

**PROPOSAL TO HOST THE NAMIBIAN ANNUAL MUSIC AWARDS 2019 IN SWAKOPMUND**

(C/M 2019/07/25 - D 5, N 7/3/1/2)

CO: M&C Acting GM: CDS GM: CS&MR
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**RESOLVED:**

- (a) That Council becomes the official accommodation sponsor of the Namibia Annual Music Awards (NAMAs) 2019 to host the event on 07 September 2019 at The Dome in Swakopmund.
- (b) That the sponsorship towards accommodation at the Municipal Rest Camp for the crew, performers, media, dancers and nominees participating at the Namibia Annual Music Awards be for three consecutive years (2019-2021).
- (c) That Council approves the sponsorship of N\$301 678.00 towards the accommodation (NAMAs 2019) for a total of 250 people consisting of the dancers, performers, nominees and media.
- (d) That the total cost of N\$301 678.00 be funded from the Council's Surplus funds.
- (e) That the organizers be informed that Council will not permit any changes to the booking such as extra chalets, extension of dates, increase of pax, etc., and if such changes should occur, it will be for the organizer's expenses.
- (f) That Messrs Mobile Telecommunications Ltd (MTC) as part of their social responsibility, be responsible for the set up and furnishing the mobile pay point container *in lieu* with the sponsorship for accommodation at the following costs:
- |   |   |                |
|---|---|----------------|
| (i) The total costs for container pay point | - | N\$ 194 507.78 |
| (ii) Licences fees and soft and hardware    | - | N\$ 17 655.88  |
| (iii) Electrical connection fees            | - | N\$ 1 612.00   |
| (iv) Furniture                              | - | N\$ 5 000.00   |
| Total value                                 | = | N\$ 218 795.76 |
- (g) That MTC be granted permission to brand the mobile pay point container with their corporate colour and logo.
- (h) That MTC be informed to confirm their acceptance of the offer in (b) above within 14 days.

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11.1.17

**REQUEST FOR DONATION TO FIRE VICTIMS**

(C/M 2019/07/25 - 3/15/19/1)

**RESOLVED:**GM: CD  
GM: F

- (a) That the request to support the three fire victims at a total cost of N\$67 060.20 as stipulated in the table below be approved:

SUMMARY OF EXPENDITURE			
Item	Description Of Request	Costs Extracted From Cheapest Quotation	Name Of Supplier
Franziska Tytandi	Building material to renovate the entire house	N\$28 178.50	Hardware and Building Supplies Pty Ltd
Julius Kahengo	Building material to renovate two bedrooms	N\$29 294.90	Pupkowitz MegaBuild
Yemus Kapombe	Building material for the renovation of the one bedroom	N\$10 586.72	Swakopmund Building Supplies CC t/a Build It
TOTAL EXPENDITURE ON COSTS			N\$67 060.2

- (b) That the payment be made directly to the selected suppliers.
- (c) That the General Manager; Finance source funds for the payment of the donation.

11.1.18

**PROGRESS ON THE SALES OF EXTENSION 2, MATUTURA; EXTENSIONS GRANTED**

(C/M 2019/07/25 - 0 303, 609, 824, 826, 842, 844, 846, 848, 849, 850, 861, 865, 876, 878, 880, 891, 892, 895, 901, 907, 908, 909, 911, 913, 917, 920, 923)

**RESOLVED:**CD: P  
GM: CLMHE

- (a) That the transactions in respect of the following erven sold on 26 October 2018, be cancelled due to non-performance by the extended due date of 31 May 2019:

Erven No	Purchaser	Purchase Price (incl N\$3 000 deposit)	Comments
2	J S Amukha	290 000.00	No payment and no response from the purchaser.
5	D Butha	290 000.00	No payment and no response from the purchaser.
7	W Alfes	290 000.00	No payment and no response from the purchaser.
10	B Mayila	270 000.00	No payment and no response from the purchaser.
18	P Lukas	270 000.00	No payment and no response from the purchaser.
17	D Nangombe	300 070.00	No payment and no response from the purchaser.
	B P Zesube	300 000.00	No payment and no response from the purchaser.
19	S Atetobala	232 000.00	No payment and no response from the purchaser.
20	C L Nwee	194 000.00	No payment and no response from the purchaser.



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	Erf No	Purchaser	Purchase Price (incl R23 000 deposit)	Comments
22	611	J N Versteeg	252 999.00	No payment and no response from the purchaser.
26	623	A N Hyslop	244 400.00	No payment and no response from the purchaser.

- (b) That although the following two purchasers have requested to proceed with their transactions, they did not comply with the requirements of the respective banks for the consideration of a home loan by 31 May 2019 and the transaction are cancelled accordingly:

	Erf No	Purchaser	Purchase Price (incl R23 000 deposit)	Comments
3	536	A A & V Khumalo	400 199.00	Annexure "A"
24	617	F L Kwaqika	250 000.00	Annexure "B"

- (c) That the above cancelled erven (points (a) and (b)) and Erf 545, Matutura (cancelled by the purchaser) be offered to the next qualifying bidders listed for as provided for in the Conditions of Sale.
- (d) That the action of accepting the guarantee issued on 04 June 2019 for Erf 613, Matutura be condoned and the transfer be proceeded with.

11.1.10 APPLICATION TO WAIVE PRE-EMPTIVE RIGHT: ERF 1225, TAMARISKIA  
(C/M 2019/07/25 - T 1225)

CD: P  
GM: C3619

**RESOLVED:**

That Council accepts the merit of the application by the owner of Erf 1225, Tamariskia, Mr Z Kazombiase to sell his property to a third party; being that he is unemployed, in arrears at his financial institution for which he received a letter of demand, waives the pre-emptive right and permits the sale of the property.

11.1.20 EXTENSION 10, SWAKOPMUND: AVAILABILITY OF GENERAL INDUSTRIAL ERVEN  
(C/M 2019/07/25 - E 4999, E 4973, E 4974, E 4993, E 4995, E 4907)

CD: P  
GM: C3619

**RESOLVED:**

- (a) That pending the finalization of the sale of the following 3 erven of the closed bid sale of 02 December 2016, a closed bid sale be arranged at the upset prices approved on 27 October 2016 under item 11.1.1:

	Erf	Size	Upset Price	Current Status
3	4973	1403	1 268 959.00	Extended due date (upset 02 September 2019). Should the purchaser not perform the property will be offered to next qualifying listed bidders until the list is exhausted.

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	Erf	Size	Upset Price	Current Status
8	4874	19140	2 800 800.00	Await purchaser to present at an audience. Apologized for not being able to make a presentation to the Special Management Committee meeting of 23 May 2019.
11	4889	20782	1 294 875.00	Council on 23 May 2019 under item 11.1.15 approved the cancellation of the sale to the current purchaser. Various bidders are listed as most qualifying bidders and the property will be offered accordingly until the list is exhausted.

- (b) That the sale of the following two erven be included in the above closed bid sale:
- ⊙ Erf 4888, Swakopmund (8 428m<sup>2</sup>) at an upset price of N\$1 189 180.00
  - ⊙ Erf 4895, Swakopmund (5 615m<sup>2</sup>) at an upset price of N\$1 038 775.00
- (c) That it be noted that a separate submission is tabled to consider the allocation of Erf 4901, Swakopmund (13 298m<sup>2</sup>) to Whale Rock Cement (Pty) Ltd who applies for an industrial erf (letter dated 14 February 2019).

11.1.21

**EXTENSION 10, SWAKOPMUND: APPLICATION BY WHALE ROCK CEMENT (PTY)**

(C/M 2019/07/25 - E 4901)

CO: P  
GM: CS&AF**RESOLVED:**

- (a) That Council takes note that the application for industrial land is in addition to the land allocated at Noridas Siding on 22 November 2018 under item 11.1.7.
- (b) That Council approves the allocation of Erf 4901, Swakopmund measuring 13 298m<sup>2</sup> by private treaty to Whale Rock Cement (Pty) Ltd for the construction of offices and warehouses for the distribution of cement.
- (c) That the purchase price be N\$621.14/m<sup>2</sup> x 13 298 = N\$8 259 960.00 (excluding 15% VAT).
- (d) That the sale be subject to Council's standard conditions of sale by private treaty:
- (i) 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.
  - (ii) That the above deposit be paid within 90 days from the Council resolution approving the purchase price, failing which Council's resolution will be revoked at the next Council meeting following the expiry of the 90 days.
  - (iii) That any remainder of the deposit in (i) above be refunded to the purchaser on completion of the transfer of the erf.



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- (iv) That upon acceptance of the purchase price by the purchaser, Council's intention to sell the erf be advertised for possible objections as required in terms of the Local Authorities Act, Act 23 of 1982 at the cost of the purchaser.
- (v) That the transaction be concluded within 120 days from approval being granted by the Ministry of Urban and Rural Development to proceed with the intended transaction.
- (vi) That payment of the purchase price be secured either in cash or bank guarantee in favour of the Swakopmund Municipality within 120 days from the honourable Minister's favourable response.
- (aa) Failure to secure the purchase price within the required period will result in cancellation without the need to place the purchaser on terms.
- (bb) Should the purchase price be secured by a bank guarantee the transfer must be effected on / before the 120<sup>th</sup> day, also interest will be levied as from the date of Ministerial approval (date of sale) until the date of registration of transfer at a rate as confirmed with Council's bank on the date of sale.
- (vii) That the purchasers accept 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.
- (viii) The erf is sold "voetstoots" or "as is" with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the lay-out or situation or subterranean composition of the property or any improvements thereon. The Council also does not warrant that the services installed at the property are suitable for the use intended by the Purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage and water connections are suitable for the intended use of the property.
- (ix) That the property or any portion thereof may not be alienated unless a completion certificate is issued in respect of the structural improvements. This restraint of alienation is to be registered against the title deed of the property.
- (x) The agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of receipt thereof.
- (xi) That the purchaser indemnifies Council against any claims resulting from blasting, should blasting need to be done.
- (xii) That the purchaser provides the registration documentation of the entity (Council resolution of 27 April 2017 under item 11.1.10) and that the shareholders / members must be cautioned that the shareholders/members of the entity remain the same until the transfer takes place and they have complied with all conditions of sale when name change of the entity is requested.

11.1.22

**REQUEST FOR PRESENTATION TO COUNCIL: MESSRS STREET BUZZ**

(C/M 2019/07/25 - 14/1/3/1)

Acting GM: CDS CO: M&C GST: CL&H
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**RESOLVED:**

- (a) That the presentation by Messrs Street Buzz be noted.
- (b) That Council approves for Messrs Street Buzz to host a market for one day on a quarterly basis, for entrepreneurs at the Open space along Daniel Kamho



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Avenue, and such other sites as considered from time to time.

- (c) That the applicant indemnifies Council against all and any claims in respect of damage to property and / or bodily injury to / loss of life of people that may arise from the utilization of the property.
- (d) That Messrs Street Buzz pay a rental fee for the site based on the approved tariffs for lease of Municipal land (Public Open Spaces).
- (e) That Messrs Street Buzz ensures that there is security during the event, and the place is restored into its original form before use after the event.
- (f) That the second event be hosted in Mondesa.

11.1.23 APPLICATION TO PURCHASE 50HA OF LAND NEXT TO HENTIES BAY ROAD: MR PAUL ROOI

(C/M 2019/07/25 - G 4/1/1)

RESOLVED:

CO: P  
GM: CSEHR

That the application of Mr Paul Rooi be placed on the list of Developers in terms of the date of application.

11.1.24 MS I RUHUMBA, OWNER OF ERF 3857, MONDESA

(C/M 2019/07/25 - M 3857)

RESOLVED:

CO: P  
GM: CSEHR

- (a) That the presentation by the spouse of Ms I Ruhumba be noted.
- (b) That Council approves the application of Ms I Ruhumba to sell her house.

11.1.25 APPLICATION TO HOST SME SWAKOPMUND MINI EXPO 2019 AT THE MULTIPURPOSE CENTER, MONDESA

(C/M 2019/07/25 - M 4348)

RESOLVED:

Acting GM: COS  
GM: CS  
CO: M & C  
GM: CSEHR

- (a) That Council approves sponsorship for Nashville Investment cc to make use of the Community Hall and open space outside of the Multipurpose centre between COSDEC and SME park, for the purpose of hosting the SME mini Expo for period of 8 days (from 22-30 September 2019).
- (b) That the request for Messrs Nashville Investment cc, to use the Community Hall for the SME Expo SME meeting and Swakopmund SME Expo Stakeholders Dinner free of charge be approved.

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- (c) That Council approves the Health Service Department to avail 30 wheelie bins and assist with the disposal of waste for the duration of the Expo (26-29 September 2019).
- (d) That Messrs Nashville Investment cc pay a refundable deposit of N\$6 000.00, which can be utilized in case of breakages or damage to property during the Expo.
- (e) That Messrs Nashville Investment CC be responsible for ensuring that there is sufficient power supply for the event, and should additional electricity be required, it should be supplied at the cost of Nashville Investment CC.
- (f) That the applicant indemnifies Council against all and any claims in respect of damage to property and / or bodily injury to / loss of life of people that may arise from the utilization of the property
- (g) That Messrs Nashville Investment cc ensures that there is security during the event, and the place is restored into its original after the event.
- (h) That all expenses (i.e. leasing of the community hall, open space outside of the Multipurpose Center and services) be defrayed from the Publicity Vote: 600510212700 with an available balance of N\$50 000.00.
- (i) That Messrs Nashville Investment cc be informed to submit a report to Council after the event.

**11.1.26 TRANSFER OF FUNDS - CAPITAL BUDGET 2019/2020**

(CM 2019/07/25 - N 7/3/1/2)

**RESOLVED:**GM: F  
Acting GM: CDS

That the funds budgeted for the capital projects below be transferred to the 2019 / 2020 financial year:

HEADING	DESCRIPTION	AMOUNT N\$	VOTE NUMBER
Bungalows Projects	Purchasing of Cutlery	67 095.35	600531633700
Bungalows Projects	Conversion of Main Store room	59 100.00	600531630000
Bungalows Projects	Wardrobes at A - Frames	141 255.85	600531632700
Bungalows Projects	Purchasing of Chairs	116 000.00	600532824000
Vivete Central Sportfield	Resurfacing of Netball Courts	264 745.14	104531633900



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11.1.27

**CLOSED BID SALES FOR EXTENSION 14**

(C/M 2019/07/25 - G 3/3/2/14; E 2623, Swk. 318 M4, 334 M4)

**RESOLVED:**CO: P  
GM: C248

- (a) That it be noted that Council intends to sell the following erven zoned "Single Residential" as resolved by Council on 28 March 2018 under item 11.1.11 as per the list as Annexure "B" (on file):

- + 27 September 2019 - 18 erven (marked in blue on the map)
- + 08 December 2019 - 23 erven (marked in orange on the map)

- (b) That the sale of Erf 2623, Swakopmund measuring 1 333m<sup>2</sup> be added to the sale in point (a) above, at an upset price of N\$500.00/m<sup>2</sup>, being N\$665 000.00.
- (c) That the following two erven remaining unsold after the closed bid of 16 December 2017 be added to the sale in point (a) above:

	Erf	m <sup>2</sup>	Upset Price
1	318	1 179	N\$ 589 500.00
2	334	1 294	N\$ 647 000.00

- (d) That the two closed bid sales be advertised in terms of the Local Authorities Act 23 of 1992, as amended.
- (e) That the closed bid sales be subject to Council's standard conditions of sale for closed bid sales.
- (f) That allocation be done to the highest qualifying bidder on the basis of 1 erf per natural person (married couples, irrespective of the marital regime are regarded as one entity).
- (g) That the registration fee be determined at N\$5 000.00.
- (h) That each bidder be restricted to submit 3 bid forms only; and that no bidder may submit more than 1 bid per erf.
- (i) That the allocation of cancelled erven only be limited to the next 3 qualifying bidders.
- (j) That should erven remain unsold at the date of the sale, such erven be offered to the registered bidders who are present and may then bid on a second erf.
- (k) That the purchase price be paid within 120 calendar days from the date of sale.



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11.1.28 RE-ARRANGEMENT OF MONDESA HAWKERS ON ERF 525, MONDESA

(C/M 2019/07/25 - A 2/2/23)

CO-P  
GMP C1&V1

RESOLVED:

- (a) That permission be granted to the Health Services Department assisted by the Engineering Services and the Community Development Services Departments to develop a portion of Erf 525, Mondesa for use by the successful applicants.
- (b) That preference be given to the individuals currently occupying a portion of Erf 525, Mondesa and that this development be regarded as a temporary solution for improved conditions under which products are sold to the public.
- (c) That the successful applicants sign a contract that will ensure the conditions to operate on the site are met.
- (d) That all applicants meet the following minimum requirements for qualification:
  - (i) Must be in possession of a Voters card.
  - (ii) Submit proof of residence in Seakopmund.
  - (iii) Pay minimum registration fee that will not exceed that which occupants of the Mondesa Open Market are currently levied, and signing of the contract (same as for the open market).
- (e) That the products to be sold are limited to non-perishable / dried foods, fruits and vegetables safe for human consumption and that no meat or fresh fish products are sold from the site.
- (f) That permission be granted to the General Manager: Finance to make funds available for the development of the site to the estimated value of of N\$54 090.00.

13. DRAFT REGULATIONS AND TARIFFS, IF ANY

None.

The meeting adjourned: 19:49

Minutes confirmed on: 29 August 2019

Councillor P N D Nashilundo  
MAYOR

A Benjamin  
CHIEF EXECUTIVE OFFICER

all/

11. RECOMMENDATIONS OF THE ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 08 AUGUST 2019 AND SPECIAL MANAGEMENT COMMITTEE MEETING HELD ON 13 AUGUST 2019
10. REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY PREVIOUS MANAGEMENT COMMITTEE MEETINGS HELD DURING AUGUST 2019

- 10 (A) MINUTES OF THE ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 08 AUGUST 2019

2. CONFIRMATION OF MINUTES  
(M/C 2019/08/08 - A 2/3/5)

- 2.1 MINUTES OF AN ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 11 JULY 2019

On proposal of Councillor N N Salomon seconded by Councillor W O Groenewald it was:

RESOLVED:

CO: A  
GM: CS&HR

That the Minutes of the Ordinary Management Committee meeting held on 11 July 2019 be confirmed as correct.

- 2.2 MINUTES OF AN SPECIAL MANAGEMENT COMMITTEE MEETING HELD ON 17 JULY 2019

On proposal of W O Groenewald seconded by Councillor N N Salomon it was:

RESOLVED:

CO: A  
Acting GM: CS&HR

That the Minutes of the Special Management Committee meeting held on 17 July 2019 be confirmed as correct.

- 2.3 MINUTES OF AN SPECIAL MANAGEMENT COMMITTEE MEETING HELD ON 25 JULY 2019

On proposal of Councillor W O Groenewald seconded by Councillor K N Jason it was:

RESOLVED:

CO: A  
Acting GM: CS&HR

That the Minutes of the Special Management Committee meeting held on 25 July 2019 be confirmed as correct.



5. REPORTS: HEADS OF DEPARTMENTS5.5 FINANCE5.5.1 TOTAL EXPENDITURE

(M/C 2019/08/08 - D 7/3/2/1)

RESOLVED:

GM: F

That the total expenditure of N\$43 322 738.13 and total revenue of N\$43 980 238.40 for the period 01-31 July 2019 be accepted and approved as correct.

8. POLICY MATTERS8.3 THE REVIEW AND AMENDMENT OF THE SWAKOPMUND TOWN PLANNING SCHEME

(M/C 2019/08/08 - 16/1/4/1/1)

RESOLVED:

GM: ES

That the progress made with respect to the review and amendment of the Swakopmund Town Planning Scheme, be noted.

8.4 FORMULATION OF THE SWAKOPMUND STRUCTURE PLAN 2020 - 2040 (CS/RP/SM-002/2018)

(M/C 2019/08/08 - 2/1/2/1)

RESOLVED:

GM: ES

That the progress made with respect to the formulation of the Swakopmund Structure Plan (2020 - 2040), be noted.

8.7 REQUEST FOR SPONSORSHIP: //GOA-//HAOB SOCIAL GAMES

(M/C 2019/08/08 - 14/2/2/1/1)

RESOLVED: (For Condonation by Council)CO: C & M  
Acting GM: CS & HT

- (a) That the request for sponsorship for the hosting of the //Goa-//Haob Social Games scheduled to take place from 24-26 August 2019 in Swakopmund, be noted.
- (b) That Council sponsor the two venues (Vineta North and Mondesa Sport Stadium) to the value of N\$2 984.00.
- (c) That Messrs NBC be responsible for paying the refundable deposit of N\$5 914.00 for the venues.
- (d) The costs for the expenses mentioned above in (b), be defrayed from the Community Services Publicity Vote 500510212700 where N\$48 685.18 is available.
- (e) That Messrs NBC ensures that the facilities including the parking area are cleaned and restored to their original conditions to the satisfaction of the Acting General Manager: Community



Development Services within 48 hours after the event.

- (f) That Council be indemnified against any claims that may arise from using the stadiums.
- (g) That Messrs NBC be responsible for the provision of additional public ablution facilities on site, if required.
- (h) That Council reserves the right to cancel the use of the stadiums should Council need them for its own purposes.
- (i) That Messrs NBC make prior arrangements with Erongo-RED for electricity connection at their own cost, should it be required.
- (j) That Messrs NBC submit proof that the following arrangements have been made:
- Emergency Services
  - Traffic Control and Parking
  - Waste removal
  - Security Services
  - Liquor license (if required)
- (k) That, in future, the General Manager: Corporate Services and HR obtain feedback from hospitality establishments and other businesses such as service stations and retailers to determine the effect of such events on the local economy.

**8.10 CAPITAL AND OPERATIONAL BUDGET FOR 2019 / 2020 FINANCIAL YEAR**

(M/C 2019/08/08 - D 2/1, 3/1/1/1)

**RESOLVED:**

CEO  
ALL GM's

That the directive from the Ministry of Urban and Rural Development be noted.

**8.12 LETTER OF APPRECIATION**

(M/C 2019/08/08 - 5/2/4/1, B 1/1/9)

**RESOLVED:**

Acting GM: COS

That the letter of appreciation (on file) received from Messrs Harley Davidson of Skeleton Coast Rally regarding the professional service rendered by the Traffic Section, be noted.

9. PERSONAL MATTERS9.1 REQUEST FOR PERMISSION FOR SWAKOPMUND MUNICIPALITY TO PARTICIPATE IN SAIMSA GAMES 2019 - LUSAKA, ZAMBIA

(MC 2019/08/08 - J 10/1)

RESOLVED:

CP: MSC

That quotations for an air ticket be obtained and be compared with the cost for traveling with the minibus.

9.2 NOMINATION OF TRAFFIC OFFICIALS TO SERVE ON THE TRANS KALAHARI CORRIDOR MANAGEMENT COMMITTEE (TKCMC)

(MC 2019/08/08 - B 1/1/9)

RESOLVED:

Acting GM: CDS

That Council approves the appointments of Mr M Cloete and Mr T Shindume to serve as members of the Trans-Kalahari Corridor Management Committee (TKCMC) National Committee and that special leave be granted to the staff members to attend to their assigned duties when the need arises.

9.3 FEEDBACK REPORT: 9<sup>TH</sup> TKC (TRANS KALAHARI CORRIDOR) JOINT LAW ENFORCEMENT OPERATION FROM 26 May - 02 June 2019 MOATLE, BOTSWANA

(MC 2019/08/08 - N 8/1/1)

RESOLVED:

Acting GM: CDS

That the feedback report of the 9<sup>th</sup> Trans Kalahari Corridor Joint Law Enforcement operation be noted.

10. MATTERS NOT ON THE AGENDA, BUT DISCUSSED WITH PERMISSION OF THE CHAIRPERSON10.1 REQUEST FOR SPONSORSHIP: SPRING SCHOOL OF NAMIBIA INSTITUTE OF TOWN AND REGIONAL PLANNERS (NITRP)

(MC 2019/08/08 - 3/15/5/3)

RESOLVED:

CEO

- (a) That the request for sponsorship from NITRP to host the annual Spring School scheduled from 24-25 October 2019 at the coast, be noted.
- (b) That Council approves to sponsor the event, *in kind*, to the value of N\$7 500.00 and that payment be made to the service providers directly.



10.2 **REQUEST FOR PARTNERSHIP BETWEEN MESSRS DESTINATION SWAKOPMUND AND COUNCIL**

(M/C 2019/08/08 - 14/1/4/2)

**RESOLVED:**

CO: M&C  
Acting GM: CS&HR

That this item be referred back and it be resubmitted to Management Committee once the total budget and the proportional contribution of each member is determined.

10.3 **REQUEST FOR FURTHER EXTENSION OF TIME TO PERFORM: ERF 4108, MONDESA; WATO INVESTMENT CC**

(M/C 2019/08/08 - M 4108)

**RESOLVED:**

CO: P  
Acting GM: CS & HR

- (a) That Messrs Wato Investment CC be granted an extension of time to secure the purchase price for Erf 4108, Mondesa, until 30 September 2019.
- (b) That Messrs Wato Investment CC be reminded that the purchase price for the property is N\$215 773.50 and be informed that interest calculated from 28 August 2018 until 30 September 2019 amounts to N\$22 966.58.
- (c) That Messrs Wato Investment CC be informed that the purchase price must be secured by 30 September 2019 as no further extensions will be granted.

10.6 **PROGRESS REPORT ON THE MULTIPURPOSE CENTRE LIBRARY**

(M/C 2019/08/08 - M 4348)

**RESOLVED:**

Acting GM: CDS

- (a) That the whole facility be official handed over by Her Worship, the Mayor during September 2019.
- (b) That the Community Development Services Department proceeds with the opening of the library, in order to allow learners to prepare for the examinations.
- (c) That the Centre Inauguration Committee comprising of the following, commence with organizing the inauguration ceremony:
  - Community Development Services Department
  - Marketing and Communication section
  - Ministry of Sports, Youth and National Service
  - Ministry of Education, Arts and Culture
  - Ministry of Information and Communication Technology
- (d) That the Memorandum of Understanding between the Municipality of Swakopmund and the Ministry of Education, Arts and Culture be signed at the official inauguration of the Centre.



10 (B) MINUTES OF THE SPECIAL MANAGEMENT COMMITTEE MEETING  
HELD ON 13 AUGUST 2019

5.2 PARKING METER REGULATIONS  
(S/M/C 2019/08/13 - N 8/15/12)

RESOLVED:

Acting GM: CDS

- (a) That this item be referred back and be resubmitted to the next Special Management Committee meeting.
  - (b) That Mr McClune be invited to the meeting for an audience with the Management Committee.
-

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**
- 11.1 **ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 08 AUGUST 2019 AND SPECIAL MANAGEMENT COMMITTEE MEETINGS HELD ON 13 AUGUST 2019**
- 11.1.1 **REPORT ON ISSUES CONCERNING OVAHIMBA CULTURAL VILLAGE AT MARTIN LUTHER HISTORICAL SITE**  
(C/M 2019/08/29 - 13/3/1/5)

Ordinary Management Meeting of 08 August 2019, Addendum 7.1 page 03 refers.

- A** The following item was submitted to the Management Committee for consideration:

**Introduction**

This item is resubmitted to Council to discuss the way forward for Ovahimba Cultural Village at Martin Luther Historical Site. Council on 11 July 2019 resolved under item 10.10:

- (a) That the presentation from the following stake holders be noted:
- Mr Mwanikondjo Tjambiru - Founder Ovahimba Cultural Group.
  - Mr J Gaingob - Office of the Erongo Regional Governor.
  - Councillor U Kaapehi – Council Representative
- (b) That the item be submitted to the next Management Committee meeting.

**Background**

After discussing the application made by Ovahimba Cultural Group, Council on 28 July 2016 under item 11.1.12 resolved the following:

- (a) That Council approves the lease of an area measuring 900m<sup>2</sup> as indicated Annexure 'A' (on file) to the Ovahimba Cultural Group listed below and under the leadership of Mr Markondjo Tjambiru (ID 781025 0011 5):
1. Uamuuusike Tjambiru (ID 940728 0088 0)
  2. Utyenja Tjizemo (ID 950302 0095 7)
  3. Kavil Tjirambi (ID 920202 0258 1)
  4. Tjakuryaouvisema Tjivi (ID 921010 0166 7)
  5. Tukumbakupe Rutjindo (ID 890321 0139 0)
  6. Vekaneavi Mbenge (ID 910101 50129 4)
  7. Kaveture Tjjerwa (ID not listed)
  8. Markondjo Tjambiru (ID 781025 0011 5)
- (b) That access and egress to and from the lease area be from the traffic circle on trunk road 2/2 and that the Traffic Section and Engineering Services Department provides road safety signs (where necessary).
- (c) That group takes note that there are no service connection points on site (water & electricity).
- (d) That Council takes note that Mr Markondjo Tjambiru accepted responsibility for the management of the group and for payment of all costs related to the lease, such as the compilation of a lease agreement, payment of a deposit and payment of the monthly rental.



- (a) That the area be used solely for the following activities: dancing, singing, drum playing, weaving and creation of traditional items such as baskets and preparing of traditional food on open fire (see point (j) (ii) below).
- (b) That the rental be determined at N\$0.45c/m<sup>2</sup>, it is 900m<sup>2</sup> x N\$0.45c = N\$405.00 + 15% VAT in the amount of N\$60.75 which amounts to 465.75 / month with an annual escalation applicable on 1 July 2017.
- (c) That a lease period of 9 years 11 months be approved commencing after approval has been obtained as per point (h) below and per point (j) (vi).
- (d) That since the lease portion is located on undivided townlands, approval be obtained for from the Ministry of Urban & Rural Development to proceed with the lease agreement in terms of section 30 (1) (f) of the Local Authorities Act 23 of 1992, as amended.
- (e) That the following conditions be applicable:
- (i) That a payment equal to one month's rental amount be paid as deposit (exclusive of 15% VAT).
  - (ii) That Council be indemnified against any claims.
  - (iii) That a 3 month termination period be applicable for both parties.
  - (iv) That no construction of permanent structures (a permanent structure is any type of roof whether it's cardboard, netting, asbestos or iron with a cement floor), be allowed. Any temporary structures erected on the lease area shall be constructed to the satisfaction of the Engineering Services Department and be aesthetically acceptable.
  - (v) That no subletting be allowed.
  - (vi) That the lease agreement is not transferable and will not form part of an estate.
  - (vii) That the commencement date be the date of signing the lease agreement.
  - (viii) That the lessee complies with all conditions laid down by the Engineering Services Department and the Health Services Department in terms of the Building Regulations and the Health Regulations of Council, as well as all other relevant municipal regulations.
  - (ix) That Council at all reasonable time have the right of access to the lease property for the purpose of carrying out inspections in order to ensure that all applicable regulations and requirements are being complied with.
  - (x) That in the event of the breach of any of the conditions of the lease, the lease agreement may be cancelled at the entire discretion of Council by giving 30 days' notice in writing to the lessee.
  - (xi) That in the event of termination of the lease agreement, the lessee shall have no claim for compensation in respect of any improvements effected on the lease area.
- (f) That in addition to the above, the following health requirements be complied with and provided by the group:
1. Provision of approved ablution facilities (to be considered as 1 of the sites for enviro loc).
  2. Access to potable water (such as 100 litres containers).
  3. Open fire is done in a manner approved by Fire Chief and only for display of cultural activities.
  4. That the activity is registered as a Tourist Industry and with the Health Services Department of the Swakopmund Municipality.
  5. That the General Manager, Engineering Services make provision for Access Route to and from the lease area.
  6. The keeping and slaughtering of animals are not allowed.



- (k) That the area be extended to cultural areas and that the additional ablution facilities be a joined effort of the groups and the Municipality.

The above resolution was communicated to the group in a letter dated **29 July 2016 (Annexure "A")**. Subsequent to the above resolutions, the group was requested to sign the lease agreement for the area but never signed to date. Based on Council's decision quoted above, Finance Department was requested to levy the monthly rental payable by the Ovahimba Cultural Group, the rental was determined at a rate of N\$0.45c/m<sup>2</sup> (900m<sup>2</sup> x N\$0.45c = N\$405.00 + 15% VAT, N\$405.00 + N\$60.75 = N\$465.75 per month) with an annual escalation applicable on **01 July 2017**.

The group could not pay the rent for the area since the Council's decision, thus Mr. Tjambiru applied to Council on 26 April 2018 (**Annexure "B"**) for reduction of rental fees due to the fact that the village was still not operational. In **August 2018**, the account reflected an arrear amount of N\$4 130.00. On the **09 August 2018** the Management Committee resolved under item 7.3:

- (a) That the Engineering Services Department erects a direction / information sign at the Cultural Village.
- (b) That the Acting General Manager: Corporate Services invites Mr M Tjambiru for an audience with the Management Committee.
- (c) That the General Manager: Community Development Services arranges a meeting with Mr M Tjambiru to determine the possible assistance Council can give to the project.

While in the process of determining how the project could be assisted, the Community Development Services Department engaged the group and noted that there is disagreement between the Ovahimba Cultural Group members which is hindering progress and the commencement of the project. Most of the members that were initially part of the group no longer reside in Swakopmund. And the few that remained were not happy with the leadership of Mr. Tjambiru. In the absence proper management structures, members were fighting among themselves and could not agree for instance on who is to be entrusted with funds. Some members alleged that Mr. Tjambiru claims ownership of the area and did not want to share.

On the other hand Mr. Tjambiru is counter arguing that he is the founder of the area, most of these members were not there at the beginning of the project and did not contribute anything to the establishment of the structure. He further stated that he was solely alone when he constructed the village and he was collecting the materials alone.

Meanwhile, Mr. Tjambiru was invited and made a presentation to Special Management Committee on the **11 September 2018** which resolved the following:

- (a) That the presentation by Ovahimba Cultural Group, be noted.

- (b) That the General Manager, Community Development Department establishes a committee to assist with project implementation.
- (c) That Mr M Tjambiru be advised to seek assistance from the Office of the Deputy Prime Minister, Directorate of Marginalized Communities, regarding the project.
- (d) That the offer by Councillor U Kaapehi to assist with the unification of various ovahimba cultural groups be accepted.
- (e) That the rental amount be waived until 31 December 2018 and that the lessee must provide feedback on a 6 monthly basis until the project is self-sustaining.

In an effort to implement point (b) of the Management Committee resolution, the Economic Development Officer had a brief discussion with Hon Kaapehi to determine the status quo regarding the unification of the Ovahimba Cultural Group. Council Kaapehi stated that the conflict that existed particularly, between the leader of the Ovahimba Cultural Group (Mr. Tjambiru) and his members was addressed with the assistance of the office of the Governor. He further advised that a new coordination committee was established. A meeting was held with the proposed coordination committee on 07 November 2018 (**Attendance register "C"**).

After discussing the matter with the office of the Governor and with the aim to find an amicable solution to the existing conflict between the group members and Mr. Tjambiru, another meeting was held on 26 January 2019. This meeting was organised by the Office of the governor who invited Hon Kaapehi, Municipality officials and Ovahimba Community in Swakopmund (Minutes attached **Annexure "D"**). The aim of the meeting was to provide a platform for Ovahimba Community to affirm the proposed committee or elect a new representative body which will spearhead the activities of the cultural village. Mr. Tjambiru was also invited to this meeting however did not attend. As highlighted in the minutes of the meeting, all members that attended the meeting agreed to the proposal of establishing a committee that is inclusive of representatives from Ovahimba, Ovafua, Ovafimba and Ovazemba to display diversity of these cultures at the Himba Cultural Village. The following are the committee members with their designated roles.

1.	Tjjerua Kaveturine	-	Chairperson
2.	Ngombe Uakurupa	-	Vice Chairperson
3.	Mr. Mupurua Nguakinda	-	Secretary
4.	Ms. Musofua Uaundjafo	-	Deputy Secretary
5.	Mr. Hambinda Kazepu	-	Treasury
6.	Ms. Musofua Katjyeruka	-	Vice Treasury
7.	Ms. Kasee Mantekuapi	-	Additional Member
8.	Ms. Julia Kandimba	-	Additional Member

### **Discussion**

The project to establish Ovahimba Cultural Village was initiated by Mr. Tjambiru with 8 group members of Ovahimba community in Swakopmund. Currently, apart from Mr. Tjambiru, only three members



(i.e. Kaveturire Tjierwa, Uamuuaike Tjambiru & Unyenja Tjisemo) still residing in Swakopmund, the rest of the group no longer live in town. Mr. Tjambiru is opposing the elected committee members, arguing that they did not contribute to the development of the site hence have no right to be at the site. In his complaint letter of 18 February 2018 (Annexure "E"), he is claiming that Hon. Kaapehi suspended him from the site and seeking audience with the Council to resolve the matter.

Generally, Ovahimba culture remains one of the top tourist attractions in Namibia. If well developed, Ovahimba cultural village has a great potential to enhance tourism growth and contribute to economic development of the town. The Economic Development Office supports the project and remains committed to assist the group to develop the site, generate income and make this project successful.

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

**RECOMMENDED:**

- (a) That the current lease agreement be cancelled.
  - (b) That the Ovahimba Cultural Group be advised to finalize their leadership constitution within three (3) months.
-



**Due to the voluminous content - the attachments are available on file.**

11.1.2 **MESSRS KAZAK AFRICAN EXPERIENCE CULTURAL TOURISM  
CC: CONCERNS REGARDING LEASED LAND**

(C/M 2019/08/29 - 19.03.08, E 2747, E 1318)

Ordinary Management Meeting of 08 August 2019, Addendum 7.2  
page 16 refers.

**A The following item was submitted to the Management Committee  
for consideration:**

**1. Introduction**

The attached letter (**Annexure "A"**) dated **04 March 2019** was received from Kazak African Experience Cultural Tourism CC (hereinafter referred to as Messrs KAECT) following a meeting held between Mr Naweseb of Messrs KAECT, Engineering Services and Corporate Service on **27 February 2019**.

Messrs KAECT in his letter raises the following concerns:

- *Fencing of a common boundary between their lease area and the area of Mr Peter van Ginkel of Swakopmund Paintball Adventure Centre with a 3 meter height, using tyres.*
- *An extension of the lease period for more than 9 years and 11 months, review of the conditions of the lease agreement and provision for the renewal of the lease.*
- *Permission to sublet the lease area or a portion thereof to a third party.*
- *Municipal services not available at the leased area.*
- *Arear on the lease account.*
- *Review the condition of preventing him to construct permanent structure on the lease portion.*
- *The lease does not permit overnight or residential accommodation.*
- *Illegal dumping on his lease area by Mr van Bijon and Mr P van Ginkel.*

The above are now being submitted to Council for consideration.

**2. Background**

Messrs KAECT on **27 February 2018** applied for an extension of the lease period longer than 9 years and 11 months. Council on **30 August 2018**, under item 11.1.1 passed the following resolution:

- (a) That Council takes note that Messrs Conradie & Damaseb Legal Consultancy CC is not affiliated to Messrs Conradie & Damaseb Legal Practitioners.
- (b) That the application of Messrs Conradie & Damaseb Legal Consultancy CC on behalf of Messrs Kazak African Experience Cultural Tourism CC for an extension of a lease period longer than 9 years and 11 months not be approved as Council can consider a renewal of the lease period upon expiry of the lease agreement.
- (c) That the lease period of 9 years and 11 months approved by the Minister of Urban and Rural development on 07 March 2016 be maintained.



- (d) That clause 12.5 of the lease agreement be replaced with a standard arbitration clause (on File) as Annexure "C".
- (e) That the lease agreement for leasing a portion of Erf 1316 and Erf 2747, Swakopmund to Messrs Kazak African Experience Cultural Tourism CC commence on 01 October 2018 and the agreement be signed before the commencement date, failing which the lease will be cancelled.
- (f) That the approval granted by Council on 29 October 2015, under item 11.1.4 for the keeping of certain animals be included in the lease agreement.

Messrs KAECT on **01 October 2018** signed a lease agreement for leasing a portion of Erf 2747 and Erf 1316, Swakopmund. Although the lease agreement was concluded by both parties, Messrs KAECT could not take up his leases due to a dispute he has with Mr Peter van Ginkel of Swakopmund Paintball Adventure Centre.

Letters dated **25 October 2018**, **08 November 2018**, **07 February 2019** and **12 February 2019** (Annexure "B") were received from Messrs KAECT complaining about being denied access by Mr Peter van Ginkel hence he cannot access the allocated site. He also raised a concern about the proposed fence to be erected on the common boundary of the two lease areas.

In view of the dispute between the parties, Clause 3.2 of the lease provides the following special conditions:

- (i) That access to the Lease Area be granted over the Lease Area of the neighbouring property occupied by Mr P.H.B van Ginkel of Messrs Swakopmund Paintball Adventures;
- (ii) The exact entrance, size and route shall be determined by an official of the Engineering Services Department, together with the Lessee and Mr P.H.B van Ginkel of Messrs Swakopmund Paintball Adventures;
- (iv) That the common boundary between the Lease Areas of the Lessee and that of Mr P.H.B van Ginkel of Messrs Swakopmund Paintball Adventures be secured by 4 (four) metre high netting, at the cost of the Lessee, to avoid any accident;
- (v) That no bushes or plants be removed or damaged except for the access area, which will be cleared at the cost of the Lessee.

Permission was granted by Mr P van Ginkel to Messrs KAECT to use his existing gate over his leased area to access their lease site.

#### Meeting with Mr Van Ginkel

After considering the complaints from Messrs KAECT, Corporate Services had a meeting Mr P van Ginkel on **01 February 2019** and discussed the issues of access and the fencing of the common boundary. Mr Van Ginkel confirmed that he locks his gate for security reason and that Messrs KAECT



does not want to cooperate. Mr Van Ginkel proposed that an alternative access area next to the gate of Erf 384 where there is a hill covered by thick bushes be made available for Messrs KAECT. Although the area forms part of his lease area he is willing to give it back the portion to Council for the use by Messrs KAECT. He insists his site need to be fenced in simultaneously to ensure continued security when Messrs KAECT; access to the site is constructed.

### **Meeting with Messrs KAECT**

On 27 February 2019, a meeting was held between Cooperate Services, Engineering Services, Mr Ismael #Naweseb and Mr Salomon who represent Messrs KAECT. The minutes of the meeting are attached as Annexure "C". At the meeting the following were agreed on:

- (a) Messrs KAECT was informed to go on site and verify whether the proposed access site is suitable where the low bushes/ shrubs are and then confirm such in writing.
- (b) Engineering Services to provide a quotation for the removing of bushes and leveling of sand for the provision of access and entrance to the leased area of Messrs KAECT.
- (c) That Engineering Services creates a new access through Erf 103 (Municipal Water Work erf) and adjacent to Erf 384, Swakopmund where the low shrubs are situated. The new access be connected to the road of Mr Van Ginkel to be able to access the leased area of Messrs KAECT.
- (d) Messrs KAECT agreed to erect a 3 metre fence nesting around the common boundary at his cost.
- (e) Messrs KAECT was advised to submit a separate application duly motivated for a further extension of the lease period for Council consideration.

### **3. Discussion**

Various letters have been received from Messrs KAECT repeating the same issues listed under point 1 above. After analyzing and scrutinizing only the following points are relevant as some issues were already resolved in the past.

#### **3.1 Access to the Lease Area**

Council permitted the lease of the site on condition that the lessee provides services at his cost. Attached the quotation (Annexure "D") from Engineering Service indicating the estimated cost of the access as N\$5 859.25 (VAT included). It is proposed that Council approves the amount of N\$ 5 859.25 for the provision of access to the lease area of Messrs KAECT at the portion of Erf 2747 and Erf 1316, Swakopmund.

### 3.2 Fencing of a Common Boundary

The issue of fencing the common boundary was introduced by Mr Van Ginkel after he agreed to grant Messrs KAECT access over his leased area. Messrs KAECT at that time agreed to fence the common boundary with 4 (four) metre high netting at his cost to avoid accidents from Mr van Ginkel site when shooting paintballs.

The fencing was an agreement between the two parties, however it was not submitted to Council for decision.

As per meeting held on **27 February 2019**, Messrs KAECT accepted the responsibility to fence the common boundary with 3 meter netting at his cost.

He has now provided the cost of fencing as ±N\$16 891.12 (excluding cost of labour and cement). According to him this cost is too high and is not affordable therefore he is requesting for consent to use tyres to build a 3 metre common boundary.

Engineering Services as per memo dated **22 May 2019** (Annexure "D") was requested to provide comments regarding the proposed usage of stacked tyres. No comments were received on the due date of the submission.

### 3.3 Application for a Longer Lease Period

According to Messrs KAECT, he needs a lease period of more than 9 years and 11 months for his project to sustain itself. Accordingly his financiers are only willing to invest in the project that will give them a return on investment this can only be done if there is a secured long lease term. The first years will be spending in the development of infrastructure to the site and marketing.

This matter was already dealt with at Council's meeting on **30 August 2018**, under item 11.1.1 as Council is only prepared to consider a renewal once the lease period expires. It was explained to Council that a lease periods in excess of 9 years 11 months are required to be notorially registered, which is costly and are generally used where permanent structures are erected on lease land, and a long term is required to recover the high cost. However Messrs KAECT is not permitted to erect permanent structures.

A lease period longer than 9 years and 11 months cannot be considered from the outset as no permanent structures are permitted and a cultural village is not in line with the development activities listed under point 9.4



of the Property Policy such as leases of land for mining purposes (e.g. quarries) and special development projects. Similarly, the adjacent lessee, Paintball Centre is also limited to a period of 9 years and 11 months.

In addition, the Minister already granted approval to Messrs KAECT to lease a portion of Erf 1316 and Erf 2747, Swakopmund for 9 years and 11 months and such must be honored before Council can consider a further lease extension or renewal. It is also unknown and there is no guarantee that Messrs KAECT business will be successful within the approved period.

Messrs KAECT also requested that other conditions in the lease agreement such as Clauses 3.5, 4.1, 4.2, 4.3, 7.6, 11.1, 11.2, 11.3, 12.1 and 12.2 be reconsidered for him to operate in a conducive environment. These clauses are standard lease conditions applicable to all leases of Council's properties and are prescribed in the Property Policy hence Council cannot consider his request. The said clauses referred to are explained in the lease agreement; a copy is attached as **Annexure "E"** for information.

#### 3.4 Outstanding Amounts on Rental Account

Finance Department was informed to open an account and levy monthly rental from **1 October 2018** for the lease area. In terms of Clause 5.1 of the lease agreement, the rental per month is N\$3 426.43 (plus VAT); Escalating with 10% per annum from 1 July.

Messrs KAECT stated in his letter dated **17 May 2019** that due to the unresolved matter of access, he could not start with the operation of his business hence the monthly rental is accumulated into arrears.

Finance Department confirmed as per **Annexure "F"** that the account is in arrears with the balance in the amount of N\$38 574.00 as on **28 May 2019**.

Due to the lack of access Council can consider waiving the outstanding balance on the lease account of Messrs KAECT.

#### 3.5 No Municipal Services at Lease Area

Council is required to supply Municipal services to the lease area up to the erf boundary. According to Messrs KAECT there are no Municipal services on site. Messrs KAECT has a responsibility for the installation of services required to the lease area at his costs from the erf boundary as per Council's resolution. Comments from Engineering Services regarding this matter are still



pending.

### 3.6 Illegal Dumping on site

The issue of illegal dumping was already taken up with Health Department as per memo dated 22 May 2019 Annexure "G". The department was also requested to investigate and provide their comments for inclusion in the submission.

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

#### RECOMMENDED:

- (a) That Council takes note of the complaints received from Messrs Kazak African Experience Cultural Tourism CC.
  - (b) That Council approves the new access for Messrs Kazak African Experience Cultural Tourism CC to access the lease area as per Annexure "E" (on file), at no cost to the applicant.
  - (c) That the lease period of 9 years and 11 months commence once the access referred in point (b) above is provided; an addendum to the lease agreement regarding this amendment in the commencement date be entered into.
  - (d) That Council waives the outstanding balance on the lease account of Messrs Kazak African Experience Cultural Tourism CC for leasing a portion of Erf 2747 and Erf 1316, Swakopmund as the area had no access when the lease agreement came into operation.
  - (e) That permission be granted to Messrs Kazak African Experience Cultural Tourism CC to fence the common boundary between his lease area and Swakopmund Paintball Adventure Centre with a 3 (three) metre high netting at his cost.
  - (f) That it be note that Health Service has removed illegal dumped on the refuse site.
  - (g) That Messrs Kazak African Experience Cultural Tourism CC be informed that in terms of the Property Policy, Council does not permit the erection of permanent structures on leased properties.
-

**Due to the voluminous content - the attachments are available on file.**



11.1.3 **APPLICATION FOR PARKING RELAXATION TO PROVIDE PARKING ON ANOTHER SITE IN LIEU OF ON-SITE PARKING**  
(C/M 2019/08/29 - E 210)

Ordinary Management Meeting of 08 August 2019, Addendum 7.3 page 44 refers.

**A** The following item was submitted to the Management Committee for consideration:

1. **Purpose**

The purpose of this submission is for Council to re-consider the application to construct parking on another site in lieu of on-site parking for the development on Erf 210, Swakopmund and to repeal the Council Resolution Number 11.1.18 of 25 April 2019.

2. **Introduction and Background**

This application had served already before Council on 25 April 2019, whereby Council resolved as follows:

- (a) That the application by Messrs Mackintosh Lautenbach Architects to construct parking bays at the Tug and the Jetty area in lieu of on-site parking be turned down as Council has already committed to construct parking bays at the Tug and Jetty area.
- (b) That the developer takes note that it is his responsibility to provide parking for the proposed development, preferably on-site.
- (c) That no building plans be approved if parking provision is insufficient.
- (d) That the proposed development be scaled down in order to ensure that adequate on-site parking is provided as per the requirements of the Swakopmund Town Planning Scheme.

3. **Discussion**

The decision taken was executed by informing the applicant in writing. Messrs Mackintosh Lautenbach Architects initially applied on behalf of the owner of Erf 210 Swakopmund. It has been established by the owner that the information presented by the Architects is misleading. In the initial application, it was indicated that the proposed development has a total floor area of 661m<sup>2</sup>, which implies that 19 parking bays are required for such development.

The owner sought for legal services to appeal and to give more clarity on the development.

The proposed development entails the demolishing of some of the existing buildings and only 39.6 square metres will be added as new development. These existing buildings have existing parking rights.

The owner admitted that the architect presented misleading information in the initial application. Out of 661m<sup>2</sup> total floor area, 620.4 is already in existence, and only 39.6m<sup>2</sup> will be added as new development. In terms Town Planning Scheme: Parking requirements for general business zoned properties is one parking bay per 33.33. This means only one parking bay is required for new additions.

**4. Conclusion**

The development is aimed at demolishing some of the buildings and creates a passage that is conducive for luring people into the CBD. Therefore the initial application to relax the parking requirements for the development on Erf 210 Swakopmund should be disregarded.

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

**RECOMMENDED:**

**That Council Resolution of 25 April 2019 under item 11.1.18 be repealed and be replaced with the following:**

- (a) *That the proposed development on Erf 210, Swakopmund is in line with the provisions of the Swakopmund Town Planning Scheme and no parking relaxation is required.*
  - (b) *That the applicant submits building plans for proposed new additions to the Engineering Services for scrutiny and approval.*
-



PHOTO

E 210

T: (+264) 64 490 100  
 F: (+264) 64 490 079  
 Office 1, First Floor, 6th House  
 Cor. Windme 1x Nalundya &  
 Schalkar Street  
 P.O. Box 79, Swakopmund, Namibia  
 Att: [swakop@malherbe.com.na](mailto:swakop@malherbe.com.na)

**MALHERBE ASSOCIATES INC.  
 SWAKOPMUND**



Company Reg. No: 2015/1096 | VAT No: 2744204 05 5

Office No. 5: 171 Jan Naudes Avenue, P.O. Box 195, Windme 1x, Namibia, Tel: (+264) 64 206 100 / 207 001 / 207 100

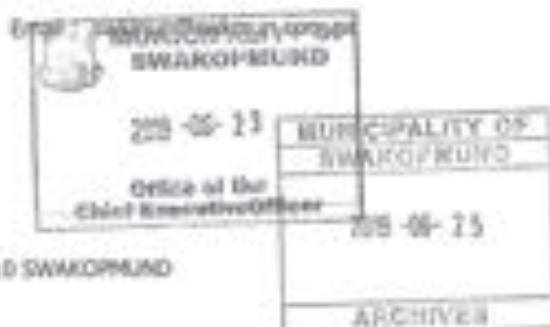
LEGAL PRACTITIONERS | NOTARIES | CONVEYANCERS | ESTATE PLANNING

The Municipality of Swakopmund  
 The Chief Executive Officer  
 Swakopmund

OUR REF: GVM/VERF210  
 DATE: 20 JUNE 2019

Dear Sir,

APPLICATION FOR PARKING RELAXATION/VERF 210 SWAKOPMUND  
 CM 2019/04/25 - E210



With reference to the above, writer has been requested to assist herein to facilitate an arcade development.

Attached hereto please find a diagram depicting the nature of the parking requirements in respect of the above development as annexure "A". The areas highlighted in yellow are all existing buildings. These buildings have existing parking rights in terms of the Town Planning Ordinance and the Swakopmund Town Planning Scheme.

The areas highlighted in pink will be the only areas added in terms of the new development proposal. The total number of square meters added is **39.6 sqm**. In terms of the parking requirements in terms to Swakopmund Town Planning Scheme, 2 additional parking places must be created.

In terms of the new development plans, two parking bays will be added. See annexure "B". The net effect of this in our calculation is that no parking relaxation is necessary herein.

In summary, the existing buildings had relaxation due to existing rights and two parking bays are sufficient for adding 39.6 sqm.

We attached a diagram showing in what manner this erf will linkup with erf 211 creating an arcade development. **These kinds of developments are conducive for luring people into the CBD. People create economic activities. My understanding of the long term plan is to facilitate densification of the CBD area of Swakopmund to create a vibrant society all inclusive society. See annexure "C".**

Having regard to the above, writer is kindly requesting an audience with Council to clarify the misunderstanding in this application and to seek approval herein.

Yours faithfully,

**HALHERBE ASSOCIATES INC**

PER: G VAN DER MERWE

CC: John, Mota









# MUNICIPALITY OF SWAKOPMUND

Ref No: Erf 210

Enquiries: A Swart

☎ (064) 4104100  
 ☎ (064) 4104120  
 📍 53 Swakopmund  
 NAMIBIA  
 🌐 www.swakopmund.com.na  
 ✉ swakopmund@swakopmund.com.na

11 April 2019

Mackintosh Lautenbach Architects  
 P O Box 658  
 SWAKOPMUND

Dear Mr Rod Lautenbach

## ERF 210 : NEW PEDESTRIAN ZONE "ATLANTA ARKADE"

Your application and attached drawings with regard to the above bear's reference.

It is my pleasure to inform you that your application for approval of the aesthetics with regard to the new pedestrian zone and rejuvenating the existing building on erf 210, Swakopmund has been approved by Swakopmund Municipality's Aesthetics Committee. Attached please find the approved concept plans as submitted.

However before your application can be submitted to Council for approval we need confirmation and approval from the National Heritage Council of Namibia.

Approved aesthetical plans will lapse after 12 months from date of approval.

Kindly be informed that aesthetical submissions, which were approved, may not be altered or modified after the approval, whether it be by way of structural elements, in appearance or by colour scheme, or other decorative change. If alterations become necessary these must be submitted for aesthetical approval prior to any of these alterations being carried out on site and the whole process of approval must be repeated.

Once the Aesthetics Committee and Heritage Council approved stamped plans have been obtained a full submission of plans including both the Aesthetic approval and Heritage approval plans needs to accompany the drawings submitted to Council for approval.

We await your final submission of drawings to Council

Yours faithfully

**CHIEF EXECUTIVE OFFICER**

Alisa

Copy: Engineering Services







11.1.4 **APPLICATION BY WALTER HUSEB FOR INDUSTRIAL ERF FOR BRICK MAKING PURPOSE**

(C/M 2019/08/20 - 13/3/1/11, H 5, E4866, E 4867)

Ordinary Management Meeting of 08 August 2019, Addendum 7.4 page 51 refers.

**A The following item was submitted to the Management Committee for consideration:**

**1. Introduction**

The attached letter **Annexure "A"** dated **18 June 2019** was received from Mr Walther Huseb requesting Council to allocate him a site at the SME industrial park to manufacture bricks. He needs to manufacture bricks in order to settle his debt at the Municipality for rental arrears for the period since **01 June 2008** until **31 May 2013** for leasing a portion of Portion 5 situated next to his house at Hadama //Hao Project.

Mr Walther Huseb trading as Huseb Brickworks appeared in the Magistrate Court in June 2019 as the result of owing Council an amount of N\$51 914.40 for rental arrears.

The lease account was handed over to Messrs Kinghorn Associates for collection. As per calculation of Messrs Kinghorn Associates, Mr Huseb currently owes a total amount of N\$51 914.40 as on the statement of **18 June 2019**.

**2. Background**

Council on **31 March 2006**, under item 11.1.6 approved to lease a portion of land on Portion 5 measures 2 000m<sup>2</sup> to Mr Huseb to manufacture bricks for a period of 5 years. A map indicating the lease site is attached as **Annexure "B"**.

The rental amount approved at that time was **N\$345.00 /month** (2 000 m<sup>2</sup> x N\$0,15 / m<sup>2</sup> + N\$45.00 (15% VAT).

The five year lease agreement between Council and Mr Huseb lapsed on **31 May 2013** a copy of the lease agreement is attached as **Annexure "C"**. Mr Huseb on **25 February 2013** applied for extension of the lease period for another five years.

On **30 May 2013**, Council under item 11.1.17 passed the following resolution:

- (a) That the lease agreement between Council and Mr W //Huseb for leasing a portion of land measuring 2000m<sup>2</sup> situated between Hadama //Hao Housing Project and railway that expires on 31 May 2013 not be renewed due to the accumulated arrears in the amount of N\$21 949.98
- (b) That the action taken by the General Manager, Finance to hand over the account of Mr W //Huseb to Council's legal representative due to accumulated arrears be noted.

- (c) That the General Manager, Engineering Services investigates the future use of the portion of land currently leased to Mr W Huseb in terms of the Planning Forum decision of 24 August 2010/ a.
- (a) That the Engineering Services Department provides a lay-out of Portion 5 of Swakopmund Town and Townlands No 41, clearly indicating the lay-out of the services, location of the extension of the cemetery and the railway line for submission to the Planning Forum for discussion.
- (b) Subsequent to (a) above, a submission be tabled to the Management Committee for consideration of the application by Messrs Elize Investment CC.

A letter dated **11 June 2013** was received from Mr Huseb requesting Council to reconsider its decision. The Management Committee on **18 July 2013**, under item 7.1 passed the following decision:

- (a) That Mr W Huseb be informed that Council will only consider his appeal once the overdue rental has been paid in full.
- (b) That should it be considered to relocate Mr W Huseb, the other applicants who were referred to the Local Economic Development Officer be assisted first.

As no payment was made, the account of Mr Huseb was handed over to Messrs Kinghorn Associates to recover the outstanding amount of N\$ 21 949.98 at that time. Mr Huseb made no payment hence the arrears have accumulated to N\$ 51 914.40.

### **3. Current Situation**

A letter dated **21 May 2019** was received from Mr Huseb appealing to Council to grant him work of any kind of building or making bricks/ interlock at a minimum cost or at remuneration equal to the value of debt that he owes the Municipality.

The Chief Executive Officer had a meeting with Mr Huseb on **06 June 2016** and was informed that Council cannot grant him work as it is not in line with Council's policies and procedures for appointments and the Procurement Act. He was then advised to apply for positions when Council advertised.

Mr Huseb has now applied for a site at the SME industrial park for him to manufacture bricks in order to pay off the debt he owes the Municipality.

The Economic Development Officer confirmed as per **Annexure "D"** that there is no site readily available for allocation to any bricks maker at the new industrial area (Erven 4866 and 4867, Swakopmund).

It is also not supported to allocate Mr Huseb a site for him to rent as it will create more debt in addition to what he owes Council. It must be kept in mind that Mr Huseb will have to pay



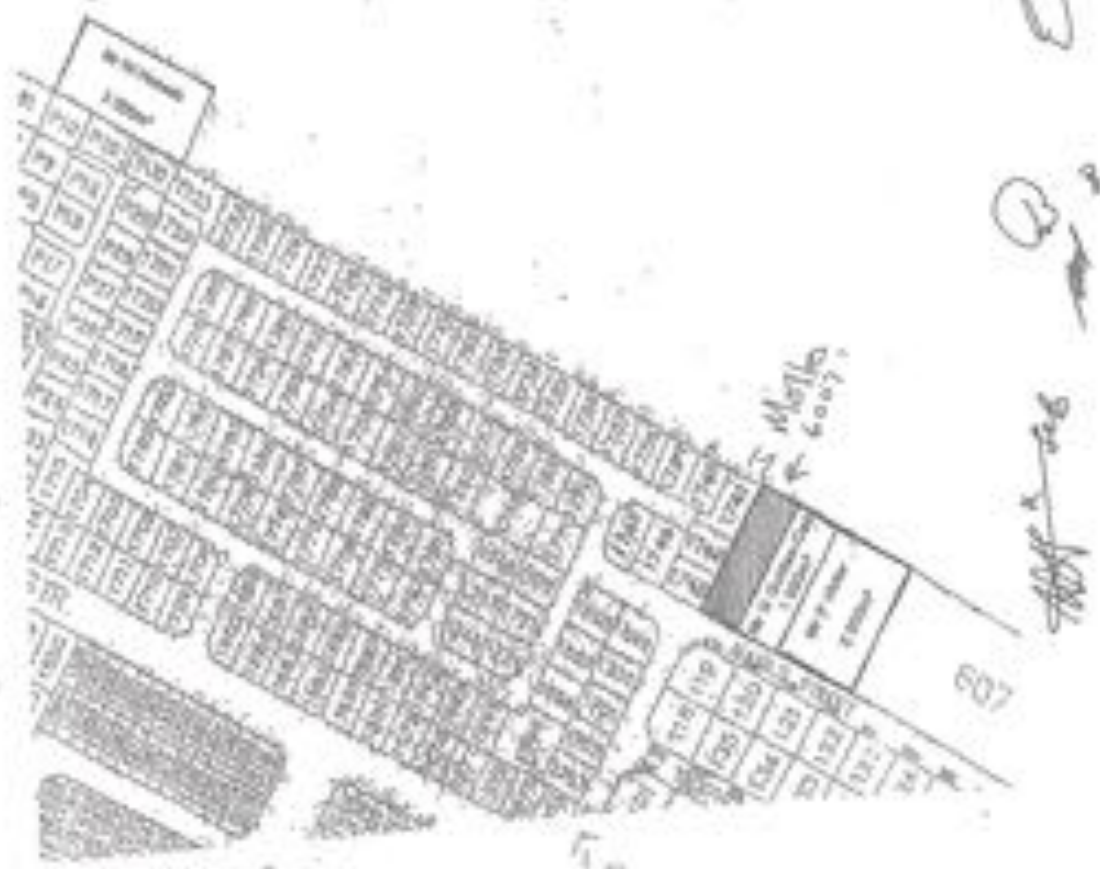
rent, labour and materials. Considering the costs involved it is advisable not to lease a site before he pays off the arrears. It is therefore proposed that Mr Huseb be advised to look for other options to pay off his arrears before his application for the site at new SME park can be added to the waiting list.

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

**RECOMMENDED:**

- (a) That Council take notes that Mr Walther Huseb owes Council an amount of N\$51 914.40 as per Kinghorn Associates statement of June 2019 for arrears rental in respect of a portion of Portion 5.
  - (b) That the application of Mr Walther Huseb to be allocated a site at the SME industrial park not be approved as there is no site available for allocation at this stage.
  - (c) That Council remains with its resolution of 18 July 2013, item 7.1:
    - (a) That Mr W Huseb be informed that Council will only consider his appeal once the overdue rental has been paid in full.
    - (b) That should it be considered to relocate Mr W Huseb, the other applicants who were referred to the Local Economic Development Officer be assisted first.
-





**Due to the voluminous content - the attachments are available on file.**

11.1.5 **APPLICATION FOR A BUSINESS ERF TO DEVELOP A SWAKOPMUND GENOCIDE MUSEUM**  
(C/M 2019/08/29 - 16/14/2/1/5)

Ordinary Management Meeting of 08 August 2019, Addendum 8.1 page 03 refers.

**A. The following item was submitted to the Management Committee for consideration:**

**1. Introduction**

An e-mail dated 23 April 2019 attached Annexure "A" was received from Mr Laidlaw Peringanda of Swakopmund Genocide Museum CC to purchase a business erf to construct a museum near the Swakopmund Memorial Park Cemetery in Kramersdorf.

According to Mr Peringanda the proposed museum intends to display colonial genocide photographs, African Artefacts prior to colonialism and part of it there will be a genocide research library. The profit to be generated from the museum will be utilized to restore the 1904 - 1908 prisoners of war graveyard which accordingly has been neglected for more than 115 years.

The application was acknowledged and Mr Peringanda was informed that Council does not own land suitable for his venture in the vicinity of the Swakopmund graveyard. The letter is attached Annexure "B". Mr Peringanda requested a decision of Council regarding his application of a business erf in Kramersdorf, thus the application is now being submitted to the Management Committee for consideration.

**2. Brief Background**

On 06 December 2018, the Chief Executive Officer, Community Services Department, Mr Peringanda and Mr Steven Tjiweza of Namibia Genocide Association had a meeting about the "Restoration of the 1904-1908 Prisoners of War Graveyard". At the meeting they were advised that the Genocide Association must come up with a business idea or project that will fund the restoration of the 1904- 1908 prisoners of War Graveyard.

On 05 March 2019 an e-mail attached as Annexure "C" was received from Mr Peringanda on behalf of The Namibia Genocide Association inquiring about the demolishing of the Swakopmund Graveyard and the German houses which were built over Ancestors Graveyard and whether the matter was resolved at Council's meeting of January 2019. This submission only deals with the application of a business erf for establishment of museum by the Swakopmund Genocide Museum CC.



### 3. Similar Applications for Museum

- 3.1 Council at its meeting of **31 October 2013** under item 11.1.5 (a) passed the following resolution with reference to an application by an Ovahimba cultural group for the portion of land:

*That a portion of land next to Martin Luther Historical Site be reserved for the purposes of setting up a Multi-Culture Village / Centre.*

Subsequent to the above, Council at its meeting of **28 July 2016** under item 11.1.12, resolved to approve the lease of the Martin Luther Historical Site and surrounding area to the Ovahimba cultural group. Under point (k) it was also resolved:

*That the area be extended to cultural areas and that the additional abutment facilities be a joined effort of the groups and the Municipality.*

Council therefore resolved that the adjoining area to the Martin Luther Historical Site would also be used for the establishment of cultural areas in addition to the Multi-Culture Village.

- 3.2 On **13 February 2017**, Messrs Robotrino Investment applied for a portion of land  $\pm 20\,000\text{m}^2$  in extent in the vicinity of Martin Luther monument along the trunk road 2/2 to construct a Three Dimensional (3D) Museum. The museum will consist of an Art Gallery, Museum Conference Centrum, Professional Photo and Film Studio, Restaurant, Gift Shops and offices.

On **25 January 2018**, Council under item 11.1.3 among other resolved as follows:

- (b) *That Messrs Robotrino Investments be authorized to establish a commercial township on a Portion of the Remainder of Portion B of the Swakopmund Town and Townlands No. 41, at its own cost.*
- (c) *That Messrs Robotrino Investment at their own expenses service the identified site for the development to the requirements and specifications identified by the General Manager: Engineering Services, inclusive of the portion of the access street from the traffic circle at the B2 national road.*

In view of the above resolution, Council can consider to incorporate a national museum in the 3D Museum proposal that will serve as historical monument such as Namibian genocide.

### 4. Discussion

Application has now been received from Swakopmund Genocide Museum CC for a business erf near Swakopmund Memorial Park Cemetery for the construction of Swakopmund Genocide Museum. A close corporation is a business with a profit motive. If Intention is to look after the memorial park for

the benefit of all affected by the genocide the appropriate entity would be a Section 21 company (Non-profit entity).

The Swakopmund Genocide Museum CC was registered with the Business and Intellectual Property Authority (BIPA) on **10 April 2019**. The membership of the close corporation are not yet known but the applicant has been requested to submit a complete founding statement.

Council does not own land near the Swakopmund graveyard, however Council leases rooms at Woermann Haus for Tourism Offices, Arts & Craft or Community driven projects to the public. Available rooms at Woermann Haus:

Room No	Size	Purpose
Room D06	5m <sup>2</sup>	Storage, due to the size
Room D12 & D13	5m <sup>2</sup> + 9.50m <sup>2</sup> = 14.50m <sup>2</sup>	Office or Shop & Storage
Room D15	9.50m <sup>2</sup>	Office or Shop
Room D25	19 m <sup>2</sup>	Office or Shop

Room 25 with 19m<sup>2</sup> could be suitable to use for a museum. The room is centrally located within the tourism hub. Hafeni Cultural Tours' booking office is also located in the vicinity. The only start-up cost Swakopmund Genocide Museum cc will incur is rental; and the huge capital investment required to purchase on an erf and construct a building can be avoided. The lease of Room 25 can be regarded as incubation for the museum. Once established the venture can be relocated to the 3D museum.

On **29 May 2008**, Council under item 11.1.2 passed the following resolution with reference to any room that becomes vacant or available in the Woermann Haus; quoted is the resolution:

*That the lease of the Reading Room and all rooms that become vacant in the Woermann Haus Complex in future be advertised, inviting interested parties to indicate the purpose of use in order for Council to do the allocation thereof accordingly.*

On **30 August 2018**, Council under item 11.1.9 among other resolved as follows:

- (c) *That ministerial approval be obtained in terms of Section 63 (2) of the Local Authorities Act 1992 as amended to proceed with the statutory publication process, prescribed in terms of Section 64 of the Public Procurement Act 15 of 2015, to invite the public to submit their proposals.*

Room No	Size	Square Meter Per Month	Rental Per Month	15% Vat	Monthly Rental
D06	5m <sup>2</sup>	N\$1.80	N\$219.00	N\$38.85	N\$257.85
D12 & D13	5m <sup>2</sup> + 9.5m <sup>2</sup> = 14.50	N\$1.80	N\$711.10	N\$112.67	N\$823.77
D15	9.50m <sup>2</sup>	N\$1.80	N\$490.00	N\$73.50	N\$563.50
D 25	19m <sup>2</sup>	N\$1.80	N\$394.20	N\$59.13	N\$453.33

Ministerial approval is still to be obtained before Council initiated proposals from the public.



**5. Proposal**

That Council considers leasing Room D 25 at Woermann Haus to Swakopmund Genocide Museum CC for the establishment of a genocide museum. It is also proposed that a genocide museum for the 1904-1908 Prisoners of War Graveyard be incorporated in the Three Dimensional (3D) Museum proposal.

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

**RECOMMENDED:**

- (a) That the application of Messrs Swakopmund Genocide Museum CC to purchase a business erf to construct a museum near the Swakopmund Memorial Park Cemetery in Kramersdorf, be noted.
  - (b) That Messrs Swakopmund Genocide Museum CC be informed that Council does not have a business erf available near the Swakopmund Memorial Park Cemetery in Kramersdorf.
  - (c) That Council offers to lease Room D 25 at Woerman Haus to Messrs Swakopmund Genocide Museum CC for a period of 5 years subject to the standard lease conditions.
  - (d) That the rental be  $(19m^2 \times N\$51.80/m^2 = N\$984.20.00 + N\$147.63 (15\% \text{ VAT}) = N\$1 131.83$  per month; and the rental to escalate annually with 10%.
  - (e) That Room D25 at Woerman Haus be withdrawn from the list that Council approved on 30 August 2018 under item 11.1.9 for the calling of proposals.
  - (f) That Messrs Swakopmund Genocide Museum CC be informed to submit a complete founding statement of the close corporation.
  - (g) That a national museum that will represent the Swakopmund Genocide of 1904-1908, Prisoners of War Graveyard be incorporated in the Three Dimensional (3D) Museum proposal.
-



**Due to the voluminous content - the attachments are available on file.**

11.1.6 INVITATION TO ALL BUSINESS, GENERAL RESIDENTIAL OFFICE AND INSTITUTIONAL LAND OWNERS IN SWAKOPMUND  
(C/M 2019/08/29 - 16/1/4/1/1)

Ordinary Management Meeting of 08 August 2019, Addendum 8.2 page 13 refers.

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**A** The following item was submitted to the Management Committee for consideration:

**1. Purpose**

The purpose of this submission is to consider the draft media notice intended to notify and invite any affected and interested land-owners in Swakopmund who may wish to take advantage of the new option to undertake the rezoning process as set out in the Municipal and Government Regulations and the Town Planning Ordinance Number 18 of 1954, including advertising for objections and comments on the rezoning from the existing applicable "bulk factor" zone to a "no bulk factor" zone.

**2. Introduction and Background**

In 2016, the Minister of Urban and Rural Development advised WINPLAN Town and Regional Planning Consultants that the Swakopmund Town Planning Amendment Scheme Number 30 would be approved on condition that the Scheme was amended by the removal of a maximum bulk restriction on all buildings in the following zones:

- General Residential 1 and 2
- General Business and Local Business
- Institutional
- Office

The ministry's letter is attached as **Annexure A**. In response to the Ministry of Urban and Rural Development directive, Council compiled the Swakopmund Amendment Scheme Number 61, which varied the Swakopmund Amendment Scheme Number 12 with respect to bulk factor provision on the aforementioned land uses. Copy of the approved items given in **Annexure D** of Amendment Scheme Number 61 is attached as **Annexure B**.

No prior public comment was invited on this instruction. It is against this background that a notification is being extended to all affected and interested Business, General Residential, Office and Institutional land owners in Swakopmund who wish to take advantage of the new option to undertake the rezoning process as set out in the Municipal and Government Regulations and the Town Planning Ordinance Number 18 of 1954.



### 3. Discussion

The creation of a "no bulk factor" for the aforesaid land uses is associated with huge financial implications with respect to infrastructure and service provisions. In terms of Section 34(1) of the Town Planning Ordinance 18 of 1954, provision for the payment of a betterment fee has been made for sites whose development potential is increased so as enable Council to be able to cover additional capital costs arising from increased costs for upgrading and supply of infrastructure due to such development.

The requirement of the Town Planning Ordinance Number 18 and of Municipal Regulations, also require advertising in the media and to neighbours so that affected parties and particularly neighbours become aware of the proposed new developments that may affect them and are given opportunity to comment and to object.

The intention is for Council to undertake the rezoning in loco of all affected and interested landowners who have made their interest known to Council, however, landowners would to be liable for the payment of betterment fees as per the requirements in the Ordinance, Ordinance 18 of 1954 and advertising.

The Swakopmund Municipality is currently reviewing its Town Planning Scheme and has complied with the Ministerial directive by the inclusion of an option of a "no bulk factor" restriction into a table in the draft-revised scheme.

In order to ensure that all affected and interested land-owners who wish to take advantage of this new option by undertaking the rezoning process as set out in Municipal and Government Regulations and the Town Planning Ordinance No.18 of 1954, are informed, Council should issue a media release this respect.

### 4. Conclusion

To ensure that those that are benefiting from a "no bulk factor" option contribute to the additional capital costs arising from increased costs for upgrading and supply of infrastructure for such initiative, and that affected parties are suitably informed and given opportunity to object, a rezoning process should be applicable and betterment fees be paid before exercising the new rights.

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



**RECOMMENDED:**

- (a) That Council inform and advise all affected and interested business, general residential, office and institutional land owners in Swakopmund of this new option and that those keen to take advantage of it should undertake the rezoning process as set out in Municipal and Government Regulations and the Town Planning Ordinance No.18 of 1954, including advertising for objections and comments on the rezoning from the existing applicable "bulk factor" zone to a "no bulk factor" zone;
- (b) That the Council Notice to the affected and interested land-owners read as follows:

**"MEDIA RELEASE"****INVITATION TO ALL LAND-OWNERS OF BUSINESS, GENERAL RESIDENTIAL, OFFICE AND INSTITUTIONAL LAND**

In a letter dated 31<sup>st</sup> July, 2016, to WINPLAN Town and Regional Planning Consultants, The Minister of Urban and Rural Development informed the Consultants that the Swakopmund Town Planning Amendment Scheme Number 30 would be approved on condition that the Scheme was amended by the removal of a maximum bulk restriction on all buildings in the following zones:

- General Residential 1 and 2
- General Business and Local Business
- Institutional
- Office

No prior public comment was invited on this instruction.

The Swakopmund Municipality is currently reviewing its Town Planning Scheme and has complied with the Ministerial directive by the inclusion of an option of a "no bulk factor" restriction into a table in the draft revised scheme. The Municipality invites any affected and interested landowners who wish to take advantage of this new option to undertake the rezoning process as set out in Municipal and Government Regulations and the Town Planning Ordinance No.18 of 1954, including the advertising for objections and comments on the rezoning from the existing applicable bulk zone to a "no bulk factor" zone.

Please be informed that a rezoning to the new "no bulk factor" zone does not involve any change in the land-use or density zones, and coverage and building lines will be fixed.

The Municipality is also considering increasing the bulk zone options to include bulk zones of 3 and 4. Comments may be submitted directly to the Municipality on the advisability of these and higher bulk zones before the end of August 2019.

As with all applications for rezoning, in terms of Section 34(1) of the Town Planning Ordinance 18 of 1954, a betterment fee will be requested to cover additional capital costs to the Municipality arising from increased costs for upgrading and supply of infrastructure due to development.

There is no time restriction on when application for rezoning may be made, however if application is made to the Municipality before the 30<sup>th</sup> September, 2019, the rezoning application will be included in the amendment scheme currently being reviewed. Until such time as a rezoning application is made, the existing bulk factors will remain unchanged."

---



Republic of Namibia

**ANNEXURE A: Minister of  
Urban and Rural Development  
directive**

**Ministry of Urban and Rural Development**

Tel: (+264 61) 297 1111  
Fax: (+264 61) 226 849  
E-mail: [mpdr@murd.gov.na](mailto:mpdr@murd.gov.na)  
Website: [www.murd.gov.na](http://www.murd.gov.na)

Government Office Park  
Luther Street

Private Bag 11289  
Windhoek, Namibia

Engineer: C. Fiesl  
Tel: (+264 61) 297 1201  
Fax: (+264 61) 297 1204/5

Or Ref: 11/2/251  
Twr Ref:

Doc: 21 July 2018

The Managing Director  
WINPLAN Town & Regional Planning Consultants  
P.O. Box 90761  
KLEIN WINDHOEK

ATTENTION: MR. G. VAN DER MERWE

**ITEM NO. 55/2015: APPROVAL OF THE SWAKOPMUND TOWN PLANNING AMENDMENT  
SCHEME NO. 30**

With reference to your above-mentioned application you are hereby informed that the Minister of Urban and Rural Development has, on 15 July 2016, approved the Swakopmund Town Planning Amendment Scheme No. 30 in terms of Section 26(1) of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954), as amended on condition that the following modifications be made to the Scheme:

**A. Single Residential Zone:**

**2.3 Height Control:-**

No dwelling house shall exceed a height of 15 meters.

**B. General Residential 1 Zone:**

**2.2 Bulk - Density Zone**

The maximum bulk for all buildings in this zone is not limited

**Table B 1: Density Zone Density**

1: Undetermined with consent of Council

1:25/50 - One dwelling unit or dwelling house per 100m<sup>2</sup>

**2.5 Height Control:-**

No height restriction shall apply in this zone

**C. General Residential 2 Zone:**

**2.2 Bulk -** The maximum bulk for all buildings in this zone is not limited

**Height Control:-**

No height restriction shall apply in this zone

*All official correspondence must be addressed to the Permanent Secretary*

**D. General Business****2.2 Bulk**

The maximum bulk for all buildings in this zone is not limited

**2.3 Height Control**

No height restriction shall apply in this zone

**E. Local Business Zone:****2.2 Bulk (Floor Area Ratio)**

The maximum bulk for all buildings in this zone is not limited

**2.3 Height Control**

No height restriction shall apply in this zone

**F. Light Industrial Zone:****2.5 Height Control**

No height restriction shall apply in this zone

**G. General Industrial Zone:**

2.5 Height Control - No height restriction shall apply in this zone

**H. Institutional Zone:****2.3 Height Control**

No height restriction shall apply in this zone

**2.4 Coverage and Bulk**

The maximum bulk for all buildings in this zone is not limited

**I. Office Zone****2.2 Bulk (Floor Area Ratio)**

The maximum bulk for all buildings in this zone is not limited

**2.3 Height Control**

No height restriction shall apply in this zone

The Government Notice will be promulgated in the Government Gazette on 15 August 2018.

Yours sincerely

  
**NGHIDENUA DANIEL**  
**PERMANENT SECRETARY**





**PROPOSED AMENDMENTS TO CERTAIN ZONINGS AS CONTAINED IN THE SWAKOPMUND TOWN PLANNING AMENDMENTS SCHEME NO. 12**

The below mentioned indicates amendments to be made to the respective zonings:

**A. SINGLE RESIDENTIAL ZONE**

**2.3 Height:**

**Proposal for Height**

No dwelling house shall exceed a height of 15 m.

**B. GENERAL RESIDENTIAL 1 ZONE**

**2.2 Bulk**

**Proposal for Bulk**

The maximum bulk for all buildings in this zone is not limited.

**TABLE B1: DENSITY ZONE**

**DENSITY ZONE DENSITY**

**Proposal for Density**

1: undetermined

1:25 One dwelling unit or dwelling house per 100 m<sup>2</sup>

1:50 One dwelling unit or dwelling house per 100 m<sup>2</sup>

1:100 One dwelling unit or dwelling house per 100 m<sup>2</sup>

1:250 One dwelling unit or dwelling house per 250 m<sup>2</sup>

1:300 One dwelling unit or dwelling house per 300 m<sup>2</sup>

1:600 One dwelling unit or dwelling house per 600 m<sup>2</sup>

1:900 One dwelling unit or dwelling house per 900 m<sup>2</sup>

1:ERF One dwelling unit or dwelling house per erf

(b) Not more than one dwelling house or residential building may be erected on any erf without the consent of the Council.

**2.5 Height**

**Proposal for Height**

No building in this zone shall be erected to exceed a height of 40 meters.

**C. GENERAL RESIDENTIAL 2 ZONE****2.2 Bulk****Proposal for Bulk**

The maximum bulk for all buildings in this zone is not limited.

**2.6 Height control****Proposal for Height**

No building in this zone shall be erected to exceed a height of 30 metres.

**D. GENERAL BUSINESS****2.2 Bulk****Proposal for Bulk**

The maximum bulk for all buildings in this zone is not limited.

**2.3 Height control****Proposal for Height**

No building in this zone shall be erected to exceed a height of 40 metres.

**E. LOCAL BUSINESS ZONE****2.2. Bulk (Floor Area Ratio)****Proposal for Bulk**

The maximum bulk for all buildings in this zone is not limited.

**2.3 Height control****Proposal for Height**

No building in this zone shall be erected to exceed a height of 30 metres.

**F. LIGHT INDUSTRIAL ZONE****2.5 Height****Proposal for Height**

Alternatively no building in this zone shall be erected to exceed a height of 30 metres.

**G. GENERAL INDUSTRIAL ZONE****2.5 Height****Proposal for Height**

No building in this zone shall be erected to exceed a height of 40 metres.

**H. INSTITUTIONAL ZONE****2.3 Height****Proposal for Height**

No building in this zone shall be erected to exceed a height of 40 metres.

**2.4 Coverage and Bulk****Proposal for Bulk**

The maximum bulk for all buildings in this zone is not limited.

**L. OFFICE****2.2. Bulk (Floor Area Ratio)****Proposal for Bulk**

The maximum bulk for all buildings in this zone is not limited.

**2.3 Height control****Proposal for Height**

No building in this zone shall be erected to exceed a height of 30 metres.



11.1.7 **INVESTMENT PROFILE OF SWAKOPMUND**  
(C/M 2019/08/29 - A 2/3/15)

Ordinary Management Meeting of 08 August 2019, Addendum 8.5 page 27 refers.

**A. The following item was submitted to the Management Committee for consideration:**

**Introduction**

One of the strategic goals in our Local Economic Development Strategy is to enhance a conducive business and investment climate of the town. To this end, an investment profile was developed during 2017, with the aim of marketing Swakopmund as an ideal investment destination. The main objective was to develop a profile highlighting main features and characteristics of our town, these includes; history, demographics, transportation links, and economic sectors as well investment opportunities. A few copies of the profile were printed in 2017 and shared among stakeholders and public at large, where after various constructive inputs and comments were received about the document.

The consultant (MONASA) who crafted the document was engaged during 2018 with the view to incorporate inputs/comments received from various stakeholders, as part of their aftercare support services. MONASA agreed to make the necessary adjustment to the graphics as well as text at no extra cost to Council. The revised document has now been finalized and is herewith submitted for endorsement by Council. The item was discussed at the Planning Forum on **11 June 2019** and recommended the following:

- (a) That the Investment Profile for Swakopmund be approved subject to the following:
- That the Community Development Services Department consult with other Departments for the correct information.
  - That extracts from the Investment Profile for Swakopmund be publically displayed and in the media.
  - That the Structural Plan be included
  - That the tropical pictorial on page 85 of the Planning Forum Agenda be replaced.
- (b) That an Investment Incentive Policy for Swakopmund be developed to attract / retain investment to the town.

The document has been edited, the Structural plan is not yet finalized hence cannot be part of the Investment Profile.

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

**RECOMMENDED:**

- (a) That the Investment Profile for Swakopmund be approved, and that it be reviewed after (2) two years.
- (b) That an Investment Incentive Policy for Swakopmund be developed to attract / retain investment to the town.

**See booklet  
distributed  
separately.**



**11.1.8 REQUEST TO DESIGNATE AN AREA TO BURY LOCAL MUSLIM COMMUNITY**

(C/M 2019/08/29 - N/2/1)

Ordinary Management Meeting of 08 August 2019, Addendum 8.6 page 29 refers.

**A. The following item was submitted to the Management Committee for consideration:****1. Introduction**

Attached (**Annexure "A"**) is a letter from Ms. Jasmine Abrahams writing on behalf of the local Muslim community seeking Council's permission to be allocated a section in one of the cemetery for the purpose of burying the Muslim members.

**2. Request from Swakopmund Muslims Community**

In her letter attached hereto, Ms. Abrahams states that there are approximately 100 Muslims residing in Swakopmund for more than 35 years. However, in case of death, these residents have to travel to Walvis Bay to bury their loved ones. The distance makes it difficult for them to promptly organize funerals as per their tradition. In the Muslim tradition, funeral preparations should begin immediately because the deceased must be buried soon after death, usually within a day. In addition, Muslim graves are to be dug in a different direction (parallel to Mecca) as oppose to the general practice. It is for these reasons that the Muslim community are requesting Council to be allocated a section 200m<sup>2</sup>.

**3. Proposal**

It would be rational if the Swakopmund Cemetery Regulations does not make provisions for different tradition funeral rituals. However, Council has already allowed the Jewish Community to have their separate section. In order to be consistent, it would be fair if Council could consider the request from the Muslim community in principle as with the Jews community. Considering the small population of the Muslims community in Swakopmund and the limited spaces available at different cemeteries in Swakopmund, it is proposed to allocate 100m<sup>2</sup> (instead of the 200m<sup>2</sup> requested) at the new extension Tamariskia cemetery (**Annexure "B"**). Unfortunately, this area is not fenced in thus the applicant will have to wait until the boundary wall is built around it before they can utilize it.

**4. Conclusion**

It is important that the Swakopmund Municipality could consider allocating a piece of land to the Muslim community to bury their members in order to be in line with UNESCO principles which



encourages citizens to embrace/ tolerate minority cultures - such as the right to participate in cultural life. The matter was discussed at the Planning of 09 July 2019.

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

**RECOMMENDED:**

- (a) That a piece of land at the Tamariskia Cemetery measuring 100m<sup>2</sup> be reserved as burial space for the Muslim community, once the boundary for the Tamariskia Cemetery is completed.
  - (b) That the resolution (a) above only be implemented once the whole Tamariskia Cemetery is fenced.
-

14/2/19



Swakopmund Muslim  
Community  
P.O. Box: 1208  
Swakopmund  
9000

Municipality Swakopmund  
Application for Assistance of Cemetery

6 June 2019

To whom it is concern

I hereby write this letter on behalf of our Muslim Community to apply for a Cemetery this is an urgent matter as we are in desperate need of your assistance for a cemetery...we are about 100 muslims staying in Swakopmund, born and raised, we are staying here for more than 35 years our children born and school here as well. Our need is a cemetery (~200m<sup>2</sup>) we at the moment make use of Walvis Bay Masjid and cemetery in Naraville but it is very uncomfortable for our children and elderly people (Muslims).

That's why if we have a memorial service, to remove the body from the hospital, and driven 30kilometers just to bury that person the same day before sundown, to pay our last respects this is an urgent request as we are in desperate need of assistance for a cemetery.

We are very grateful for your good office and will be waiting in anticipation for your positive response.

Regards

Swakopmund Muslims Community  
Contact Person for any queries.  
Jaymine Abrahams (+264 81 24 22 533)

11.1.9 **REQUEST FOR SPONSORSHIP: //GOA-IHAOB SOCIAL GAMES**  
(C/M 2019/08/29 - 14/2/1/1)

Ordinary Management Meeting of 08 August 2019, Addendum 8.7 page 31 refers.

**A. The following item was submitted to the Management Committee for consideration:**

1. Attached letter was received from Ms Desre Christiaan requesting for sponsorship towards the hosting of the //Goa-IHaob Social Games from **24-26 August 2019** in Swakopmund.
2. //Goa-IHaob Social Games has been a success for the past ten (10) years and the demand to make it bigger and better each year has grown immensely. For the past four year, the event was held in the following towns; Omaruru (2015), Mariental (2016), Tsumeb (2017) and Outjo (2018). NBC is planning to host the event in Swakopmund during 2019. Background information on the //Goa-IHaob Social Games is attached.

3. The event is scheduled to take place from **24- 26 August 2019**. With huge and loyal followers of over 20 000 people, the //Goa-IHaob can create a positive injection into the local economy of Swakopmund. It should be noted that the Swakopmund Municipal Rest Camp is already 90% fully booked for that weekend.

4. Messrs NBC requested to utilize the Vineta North and Mondesa Sport Stadiums as sponsorship from Council. The venues has been reserved accordingly and the cost thereof is as follows:

Rent	N\$2 984.00 (= N\$1 492 x 2 weekend rate per stadium)
Refundable deposit:	N\$5 914.00 (Tax exclusive)
Total	<b>N\$8 898.00</b>

5. Due to limited funds available in the Community Services Publicity vote, it is recommended that Messrs NBC must pay the refundable deposit of **N\$5 914.00** for the venues and that Council waives the venue's rental cost amounting to **N\$2 984.00**.

6. In appreciation of the sponsorship, Messrs NBC are offering the following to Council:

- A stall and branding at the event.
- 25 x 30 Seconds live reads on Kaisemes FM.
- 10 x 30 Seconds adverts, aired on their popular //Goa-IHaob program.
- 2 x 5-10 minutes' radio interviews on Kaisemes about the services that Swakopmund Municipality is offering, which consists of members during the programs and an opening and closing billboard.
- Promotion at the event acknowledging Swakopmund Municipality as strategic partner of the //Goa-IHaob during this August long weekend.

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



**RESOLVED:** (For Condonation by Council)

- (a) That the request for sponsorship for the hosting of the //Goa-!Haob Social Games scheduled to take place from 24-26 August 2019 in Swakopmund, be noted.
- (b) That Council sponsor the two venues (Vineta North and Mondesa Sport Stadium) to the value of N\$2 984.00.
- (c) That Messrs NBC be responsible for paying the refundable deposit of N\$5 914.00 for the venues.
- (d) The costs for the expenses mentioned above in (b), be defrayed from the Community Services Publicity Vote 500510212700 where N\$48 685.18 is available.
- (e) That Messrs NBC ensures that the facilities including the parking area are cleaned and restored to their original conditions to the satisfaction of the Acting General Manager: Community Development Services within 48 hours after the event.
- (f) That Council be indemnified against any claims that may arise from using the stadiums.
- (g) That Messrs NBC be responsible for the provision of additional public ablution facilities on site, if required.
- (h) That Council reserves the right to cancel the use of the stadiums should Council need them for its own purposes.
- (i) That Messrs NBC make prior arrangements with Erongo-RED for electricity connection at their own cost, should it be required.
- (j) That Messrs NBC submit proof that the following arrangements have been made:
- *Emergency Services*
  - *Traffic Control and Parking*
  - *Waste removal*
  - *Security Services*
  - *Liquor license (if required)*
- (k) That, in future, the General Manager: Corporate Services and HR obtain feedback from hospitality establishments and other businesses such as service stations and retailers to determine the effect of such events on the local economy.
-

**Due to the voluminous content - the attachments are available on file.**

11.1.10 **FEEDBACK REPORT OF THE CUSTOMER SATISFACTION SURVEY**

(C/M 2019/08/29 - B 1/1)

Ordinary Management Meeting of 08 August 2019, Addendum 8.8 page 41 refers.

**A. The following item was submitted to the Management Committee for consideration:**

- Customer satisfaction surveys are a form of research in which you ask your customers for their views on issues that indicate how well or how badly an organization is performing. The information from a customer satisfaction survey provides an organization with valuable feedback on the issues that are important to the clients/customers.
- Corporate Services department conducted a customer satisfaction survey (attached) with the purpose of assessing how satisfied and dissatisfied clients are with Council's products and services. 50 completed survey forms were received and analyzed as follows:

Overall rate of the Municipality:

Rate	Number of people
Very satisfied	33
Somewhat satisfied	8
Neutral	2
Somewhat dissatisfied	4
Very dissatisfied	0

Rate of the different departments:

**Finance Department**

Rate	Number of people
Very positive	23
Somewhat positive	4
Neutral	2
Somewhat negative	1
Very negative	2

**Community Development Services department**

Rate	Number of people
Very positive	20
Somewhat positive	6
Neutral	7
Somewhat negative	2
Very negative	1

**Corporate Services department**

Rate	Number of people
Very positive	13
Somewhat positive	7
Neutral	3
Somewhat negative	2



Very negative	0
---------------	---

**Engineering Services department**

Rate	Number of people
Very positive	17
Somewhat positive	5
Neutral	2
Somewhat negative	4
Very negative	2

**Health Services department**

Rate	Number of people
Very positive	20
Somewhat positive	4
Neutral	2
Somewhat negative	0
Very negative	2

**Neatness and cleanliness of the Municipality:**

Rate	Number of people
Satisfied	42
Not satisfied	2
Don't know	1

3. **Suggestions, comments and concerns from the public:**
- A few people suggested that the Municipality add/recruit more cashiers as they stand for hours waiting to be assisted.
  - A few suggested that the Municipality should improve the process of business registration as it takes long.
  - One person requested that we clean the dustbins on the beach between Mile 4 and the Salt pans.
  - Some suggested that the staff members should go an extra mile to make sure that they assist the customers.
  - A few applauded Council for the good work and that it should be maintained.
4. **Complaints from the public:**
- Late coming of Municipal employees
  - High water payments in Mondesa (Municipal accounts)
  - Dirtiness in Mondesa
  - Traffic officers using phones while driving
  - Dirtiness in DRC
  - Supply of toilets and garbage bins in DRC.
5. **Findings and possible solutions:**
- To solve the problem in 3 (a) above, it is recommended that Council encourages clients to use other methods of payments like debit order and EFT or avoid the situation where available cashiers take leave at the same time. At least 3 (five) cashiers must be available on days where clients mostly pay their bills to avoid long queues (usually the first week of each month).
  - To address the complaints from the public:

- ✓ It is recommended that employees be requested to come in earlier or on time.
- ✓ That the residents of Mondesa and DRC be introduced to Council's cleaning campaigns and be voluntarily invited to participate and assist the Municipality with keeping Swakopmund clean.
- ✓ The public must be educated on how to save water and discover leakages in order to avoid high Municipal accounts.

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

**RECOMMENDED:**

- (a) That an awareness campaign be launched to encourage clients to use other alternative methods of payments of their Municipal accounts such as EFT, debit order, cellphone banking, etc. to avoid queues at the Cash Hall.
  - (b) That employees be encouraged to come to work punctually.
  - (c) That the Health Services Department creates an awareness campaign per annum to sensitize residents of Swakopmund and encourage them to keep Swakopmund clean.
  - (d) That the residents of Mondesa be educated on water saving methods and monitor water usage to discover water leakages in order to avoid high Municipal accounts.
  - (e) That Municipal employees take note of the positive feedback from the public and improve on the negative feedback.
  - (f) That Customer Satisfaction Surveys be conducted regularly or as required from time to time.
-

**Due to the voluminous content - the attachments are available on file.**



11.1.11 **FEEDBACK ON THE SALE OF RÖSSING HOUSES BUILT ON MUNICIPAL LAND IN TERMS OF A NOTARIAL LEASE AGREEMENT OF 1976**

(C/M 2019/08/29 - I 1/1/3/1, T 171, 342, 359, 390, 444, 472, 480, 382, 484, 803)

Ordinary Management Meeting of 08 August 2019, Addendum 8.9 page 46 refers.

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

1. **Introduction**

This item serves to report to Council on the progress of the sale of 66 houses leased by and sold to Rössing employees.

2. **Background**

The basis of the lease agreement entered into by and between Council and Rössing Uranium (hereinafter refer to as RUL) was that RUL would lease land, for 50 years, service erven and build houses on these erven belonging to the Swakopmund Municipality. RUL was also responsible for the maintenance of these houses which had to be leased exclusively to their employees. On **31 May 2016** under item 11.1.6 resolved to sell the residential properties being the subject of the notarial lease agreement. The Council resolution is attached as **Annexure "A"**.

3. **Previous Sales in Terms of the Agreement of Lease**

3.1 In terms of the notarial deed of lease 104 erven were made available to RUL at an annual rental (**Annexure "B"**).

3.2 During the financial year 2015/2016 only 66 erven remained as 38 of the original 104 were already sold in terms of Council's resolution passed on **29 November 1990** under item 6.1.17 below:

(a) That Town Council confirms its previous decision of declaring itself in favour of the principle to relinquish ownership of the 246 single residential and 2 flat erven in Tamanskia presently leased to Rössing; provided that -

(i) with a view to Rössing being the sole owner of the improvements on these properties and in order to simplify a future sale transaction, Rössing shall be the sole purchaser of the erven; alternatively that the erven be sold to individual purchaser, provided that the purchase price shall be paid or payment guaranteed by Rössing; and

(ii) it shall be a cash sale transaction only;

(b) That the erven be offered for sale to Rössing / individual purchasers at a price of R10.000er!

Attached as **Annexure "C"** is a list received from RUL listing the remaining 66 erven.

#### 4. Current Status

- 4.1 Of the 66, even 56 have been sold and transferred since 2016 to date of which 5 transactions are pending as per progress report from ENS Africa (**Annexure "D"**):

No	Erf No	Name	Comments
1	342	Mr Nwahpella Isiel	Await Signed Deed of Sale
2	382	Ms Flora Dantago Anton	Await Signed Deed of Sale
3	472	Ms Loida Nkuzwe Nwinye Ndlovu	Bank Guarantee in place and await cancellation of Existing Bond
4	484	Mr S Nghwenzi	Transfer cost Outstanding
5	803	Mr Nkululeko Hofors	Signed Deed of Sale to ENS Africa

The project is therefore 84.5% complete.

- 4.2 On **25 October 2016** Messrs Rössing Uranium Limited requested as per attached letter (**Annexure "E"**) to sell houses to employees retiring in the next five years.

Listed below are the names of the Rössing employees who will only secure the purchase price on date of their respective retirement dates:

No	Erf No	Name	Retirement Date
1	171	Mr Onesimus Shilongo	31 Aug 2021
2	359	Mr Gabriel Seibeb	30 Sept 2019
3	390	Mr Johannes Mangula	1 January 2020
4	444	Mr Petrus Gurrah	30 Sept 2020
5	480	Mr Laurentius Amunyela	Jan 2022

On **3 November 2016** (**Annexure "F"**) RUL was informed that Council's Property Policy makes provision for the escalation of purchase prices as follows:

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

- (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 lapsed since approval by Council of the purchase price, fresh valuations be obtained and submitted to Council for approval.*

Mr Laurentius Amunyela was allocated Erf 480, Tamariskia and Ministerial approval was granted on **8 February 2017** (**Annexure "G"**). A bank Guarantee is in place **Annexure "H"**. The client arranged with Rössing Uranium to secure the purchase price on date of retirement due to the short period remaining before his retirement, i.e. January 2022. An email dated **25 February 2019** from Mr Roets confirming such, attached as **Annexure "I"**.



As the purchase prices of the erven were approved by Council on 30 June 2016, the first escalation will be applicable 1 July 2017 and as a result the purchase price will be adjusted closer to the retirement of the respective retirees. Ministerial approval will also be obtained to proceed with the sale once an Intention to Purchase the erf is received.

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

**RECOMMENDED:**

- (a) That Council takes note that the project of the sale of the Rössing house transactions is 84.5% complete, and only 15.5% is still pending.
- (b) That Council takes note of the following Rössing employees that will secure the purchase price of the houses allocated to them on date of retirement:

No	Erf No	Name	Retirement Date
1	171	Mr Onesmos Shilongo	31 Aug 2021
2	359	Mr Gabriel Seibeb	30 Sept 2019
3	390	Mr Johannes Hangula	1 January 2020
4	444	Mr Petrus Gurirab	30 Sept 2020
5	490	Mr Laurentius Amunyela	Jan 2022

- (c) That the purchase price be reviewed and adjusted closer to the retirement of the respective employees in consultation with Rössing Uranium Limited who forms part of the agreement.
- (d) That ministerial approval be obtained once the Intention to Purchase the erf is received from the relevant employee, whereafter a Deed of Sale be compiled by ENS Africa.
-



**Due to the voluminous content - the attachments are available on file.**

11.1.12 **TRANSFER OF FUNDS - CAPITAL BUDGET 2019 / 2020**  
 (C/M 2019/08/29 - N 7/3/1/2)

Ordinary Management Meeting of 08 August 2019, Addendum 8.11 page 72 refers.

**A. The following item was submitted to the Management Committee for consideration:**

1. The purpose of this submission is to request Council permission to transfer funds for the "**Purchasing of Beddings**" from 2018 / 2019 financial year to 2019 / 2020 financial year.
2. During the 2018 / 2019 financial year, CDS embarked on a number of projects which were anticipated to be finalized by the end of the financial year. The project to purchase beddings for the Municipal Rest Camp was awarded to Elastic Investments and as such a Purchase Order No: 0001139547 was generated on **21 May 2019**. Unfortunately, the contractor could not finalize the project in time as per their attached letter.
3. Meantime, a communiqué was received from the Finance Department informing all the departments that **25 July 2019** is the last day to submit all 2018/19 invoices. Thus a need to transfer this project (N\$579 000.00) to the next financial year 2019 / 2020 to enable to pay the contractor once beddings are delivered.

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

**RECOMMENDED:**

That the funds budgeted for the capital projects below be transferred to the 2019 / 2020 financial year.

Description	Amount N\$	Vote Number
Purchasing of Bedding - Bungalows	579 000.00	600532013400

11.1.13 REQUEST FOR PERMISSION FOR SWAKOPMUND MUNICIPALITY TO PARTICIPATE IN SAIMSA GAMES 2019 - LUSAKA, ZAMBIA  
(C/M 2019/08/29 - J 10/1)

Ordinary Management Meeting of 08 August 2019, Addendum 9.1 page 03 refers.

**A. The following item was submitted to the Management Committee for consideration:**

Attached invitation letter received on 06 June 2019 from NALASRA Secretary General inviting the Swakopmund Municipality to participate in Southern Africa Inter Municipal Games 2019.

The games are scheduled to take place from 22-27 September 2019 in Lusaka, Zambia:

- The opening ceremony will be held on 22 September 2019 at 13:00, the Opening Ceremony, shall be held at Heroes Station Lusaka, Zambia.
- The games will kick off on 22 September 2019 after the opening ceremony with the host Municipality playing against the 2018 Soccer Cup winners.
- The Closing Ceremony will be held on 27 September 2019 after the finals at the Olympic Youth Development Centre (OYDC).

Accreditation will commence on 16 September 2019 and collection of cards will commence on 19 September 2019. Therefore, all participating Municipalities are advised to arrive on the 19 or 20 September 2019 in order to finalise accreditation.

The Sport club will be participating in the following sport codes: Volleyball- Male & Female, Darts, Pool, Tug of War, Netball, Soccer, Tennis and Golf. The final name list of participants will be made available after receipt of approval from supervisors.

This year the distance to be travelled is in excess of 2300km one way to be travelled by road and under normal circumstances this distance can be covered if travelling by bus within 35 hours. The sports club therefore wish to request Council to consider releasing all registered participants to start travelling on 19 September 2019 in order to cover the distance up to Kalima Mulilo and to continue the journey the next day.

Permission is also hereby requested from Council for the use of the Municipal minibus (N36955) for traveling to the SAIMSA games and back. The use of the vehicle will assist with logistics such as driving from one sports venue to another, for attending to sports meetings, gala dinners, special drop offs and picks ups, etc.

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



**RECOMMENDED:**

- (a) That permission be granted to members of the Swakopmund Municipal Sport & Social Club to participate in the 2019 SAIMA Games, in Lusaka City, Zambia from 22 - 27 September 2019.
  - (b) That permission be granted to participating members to be released from their duties on Friday 20 September 2019 in order for them to depart on Thursday evening 19 September 2019.
  - (c) That permission be granted to the Swakopmund Municipal Sport and Social Club to proceed with preparations and organisation for this event.
  - (d) That permission be granted for the Municipal minibus (N3695S) to be used by Municipal Sports Club members to travel to and from Lusaka City, Zambia for the SAIMA 2019 Games from 22 - 27 September 2019.
  - (e) That Council, *in principle*, grants approval for special leave as per conditions of Employment to the staff members (Club Members) to participate in the SAIMSA games, subject to the prior approval of leave by the respective Head of Departments.
  - (f) That a Councillor accompanies the group to the SAIMA Games.
  - (g) That the subsistence and travelling allowances for the Councillor be defrayed from the Conference Expenses Vote 100510206500 where sufficient funds are available
  - (h) That the General Manager: Finance releases the amount of N\$100 000.00 budgeted for the Swakopmund Municipal Sport Club for expenses to attend the SAIMSA Games, in order to help off-set accommodation and transport expenses as provided for in the Vote 960120409509.
-

**Due to the voluminous content - the attachments are available on file.**

11.1.14 **OLD AND REDUNDANT ITEMS / EQUIPMENT: COMMUNITY DEVELOPMENT SERVICES - CEMETERIES**  
(C/M 2019/08/29 - N 2/1, L 2)

Ordinary Management Meeting of 08 August 2019, Addendum 10.4 page 14 refers.

**A. The following item was submitted to the Management Committee for consideration:**

The following old and redundant equipment's and items need to be written off and sold at the next public auction.

Quantity	Description
12	Grave Support Female irons
24	Grave Support Male irons
21	Grave Support short board
23	Grave Support long board
2	Old screened notice board
4	Shrub cutter machine
1	Grass trimmer machine
16	Short irons
2	Hand shrub cutter
2	Petrol shrub cutter machine
5	Wheel barrows
1	Window frame
80	chairs
1	Cup board
1	Board
4	Brooms
5	Picks
3	Spades
3	Shovels
1	Wood pick handle
1	Garden hoe
1	Green watering pipe
1	Old Mutually Cooler

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

**RECOMMENDED:**

- (a) The following old and redundant equipment and items be written off and sold at the next public auction:

Quantity	Description
12	Grave Support Female irons
24	Grave Support Male irons
21	Grave Support short board
23	Grave Support long board
2	Old screened notice board
4	Shrub cutter machine
1	Grass trimmer machine
16	Short irons
2	Hand shrub cutter
2	Petrol shrub cutter machine
5	Wheel barrows



1	Window frame
80	chairs
1	Cup board
1	Board
4	Blooms
5	Picks
3	Spades
3	Shovels
1	Wood Pick Handle
1	Garden Hoe
1	Watering pipe
1	Old mutuality Cooler

- (b) That the household items be retained for distribution to the public during emergency situations.
- (c) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset prices for the above mentioned redundant equipment and items.
-

11.1.15

**SWAKOPMUND "KWELA DORP VAN DIE JAAR 2019"**

(C/M 2019/08/29 - 14/1/4/2, D 5)

Ordinary Management Meeting of 08 August 2019, Addendum 10.5 page 03 refers.

**A. The following item was submitted to the Management Committee for consideration:**

Swakopmund was officially announced as the "Kwela Dorp Van Die Jaar 2019" on 16 June 2019 on the Kyknet channel (DSTV).

Swakopmund has competed three times without success and this year Swakopmund was successful and achieved the best results because the votes received were the most ever. These results were achieved by the hard work and cooperation of stakeholders led by Messrs Destination Swakopmund. Some of the stakeholders were HAN, the Dome, Swakopmund Paintball Centre and Adventure Park, NCCI, Swakopmund Municipality, High School learners, Seniors citizens from various Old Age Homes, and many more. A few of the businesses sponsored cash which was used to buy airtime and this enabled voters to cast the maximum 30 SMSes (votes) per cell phone. Other voting activations, campaigns and activities were also conducted to encourage, invite and promote more votes.

As part of the winning prize, in addition to the one million Rand of advertising airtime on Kyknet, the Swakopmund KIA Makietie will be hosted in Swakopmund from 6-7 December 2019. The event is organised by Home Brew Films (Kyknet), Artist Warehouse and an established Local Event Committee (LEC).

The Local Event Committee (LEC) consists of the following individuals:

Oliver Ahrens	(Destination Swakopmund)
Lynette van Niekerk	(Destination Swakopmund)
Eben Gurinb	(Destination Swakopmund)
Dave Hammond	(Destination Swakopmund)
Gerhard vd Merwe	(Destination Swakopmund)
Lance Hurly	(Destination Swakopmund)
Mare-lize Peddie	(Destination Swakopmund)
Alexandra Schimanski	(Destination Swakopmund)
Heiko Doergeloh	(Destination Swakopmund)

The following officials are requested to serve on the LEC:

Andre Plaatje	-	Manager: Corporate Services
Marolene Niemand	-	Human Resources Practitioner
All Gebhardt	-	Corporate Officer: Marketing and Communications
Rauna Shipunda	-	Local Economic Development Officer
Norika Hangula	-	Street Cleaner
Annelize Swart	-	Events Coordinator (Office of the CEO)

\*The Junior Town Councillors have been approached to assist with tickets sales, Kiddies Park and queue control at the event.



The official launch of the event was hosted on 31 July 2019. The Deputy Mayor, Councillors and Chief Executive Officer and Constituency Councillor were present at the launch of the event.

The LEC needs stakeholders (Businesses, Fire Brigade, Traffic Section, NamPol, Swakopmund Neighbourhood watch, JTC, Radio stations, Erongo RED, etc.) and sponsors on board to make this event a success. The event will draw somewhere between 15000 to 20000 people over the three days. There will be stalls, jumping castles, games, bars, food and entertainment, VIP tent and so much more. Local and International artist (South African) will perform at the event (Attached Annexure D is the draft programme for 6-7 December 2019). It is possible that Messrs VarsLugFieks will present a movie night on Sunday, 8 December 2019 as part of the event. The LEC are still busy discussing logistics with the organisers.

An evacuation plan will also be set-up and local Emergency Services (e.g. E-Med) will be on site in case of emergencies. Entry tickets will be sold prior to the event and at the gate on the dates of the event. The LEC will create various packages for ticketing participants of other events taking place during the same period such as the Nedbank cycling bash and the International Youth Games.

#### Requests:

Council is requested to **donate the use of the Vineta North Sports field** as from the **5-9 December 2019** for the hosting of the Swakopmund KIA Makietie. Permission is requested to use **the road reserve adjacent to the Vineta North Sports Field (as indicated on the map attached as Annexure B) to be used as parking areas.**

Planning and organising an event has a lot of expenses. The LEC has started to design posters, tickets, sponsorship letters, identification cards, etc. The committee is currently busy acquiring sponsorship and discount offers from the various stakeholders who are rendering the services and products needed for the event. Council is requested to **donate N\$20 000.00 towards the expenses** for the event.

Being the Kwela Dorp van die Jaar is a great accomplishment and Council and the residents must make use of the opportunity to promote Swakopmund. It is against this background that it is proposed that permission be granted to the **Engineering Services - Work section to design and erect a steel (iron) wind pump on the roof of the municipal head office building.** The wind pump should resemble the Kwela logo (attached as Annexure C).

This event is held at the beginning of the festive season before the peak holiday period. Council can offer a **discount package of 20% for bookings reserved from 1 December 2019 until 14 December 2019.** Should the discount package be approved, the offer should be limited to bookings done between **1 September 2019 and 30 October 2019.**



Attached (Annexure F) is the pricelist of the Rest Camp units. The Front Office Supervisor of the Municipal Rest Camp confirmed that there are few bookings made for the first two (2) weeks of December, plenty of chalets remain unoccupied. The following events tabled below are taking place in Swakopmund during that period:

DATE	EVENT
2-8 December 2019	International Youth Games
6-7 December 2019	Nedbank Desert bash (cycling)
6-8 December 2019	Swakopmund KIA Makietie bash
9 December 2019	Destination Swakopmund's Golf Day (Rossmund)
10 December 2019	Public Holiday (Human Rights Day)
13-14 December 2019	Swakopmund Summer Holiday Fair

The LEC propose that Council should consider making this Swakopmund KIA Makietie an **annual event** which will take place in December possibly under a different name. The funds collected at the event will be used to pay for expenses and the surplus will be invested towards the marketing of Swakopmund, donation to charity homes or a bursary for a student at the "new university in Swakopmund".

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

**RECOMMENDED:**

- That Council takes note that Swakopmund is the Kwela Town of the Year 2019 (from 16 June 2019 until 14 June 2020) and that the launch for the Swakopmund KIA Makietie was held on 31 July 2019.
- That permission be granted to use the road reserve adjacent to the Vineta North Sports field free of charge and that the surrounding open spaces / erven be used as parking areas.
- That Council donate N\$20 000.00 towards the expenses of the event and that the funds be defrayed from the Corporate Services Publicity Vote 102010212700 where N\$100 000.00 is available.
- That the Mayor, Councilors, Chief Executive Officer and General Managers attend the Swakopmund KIA Makietie as VIPs from 6-7 December 2019. (Availability of delegation should be confirmed by 5 November 2019).
- That permission be granted to the following officials to serve as Local Event Committee members of the KIA Makietie event:

• Mr Andre Pfaefle	-	Manager, Corporate Services
• Ms Marlene Niemand	-	Human Resources Practitioner
• Ms All Gebhardt	-	Corporate Officer, Marketing and Communications
• Ms Rauna Shipunda	-	Local Economic Development Officer
• Ms Norika Mangula	-	Street Cleaner
• Ms Annalze Swart	-	Events Coordinator (Office of the CEO)

- (f) That the Junior Town Councilors be responsible for ticket sales, to control the kiddies park and the queue at the event.
  - (g) That the Fire Brigade and Traffic Section be on standby during the event.
  - (h) That the work done by the Engineering Services - Work section to design and erect a steel (iron) wind pump on the roof of the municipal head office be condoned.
  - (i) That Council approves 20% discount on bookings reserved from between 1 December 2019 until 14 December 2019 for the Dunes, Spitzkoppe and Brandberg units at the Swakopmund Municipal Rest Camp.
  - (j) That the LEC provides Council with a feedback report after the event.
  - (k) That consideration be given to make this an annual event during the first week of December under a different name.
-



16 July 2019

**TO WHOM IT MAY CONCERN**

Swakopmund was officially announced as the "Kwela Dorp van die Jaar 2019" on 16 June 2019.

As part of the winning prize (except the one million Rand of advertising airtime on Kyknet), the Swakopmund KIA Makiote will be hosted in Swakopmund on the 6<sup>th</sup> and 7<sup>th</sup> December 2019 at the Vlneta Sports Grounds.

In order to make this Event a success, it will be organised by Home Brew Films (Kyknet), Artist Warehouse and our local Event Committee.

**The Local event committee consists of the following people:**

Oliver Ahrens	(Destination Swakopmund)
Lynette van Niekerk	(Destination Swakopmund)
Eben Gurinab	(Destination Swakopmund)
Dave Hammond	(Destination Swakopmund)
Gerhard vd Merwe	(Destination Swakopmund)
Lance Hurly	(Destination Swakopmund)
Mari-ize Poddie	(Destination Swakopmund)
Alexandra Schimanski	(Destination Swakopmund)
Heiko Doergeloh	(Destination Swakopmund)
Andre Flaaijke	(SWK Municipality)
Mariëtte Niemand	(SWK Municipality)
All Gebhardt	(SWK Municipality)

We will need all stakeholders, participants and sponsors on board to make this event a success.

These stakeholders are also the Swakopmund Police force and Fire Brigade which will be informed of this event happening and are vital partners in making this a success.

An Evacuation plan will also be set-up for the event, in case of an emergency.

Local Emergency Services (e.g. E-Med) will be on the ground for case of emergencies.



# THE 1000000th Swakopmund

Swakopmund Through a Summer Lens



Here an overview of the Event Venue and surroundings and what we wish to make use of:



Some of the Parking areas around the Venue would need to be flattened still, as indicated.

We ask that permission be given to make use of these areas as well, as the event will draw somewhere between 15000 to 20000 people over the two days.

PO Box 2770 Swakopmund, Swakopmund@swakopmund.com | www.swakopmund.com  
 Heideke N. Grotzsch / L. van der Merwe / M. Pothoff / B. Stemann / L. Herby / L. van Niekerk / B. Dierckx /  
 A. Schwanitz



There will be many awareness campaigns created until the Event, but we first would want to start by officially launching the event on 31 July 2019.

The presence of the Mayor, Councillors and CEO, Governor of the Erongo Region and Constituency Councillor would grace this event.

Thanking you in advance for your support and together we will create a successful event for Swakopmund.

Yours in Marketing

Oliver Ahrens  
Marketing – Destination Swakopmund  
Cell: +264 81 497 2045  
Mail: [marketing@destination-swakopmund.com](mailto:marketing@destination-swakopmund.com)

**Logo of the Kwela Dorp van die Jaar**

**Picture of iron wind pump erected on municipal building**





**PROGRAMME SWAKOPMUND KIA MAKIETIE 2019****FRIDAY 6 December 2019**

14:00 – 14:30	LOCAL Dance group
14:30 – 15:00	LOCAL Artist Male
15:00 – 16:00	Wynand & Cheree (Country)
16:00 – 16:30	Wynand & Cheree
16:30 – 17:00	SOUNDCHICKS
17:00 – 18:00	George Langene
18:00 – 18:30	LOCAL artist - female
18:30 – 19:30	Fatman
19:30 – 20:00	LOCAL – artist - male
20:00 – 21:00	Jeanette du Plessis
21:00 – 22:00	Die Campbells
22:00 – 23:00	DJ

Saturday program below.....

**SATURDAY 7 December 2019**

10:00 – 11:00	Ladies Only - with Hannes van Wyk (Strand Hotel Conference Venue perhaps) (Spar as a Sponsor 7777)
11:00 – 12:00	Kiddies entertainment on stage – Lollos
12:00 – 13:00	Celebrity Cook-off with Sanet Prinsloo & the TV Stars
13:00 – 13:30	LOCAL dance group

14:00 – 14:30	SOUNDCHECK – Emo Adams
14:30 – 15:00	LOCAL artist Male
15:00 – 16:00	Franja / Elzma Theron / Wynand & Cheree
16:00 – 16:30	LOCAL Artist
16:30 – 17:30	Fatman
17:30 – 18:00	LOCAL artist - Female
17:30 – 18:30	Dirk van der Westhuizen
18:30 – 19:00	LOCAL Artist – Female (Possibly Jeanelle)
19:00 – 20:00	Willem Botha
20:00 – 21:00	Leah
21:00 – 22:00	Emo Adams & Band
22:00 – 23:30	DJ

Costs as per above for MS:

Juanita du Plessis	-	N\$ 58000.00 plus 3 flights
Fatman	-	N\$ 19850.00 plus 2 flights
Dirk van der Westhuizen	-	N\$ 25000.00 plus 2 flights
Hannes van Wyk	-	N\$ 10000.00 plus 1 flight
Die Campbells	-	N\$ 35000.00 plus 3 flights
Wynand & Cheree	-	N\$ 15500.00 plus 2 flights



## ANNEXURE E

## Pictures of Varslug Flikeks



**Allie Gebhardt**

**Subject:** FW: Swakopmund dorp van die jaar Mblatse  
**Attachments:** Image001.png

**From:** Verleugfleks [mailto:verleugfleks@verleugfleks.co.za]  
**Sent:** 26 June 2019 06:11 PM  
**To:** Allie Gebhardt  
**Cc:** CD Van Rooyen  
**Subject:** Re: Swakopmund dorp van die jaar Mblatse

Good day Allie

Thank you for the opportunity.

We can do any outdoor (Or indoor screening) on our large inflatable screens.  
 We would like to suggest a few options as part of the festival for Swakopmund winning "Town of the Year"  
 Our screens are 9 meters wide and 6.3 meter high.  
 We can only do screenings in the dark or indoors.

Options to consider:

1. All you need is an open space like a sports field with a lawn. People can come with their camping chairs or blankets. It is a fun event for the whole family. You can decide whether they can bring their own picnic baskets, or they can buy from food stalls. Part of the festival can be a movie night where we can start the evening with a slideshow of the history of Swakopmund and pictures of what Swakopmund can offer today. We can also play the video "Yaaria" all make about Swakopmund. We can also play ads of the sponsors involved and a "message from the mayor" on the big screen. The movie for the evening can be anything you choose, like the new "Lion King", the new "Nadder" or anything you suggest.
2. Our screen can be part of any festival event you arrange. We can then play slideshow/video of the history of Swakopmund and its people on the big screen. We have a complete sound system for music. We can also play music videos from popular artists from Namibia and internationally.
3. We can have a movie night(or two) on the beach with all the sponsors and slideshow/video of Swakopmund's history and what it can offer. You can choose the movie. The beach works well because people can sit on the beach or the park next to the beach to watch the beautiful sunset over the beach and the the movie.

We offer a fun event of at least 4-5 hours where the whole family can come. Before the movie we play music, while kids play fun games like hoola-hoop, face painting, line dancing etc. All can indulge in the food that are offered by the food stalls and restaurants.

Remember that we can approach the businesses in Swakopmund to offer advertising on the big screen. This can help cover the cost. Once you decide what event will work for you, we help you plan the detail around it.

*Please let me know what option you think will work. We can then present you with a detailed planning and layout of the event.*

*(I personally think the movie on the beach at The Moai will complement what Swakopmund are, and the options are huge!)*

Please have a look at our Facebook page to see more pictures of what we do: [www.facebook.com/verleugfleks](http://www.facebook.com/verleugfleks)

Regards

CD van Rooyen

Tel: 012 948 1942

Sel: 081 898 4038

E-pos: [cd@verleugfleks.co.za](mailto:cd@verleugfleks.co.za)

Web: [www.verleugfleks.co.za](http://www.verleugfleks.co.za)





11.1.16 APPLICATION BY NAMIBIA PUBLIC WORKERS UNION FOR EXTENSION OF TIME FOR PAYMENT OF THE PURCHASE PRICE FOR ERF 4336, MONDESA

(C/M 2019/08/29 - M 4336, 19.03.02)

Special Management Meeting of 13 August 2019, Addendum 5.1 page 04 refers.

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

1. Introduction

Attached Annexure "A" is a letter dated 5 July 2019 from Namibia Public Workers Union (hereinafter refer to as NAPWU) requesting Council to allow them extension of time to pay the balance of the purchase price (N\$1 576 150.00). NAPWU needs 4 months, i.e. from 9 July 2019 until 11 November 2019.

2. Background

A Closed Bid Sale was held on 8 March 2019 to sell Erf 4336, Mondesa (1 785m<sup>2</sup>) at an upset price of N\$1 350 000.00. NAPWU was the highest bidder among two bidders at a purchase price of N\$1 501 000.00 plus 15% Vat. A copy of the signed Deed of Sale between the parties is attached as Annexure "B". As per Annexure "B" of the Deed of Sale, the due date to secure the purchase price was 8 July 2019.

3. Current Situation

NAPWU made a payment in the amount of N\$150 000.00 inclusive of 15% Vat. Attached as Annexure "C" are copies of the receipts dated 5 July 2019 (N\$130 434.78 under receipt #386889 and N\$19 565.22 under receipt #386890, 15% Vat).

An e-mail dated 5 July 2019 (Annexure "D") was sent to NAPWU acknowledging receipt of the payment and reminding them of the outstanding balance that is due 8 July 2019. A notice, attached Annexure "E" was sent to NAPWU to rectify to breach on or before 29 July 2019.

4. Application for Extension of Time to Perform

Following receipt of the said letter, NAPWU, submitted a letter (Annexure "A") requesting extension of time for 4 months from 8 July 2019 (the date of the notice) until 11 November 2019 to secure the purchase price.

NAPWU motivates their request due to the construction of the new NAPWU Head Office in Windhoek that put pressure on their liquidity.

For Info:

Ms Martha K Naweses was the second highest bidder with an amount of N\$1 468 000.00. In terms of the conditions of sale in case of cancellation of the transaction, the property will be allocated to the next qualifying bidder.

5. Discussion

The Property Section has not yet commenced with the allocation of the next qualifying bidder in line since challenges were expected.

Taking into consideration the difficult economic situation in our country and the motivation by NAPWU it is proposed to allow extension of time to them until **Monday, 11 November 2019** to pay the balance of the purchase price for the erf in question. The sale is subject to interest charges in the amount of **N\$49 284.02** for period from **9 July 2019** until date of registration, **11 November 2019**. The interest calculated by the Finance Department is attached as **Annexure "F"**.

Should the registration of the property takes place before **11 November 2019**, the interest charge be recalculated and NAPWU be responsible for payment of such.

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

RECOMMENDED:

- (a) That Council takes note of the request and motivation by Namibia Public Workers Union (hereinafter refer to as NAPWU) and allow them extension of time of 6 months to secure the balance of the purchase (N\$1 576 150.00) for Erf 4336, Mondesa.
  - (b) That interest be applicable at a rate of 10.5% for the period 09 July 2019 until date of registration.
  - (c) That Council takes note that the interest charge from 09 July 2019 until 31 January 2020 amounts to N\$81 220.07.
  - (d) That should the transfer of ownership takes place earlier than 31 January 2020, the interest be recalculated.
-

## ANNEXURE "A"



## NAMIBIA PUBLIC WORKERS UNION (NAPWU)

P.O. Box 10000

M 4330 WINDHOK

NAMIBIA

Tel: 061 261861 / 061 212114 / 061 219807 / 061 262088

Fax: 061 262087

e-mail: [info@napwu.org.na](mailto:info@napwu.org.na)

B

The Chief Executive Officer  
Swakopmund Municipality  
P O Box 33  
Swakopmund

MUNICIPALITY OF SWAKOPMUND
2019-07-15
ARCHIVED

09 July 2019

Dear Mr Benjamin

**REQUEST FOR AN EXTENSION : ERF 4336 MONDESA**

NAPWU bought the above-mentioned erf (4336, Mondesa) through a closed bid sale held on 8<sup>th</sup> March 2018, at a price of NS 1, 500, 000-00, plus 15% vat (NS 225 150-00).

The total purchase price inclusive of vat is NS 1, 726, 150-00.

NAPWU as a buyer, was given until 9<sup>th</sup> July 2019 to pay the required amount before the property is transferred into its name.

To date, NAPWU has paid NS 150 000-00 of the purchase price as we were busy with the construction of NAPWU new Head Office in Windhoek.

The Construction of NAPWU new Head Office has been completed, but the same has put a bit of pressure on our liquidity.

Given the above, NAPWU is kindly requesting the relevant Council to give us another extension of four (4) calendar months from the 9<sup>th</sup> July 2019 and stay the interest charges given this request.

Your favorable consideration will be highly appreciated

Yours Sincerely

P T Nenge  
General Secretary





**Due to the voluminous content - the attachments are available on file.**

11.1.17 REQUEST FOR EXTENSION OF TIME TO SECURE THE PURCHASE PRICE FOR ERF 7159, MONDESA BY ANGELIQUE INVESTMENT CC  
(C/M 2019/08/29 - E 7159)

Special Management Meeting of 13 August 2019, Addendum 5.3 page 37 refers.

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

1. Application

The attached letter dated 31 July 2019 (Annexure "A") was received from Angelique Investment CC requesting Council to be granted an opportunity to pay on instalment basis for a period of three (3) years or to be granted an additional extension of time of a further twelve (12) months to secure payment for Erf 7159.

The initial date of sale for Erf 7159, Mondesa was 02 December 2017.

Council on 28 February 2019 under item 11.1.23 granted an extension of time to secure the purchase price as follows:

*That the application by Messrs Angelique Investment CC for an additional extension of time of 6 months, i.e. from 01 March 2019 until 02 September 2019 subject to interest calculated from 02 December 2017, be approved.*

The initial due date for payment was Monday, 02 April 2018 (Tuesday, 03 April 2018, Monday being a public holiday). In terms of the above Council resolution the extended due date is 01 March 2019.

The sale is subject to interest levied at 10.5% from 02 December 2017 until date of transfer in case the transfer is not registered on 01 September 2019.

2. Background

Council on 28 March 2018 under item 11.1.21 granted an extension of time to secure the purchase price and it was resolved the follows:

- (a) That Messrs Angelique Investments CC be granted an extension of time to secure the purchase price for Erf 7159, Extension 26, Swakopmund, until 01 March 2019.
- (b) That Messrs Angelique Investments CC be reminded that the purchase price for the property is N\$1 265 400.00 and interest calculated from 02 December 2017 until 01 March 2019 amounts to N\$165 264.87.
- (c) That Messrs Angelique Investments CC be informed that the purchase price must be secured by 01 March 2019 as no further extensions will be granted.



- (d) That an addendum to the deed of sale be compiled effecting the above extension of time.

Messrs Angelique Investment CC was informed of the purchase price and 120 days payment period in writing on **05 October 2017** (6 months prior to the payment due date). On **01 November 2017** the purchaser in writing confirmed acceptance of the conditions of sale and the purchase price.

The proposed sale was advertised as required in terms of the Local Authorities Act 23 of 1992 under Notice 59/2017. At the closing date of **02 December 2017** no objections were received. The closing date for objections is regarded as the date of sale from which date the 120 days are being calculated.

The deed of sale was signed on **17 January 2018**. In terms of the deed of sale if the purchase price is not secured by **03 April 2018** the purchaser will received 21 days' notice to rectify the breach. If not rectified the transaction would be automatically cancelled.

A letter dated **02 March 2018** was received from Angelique Investment CC requesting Council to grant an extension of time of six months to secure payment for Erf 7150, Mondesa sold on **02 December 2017**.

As stated under point 1 above, Council on **28 March 2018** under item 11.1.21 granted an extension of time to secure payment until **01 March 2019**.

### 3. Challenges with Long Extensions

It should be kept in mind that the granting of extensions of time to secure purchase prices negatively affects Council's financial position and places pressure on the cash flow for operating and capital expenditure. For example, Council paid N\$3 386 723.00 to NHE for the erven in Extension 10. The erven were sold by private treaty instead of closed bid whereafter extensions of time were granted for the payment of the purchase prices; resulting in Council not earning income for an extended period effectively subsidizing the purchase price to the private purchasers.

On 09 May 2019, the Management Committee under item 10.1 discussed the Council's outstanding income due to granting extensions of time to perform and resolved the following:

*That the outstanding amount of N\$ 67 472 289.97 resulting from extensions being granted to secure the purchase price of land by the purchasers, be noted.*

Messrs Angelique Investment CC is one of the purchasers with outstanding amount due to extensions of time granted.

Council sells large numbers of erven and the granting of extensions can result in inconsistent treatment of the public and hampers the prompt finalization of transactions.

4. **Discussion**

Messrs Angelique Investment CC is requesting to pay in instalments over a period of three (3) years or an extension of time for a further twelve (12) months to secure payment, as discussed below:

a) **Instalments over a period of three (3) years**

Neither the Property Policy or the Deed of sale signed between Council and Messrs Angelique Investment CC on 17 January 2018 does not make provisions for payment by way of instalment.

b) **12 months extension**

If a 12 months extension is granted, the due date to secure purchase price will be **01 September 2020**.

The purchase price in the amount of N\$1 285 400.00 will attract interest from **02 December 2017** until **01 September 2020**.

Both of these options create dangerous precedents and will expose Council to unnecessary risks.

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

**RECOMMENDED:**

- (a) That Council takes note of the application of extension of time by Angelique Investment CC.
  - (b) That Messrs Angelique Investment CC be informed that the Property Policy and the Deed of sale signed with Council on 17 January 2018 does not make provisions for payment by way of instalment.
  - (c) That Messrs Angelique Investment CC be granted twelve (12) months to settle the purchase price the due date being 01 September 2020 subject to interest calculated from 02 December 2017.
  - (d) That no further extension of time will be granted.
-

*M. van der Merwe  
Municipality of Sedgebong  
21/08/19*

**ANGELIQUE INVESTMENT CC**

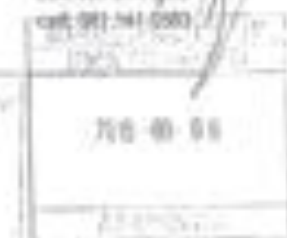
P.O. Box 2174  
Sedgebong

info@angeliqueinvest.co.za

cell: 083 314 9855  
cell: 081 741 0580

Chief Executive Officer  
Municipality of Sedgebong  
P.O. Box 33  
Sedgebong

Attn: Ms. A. Benjamin



Date: 31 July 2019

Dear Sir,

**RE: ERZ 7159, MONDISA, MESSRS ANGELIQUE INVESTMENTS CC.**

The above-mentioned subject has reference:

Subsequently following our request letter dated 8 February 2019 and approval granted there offer we further more hereby wish to request for further extension of time to secure funds to acquire and purchase Erf 7159, Ext. 26, Mondisa, Sedgebong.

The inception concept is to cater for affordable housing within our community and in order to contribute to the National Development Plan. Since the approval our technical team has offered to all technical related matters regarding the project and our marketing team has been busy with the marketing since offer, sadly the outcome is quite low and which makes it quite difficult to secure enough guarantees and all of this merely caused by the Economic downturn and the closing down of mines within the surroundings of our beautiful town Sedgebong.

According to our Marketing team the market has indicated that the client are not likely to commit to any similar development at the stage and that is why you would see a lot of even remain undeveloped especially the General Residential zones within the same vicinity. Therefore the of this stage the financiers are not too keen to finance any similar development until a certain percentage is achieved in terms of guarantees.

However the financial institutions remains optimistic and positive, that the economy is slightly reflecting changes towards a positive direction.





We do take note of the content in the Deed of Sale however with the above said you would agree that we would require a different approach in this regard.

We therefore propose the following for your good consideration:

1. Council to allow us to make a down payment and grant us the opportunity to fully pay back the DfI in question at least within 3 years.

Or

2. Council to further grant us of least another 12 months in order to secure funding and make a payment in full.

It is quite sad to see the entire country is hugely affected by the economic downturn and that the most affected industry is the house and construction.

We hereby kindly request your esteemed office to consider our proposal as the way forward.

Thank you well in advance.

For Angolique Investment CC.

Yours faithfully,

  
M.D. Noutalondo

