



MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Thursday, 27 June 2019 at 19:00.**

PRESENT:

Councillor M Elago	:	Deputy Mayor
Councillor E Shitana	:	Chairperson of MC
Councillor A M Marsh	:	Member of Management Committee
Councillor N N Salomon	:	Member of MC
Councillor W O Groenewald	:	Alternate Member of MC
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 C Lawrence	:	GM: Health Services
Mr V S Kaulinge	:	Acting GM: Community Development Services
Ms G Mukena	:	Acting GM: Finance
Mr L Mutenda	:	Manager: Health
Ms M Bahr	:	Manager: Human Resources
Mr A Plaatjie	:	Manager: Corporate Services
Mr H Kanandjembo	:	Head: Procurement
Mr J Heita	:	Manager: Town Planning
Mr A Strauss	:	Manager: Works
Ms A Gebhardt	:	Corporate Officer: M & C
Mr U Tjiurutue	:	Corporate Officer: Admin
Ms D Hanes	:	P A to the Mayor
Ms A A Kahuika	:	Administrative Officer

ALSO PRESENT:

Also present was the constituency Councillor, Honourable Juuso Kambushe, three (3) staff members receiving long service awards, two (2) members of the Media, and forty one (41) Members of the public.

1. OPENING BY PRAYER

Pastor Gustav Kamatoto 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 W O Groenewald it was:

RESOLVED:

That the agenda be adopted.

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

3.1 Application for leave of absence:

Councillor P Nashilundo	-	Approved
Councillor K N Jason	-	Approved
Councillor E K Hangula	-	Approved
Alderman E //Khoaseb	-	Approved

3.2 Declaration of interest:

Councillor M Elago	-	Item 11.1.6
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4. **CONFIRMATION OF MINUTES**

(C/M 2019/05/23 - A 2/3/5)

4.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 23 MAY 2019**

On proposal of Councillor U Kaapehi seconded by Councillor N N Salomon it was:

RESOLVED:

CO: A
GM: CS&HR

That the minutes of the Ordinary Council Meeting held on 23 May 2019, be confirmed as correct.

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

(C/M 2019/05/23 - A 2/3/5)

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

Honourable Councillors, Pastor Gustav Kamatoto, The Chief Executive Officer, Mr. Alfeus 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 a warm welcome to our June Council meeting. As Council, we are grateful to all of you who made effort to join us this evening.

Before we proceed, let me share with you a scripture from the Book of 1 Corinthians, Chapter 3 from verse 8-9, and it reads "The one who plants and the one who waters have one purpose, and each will be rewarded according to their own labor. For We are God's fellow workers; You are God's field, God's building.

Ladies and Gentlemen

The Office of the Mayor is tasked with various official engagements, therefore, the Mayor and the Councillors attended to the following engagements during June 2019:

- *Karibib Travel and Tourism Expo's official opening ceremony, Karibib*
- *Mass Housing Development Programme Meeting at the Office of the Governor, Swakopmund*
- *Africa Cub Inline Hockey opening ceremony, Swakopmund*
- *Opening ceremony of Swakop Food festival, Swakopmund*
- *Memorial service of Late Honourable Dr. Nickey Iyambo, Former Vice President of Namibia, Windhoek*
- *Perivoli School Trust Graduation Ceremony, Swakopmund*
- *Launch of the Project Shine Campaign, Swakopmund*
- *State of the Region Address, Swakopmund*

- Namibia Tourism Expo official opening, Windhoek
- NNMF Exco Meeting, Gobabis
- Lions Old Age Home Awards ceremony, Swakopmund
- Launch of the Human Rights Campaign, "The Journey", Windhoek
- Launch of the Refela Chapter, ALAN, Otjiwarongo
- The Prinzenball of the Swakopmunder karneval
- We attended the official opening of the Ehao Cultural Festival in Okahao.
- Consultative meeting for the National Social Public Policy formulation with the Ministry of Poverty Eradication and Social Welfare, Swakopmund
- Resilient Cities 2019, Bonn, Germany
- Various in-house meetings

Thank you Honourable Councillors for your dedication and commitment in fulfilling some of the duties of the Mayor's Office.

Ladies & Gentlemen

The country has been confronted with severe drought and earlier this year, His Excellency, Dr. Hage Geingob, the President of the Republic of Namibia, has declared drought as a national crisis. Thus, it is critical that we manage this drought crisis by working together to save water. To do that, we each need to learn to value water.

Encouraging water conservation may be one of the most important things we can do to protect our vital natural resources and even our very existence on this earth. Every effort we take to conserve water will make a huge difference and will help to ensure that one of our most precious resources continues to be preserved for future generations. As Council, we hereby call on everyone to work with together to manage the water shortage crisis and to preserve our water! The Council at its meeting on 23 May 2019, approved the new basic tariff of N\$126,50c for water supply by Namwater and noted the importance to encourage our community to save water. Thus, we hereby announce that there will be an increase in water charges on your municipal account as from the 1 July 2019.

Ladies and Gentlemen,

On the 5th of June, we celebrated the 10 year anniversary of the Project Shine Campaign. The Campaign, which was launched on World Environmental day 10 years ago, comprises of two components namely; the Clean-Up Campaign and an Awareness/Education Campaign. The Clean-Campaign was initially aimed at cleaning the main road from Swakopmund to Arandis, but has since been extended to the beaches from Swakopmund to Henties Bay, the Swakop River and certain areas of the desert east of Swakopmund. The Awareness component of the project further focuses on creating awareness about understanding sustainability on a fundamental level and in that we continuously promote and accentuate the importance of a clean environment, the benefits of recycling and contributing to the social improvement of our town.

The Clean-Up Campaign commenced on the 1st of June 2019 and will end on the 30 November 2019 whilst the Awareness campaign is an ongoing activity. Eighty to ten (8-10) groups were selected from non-profit organizations to participate in cleaning the town of Swakopmund. Each participating group has been allocated a ward and they need to ensure that their ward is clean and maintained for a period of 6 months. These wards stretch from about 10-20km. All participating groups are expected to submit a monthly activity report on waste removed and this will be used as a tool by the evaluators during the monthly inspections. The evaluation team consists of representatives from the Ministry of Environment and Tourism, Municipality of Swakopmund, Rossing Uranium/Rio Tinto, Roads Authority and NACOMA.

This initiative serves as evidence that as the community of Swakopmund, we are determined to work towards sustainability as we adopt systematic and strategic approaches in practicing sustainable principles.

Ladies and Gentlemen, Fellow Councillors

May I, on behalf of Council, use this platform to express our heartfelt gratitude to our valuable sponsors, who since the launch of this Campaign have been committed to ensure its success.

These companies are; Namibia Breweries Ltd, Rio Tinto/Rössing Uranium, NACOMA Project, Bannerman Resources Namibia, First National Bank and Plastic Packaging Namibia joined forces and contributed immensely towards the growth of this Campaign. Their valuable contribution and participation in the Campaign is highly praiseworthy.

Ladies and gentlemen,

In our efforts to improve our payment services, the Council has compiled and is conducting a Customer Payment Survey for our valued clients, in order to find out which payment methods are convenient for their use. We observed the excessively long queues at the Cashier during a specific time frames in a month, thus we realized that it was important to share with the public, the various payment methods which are available to be used when paying for their Municipal bills. The current methods available range from:

- *Cash / Debit / Credit Card (at the Cash hall)*
- *Cell Phone Banking*
- *ATM Transfer / Payments*
- *Online / Internet Banking Payments (Electronic Fund Transfer)*
- *Debit Order*
- *Bank deposit inside the Bank*
- *Deposit at the ATM*
- *Cellphone App (pay Today)*

We therefore encourage our valuable clients to peruse the Survey and enquire at the Cashier about the available payment methods.

As the Council, we strive to serve with excellence and thus we continuously try to improve on our service delivery.

Honourable Councillors, Ladies and Gentlemen

On a very delightful note, I am proud to announce that on the 16th of June 2019, Swakopmund was officially proclaimed as the Kwela Town of the Year ("dorp van die jaar") 2019. I was overjoyed about this great news and I believe that this is our time to extend our shining gleams to the global world. Council wishes to express its appreciation to all the Councillors, Management, staff, stakeholders, residents, fellow Namibians and visitors who worked diligently during this campaign, activations and for casting their votes for our town. We would specifically like to commend the Swakopmund Destination, Namibia Hospitality Association and our Marketing division, who worked tirelessly in ensuring that we won the award this year.

Competing against South African cities and/ towns was challenging due to the population size difference, but we as the Namibian nation once again proved that when united, we can reach higher elevations.

I would like to encourage my fellow Councillors and municipal staff to continue promoting our town to attract more visitors and investors as this is one of the ways in which we can boost our economy and create more job opportunities for our fellow Namibians.

The prize for being the Kwela Town of the Year is advertising airtime to the value of One million Namibian dollars (N\$1 000 000) on Kyknet. Please take note that the Council or the Swakopmund town will not receive the prize in cash, but it will be only be used to advertise and promote the local businesses which vary from SMEs, MSMEs and private organisations. These advertisements will contribute towards attracting more national and international visitors and investors for the town. The exposure will also assist in marketing our town as the best tourism hub and an increase in tourism activities could greatly benefit our economy.

Moreover, the organisers (Homebrew Films), will host a big bash for Swakopmund. On behalf of Council, we are inviting the community to the Makiti (Big Bash) featuring famous artists, entertainment, and different stalls for local entrepreneurs. The event will take place in December and we will share more details at a later stage through various communication methods available. Congratulations Swakopmund on your well-deserved wining.

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

6.1 Long Service Awards

Ladies & Gentlemen

We hereby would like to acknowledge the following staff members and present them with long service awards. These staff members in their respective positions have shown commitment and loyalty to the Municipality through their long service and we as Council would like to express our sincere gratitude for their time and contributions to develop this Municipality and transform it into what it is today. The staff members are as follows:

15 YEARS SERVICE

Lydia Mutenda

20 YEARS SERVICE

*Annalize Jacobs
Alden Strauss*

May you all continue to serve with loyalty and help us grow our institution as we jointly serve our community.

Ladies & Gentlemen

Thank you for your undivided attention. May you all have a wonderful evening ahead.

Maria Elago

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 **13 June 2019** and **Special Management Committee** of **23 May 2019**.

11.1.1 **EXTENSION 14, SWAKOPMUND, SALE OF 14 DECEMBER 2018:**

① CANCELLATIONS

② APPLICATIONS FOR EXTENSION OF TIME

(C/M 2019/06/27 - G 3/3/2/14, E 2623 V, E 4912, 4913, 4916, 4917, 4921, 4955, 4956)

RESOLVED:

CO: P
GM: CS&HR

- (a) That the transactions in respect of the following erven sold on 14 December 2018, be cancelled due to non-performance by the due date of 13 May 2019:

<i>Erf</i>	<i>Surname</i>	<i>Name</i>	<i>Comments</i>	<i>Purchase Price less N\$5 000.00 Reg. Fee</i>
2623	Kambonde	Andreas Mekondjo	No Payment	907 000.00
4912	Olivier	Jaco Martin	No Payment	464 352.00
4913	Potgieter	Anita	No Payment	736 001.00
4916	Meyer	Trevor Douglas	No Payment	625 000.00
4917	Meyer	Edward	No Payment	625 000.00
4956	Junius	Enrico Jurgen Venancio & C Margaret	No Payment	812 000.00

- (b) That the above cancelled erven be offered to the next qualifying bidders listed for as provided for in the Conditions of Sale.
- (c) That extension be given to the following bidders for payment of the purchase price, subject to interest:

<i>Erf</i>	<i>Surname</i>	<i>Name</i>	<i>Comments</i>	<i>Purchase price - N\$5 000.00 Reg. Fee</i>
4921	Thomas	Victory	Request Ext of Time until <u>30 Sept 2019, 5 months, Annexure "A"</u>	695 999.99
4955	Iyambo	Leana Nahenda	Made Part Payment of N\$70 875.30. Request Ext of Time until <u>30 Sep 2019, 5 months, Annexure "B"</u>	637 877.73

11.1.2

CANCELLATION CONFIRMATION: VARIOUS ERVEN OF THE SALES OF EXTENSIONS 34 AND 35 (2017)

(C/M 2019/06/27 - E 9027, E 9037, E 9094, E 8953, E 9069, 9073)

CO: P GM: CS&HR

RESOLVED:

- (a) That Council confirms the cancellation of the following transactions and the erven be offered to the next qualifying bidders:

	<i>Erf #</i>	<i>Purchaser</i>
1	9027	Ms L Shipiki
2	9037	Mr S Unaeb
3	9094	Ms C De Jay
4	8953	Ms D V Dandago
5	9073	Ms J Kazombaruru

- (b) That Council accepts the payment of the balance on 10 May 2019:

	<i>Erf #</i>	<i>Purchaser</i>	<i>Initial Due Date</i>	<i>Status</i>
1	9069	Ms A K Uushona	12 Mar 2019	Made part payment before 30 April 2019, and paid the balance and interest on 10 May 2019.

11.1.3

MESSRS POWERCOM (PTY) LTD: APPEAL TO COUNCIL REGARDING NEW RENTAL AND WAIVER OF BACKDATED INVOICE

(C/M 2019/06/27 - T 507, G 4/2/2/2)

CO: P GM: CS&HR

RESOLVED:

- (a) That Messrs PowerCom (Pty) Ltd be informed that Council considered their application to be levied the rental tariff applicable to the expired lease period but resolved to remain with its decision passed on 26 July 2018 under item 11.1.3 and on 22 November 2018.
- (b) That the increased lease tariff not be applicable from lapsing of the previous lease period of 31 May 2017, but from the date when Council approved the renewal, being 26 July 2018.
- (c) That Messrs PowerCom (Pty) Ltd be advised to consider reducing the size of land they are currently leasing in order to acquire lower tariff.
- (d) That Messrs PowerCom (Pty) Ltd be requested to pay the required advertising cost in order to proceed with the publication of the intention to renew the lease period as required in terms of the Local Authorities Act, Act 23 as amended.

- 11.1.4 **PROPOSAL TO CANCEL THE SALE OF A PORTION OF THE REMAINDER OF ERF 577, TAMARISKIA TO BRG BIOKINETICS INC.**
(C/M 2019/06/27 - T 577; 19.03.03)

RESOLVED:

CO: P
GM: CS&HR

That the sale transaction of BRG Biokinetics Inc. to purchase a Portion of the Remainder of Erf 577, Tamariskia be cancelled.

- 11.1.5 **ALLOCATION OF ERF 1239, EXTENSION 3, TAMARISKIA TO A QUALIFYING INSTITUTION**
(C/M 2019/06/27 - T 1239)

RESOLVED:

CO: P
GM: CS&HR

- (a) That Council takes note of all development proposals received.
- (b) That Council takes note that only two development proposals were received on time (of the four, two were delivered after the closing time).
- (c) That Council allocates Erf 1239, Tamariskia to Namibia Training Foundation.
- (d) That the purchase price for Erf 1239, Ext 3, Tamariskia be N\$158 550.00 as provided for in the Property Policy.
- (e) That the institution nominated develop either a private school, pre-primary school, kindergarten or a crèche.

- 11.1.6 **EXTENSION 13, MATUTURA: MESSRS MATSI INVESTMENT CC**
(C/M 2019/06/27 - 16/1/4/2/1/14, 19.03.12, 14/1/1/4)

During the discussion of the item, Councillor Maria Elago declared her interest and left the chamber.

RESOLVED:

CO: P
GM: CS&HR

- (a) That the request by Messrs Matsi Investment CC for the allocation of additional 3 erven located in Extension 13, Matutura be turned down.
- (b) That Council remains with its decision passed on 22 November 2018 under item 11.1.35 in terms of which 48 erven zoned “*Single Residential*” were allocated to them.
- (c) That Messrs Matsi Investment CC be advised to re-apply once they have performed in terms of their current objectives.

11.1.7 **EXTENSION 26, SWAKOPMUND: AMENDMENT OF COUNCIL RESOLUTION AND RESERVATION OF ERVEN FOR BUILD TOGETHER PROJECT**

(C/M 2019/06/27 - H 5/7, M 7101, M 7102, M 7104)

RESOLVED:

CO: P
GM: CS&HR

- (a) That points (b) and (c) of Council's resolution under item 11.1.3 of 31 March 2016 be repealed:

(b) *That the Engineering Services Department attends to the rezoning of Erf 7101, 7102, 7104 to 'Local Business' and it be sold by Closed Bid sale to the public following the completion of this process.*

(c) *That the Engineering Services Department attends to the rezoning of Erf 7103 to 'Local Authority'.*

- (b) That Erven 7101, 7102 and 7104 (*once vacated by Messrs Mervin Dennis Domestic Solution CC*) located in Extension 26 be allocated to the Build Together Project.
- (c) That the allocation of Erven 7101, 7102 and 7104 to build together beneficiaries be re-submitted to Council.

11.1.8 **REQUEST TO REDUCE SELLING PRICE FOR THE DECENTRALISED BUILD TOGETHER ERVEN SITUATED AT EXTENSION 26 MONDESA**

(C/M 2019/06/27 - H 5/3)

RESOLVED:

Acting GM: CDS

- (a) That Build Together Beneficiaries recognize the reduction on their erf prices given by Council from N\$109.91/m² to N\$65.00/ m².
- (b) That Council remains with the rates provided for the sale of erven at Extension 26, Mondesa for Build Together beneficiaries as per resolution of 31 August 2016 which rates have been projected considering the increased development costs as well as the loan Council used to service the erven in question which also have to be reimbursed.

11.1.9 **SURRENDERING OF BUILD TOGETHER ERF BY APPLICANT WHO BENEFITED FROM MASS HOUSING DEVELOPMENT PROGRAMME**

(C/M 2019/06/27 - H 5/3)

RESOLVED:

Acting GM: CDS
GM: F

- (a) That Council takes note of the written confirmation by Ms Nonrite Naris to cancel her agreement with regard to Erf 7121, Mondesa because she bought a house on Erf 2419, Matutura under the Mass Housing Development Programme.
- (b) That all Municipal charges pertaining to Erf 7121 Mondesa for the period 26 January 2018 to 11 January 2019 be transferred to erf 2419, Matutura.

- (c) That the loan and Erf 7121 Mondesa, initially allocated to Ms N Naris be allocated to Ms Gustafine Kharuxas, (ID 77090710173).
- (d) That should the deed search prove that Ms Gustafine Kharuxas is not a first time property owner, all transactions between Council and her be cancelled and she be ordered to return the erf to Council.

11.1.10 **ERF 8932, SWAKOPMUND: APPLICATION FOR EXTENSION OF TIME TO PERFORM**

(C/M 2019/06/27 - M 8932)

CO: P
GM: CS&HR

RESOLVED:

That Council grants Ms H Shilumbu an extension of time until 31 August 2019 to secure the purchase price for Erf 8932, Swakopmund subject to interest.

11.1.11 **APPLICATION BY COASTAL VETERINARY CLINIC CC TO PURCHASE A PORTION OF THE REMAINDER OF ERF 577, TAMARISKIA**

(C/M 2019/06/27 - T 577; 19.03.03)

CO: P
GM: CS&HR

RESOLVED:

- (a) That Council approves the application by Coastal Veterinary Clinic CC to purchase a portion of the Remainder of Erf 577, Tamariskia measuring approximately 2 200m².
- (b) That the sale of the portion of land be for the development and establishment of a Medical / Para-medical Facility.
- (c) That the purchase price of a portion of the Remainder of Erf 577, Tamariskia be N\$1 815 000.00 (N\$825.00/m² x 2 200m² = N\$1 815 000.00), 15% VAT excluded.
- (d) That the transaction 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 sale and purchase price, failing which Council's resolution will be revoked at the next Council meeting following the expiry of the 90 days.*
 - (iii) *That any remainder of the deposit in (i) above be refunded to the purchaser on completion of the transfer of the erf.*
 - (iv) *That all costs related to the transaction be for the account of the purchaser.*
 - (v) *That upon finalization of the statutory process in point (d) (iii) below, 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.*

- (vi) *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.*
 - (vii) *That payment of the purchase price be secured either in cash or formal bank guarantee in favour of the Swakopmund Municipality within 120 days from the 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 120th 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.*
 - (viii) *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.*
 - (ix) *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.*
 - (x) *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.*
 - (xi) *That no development or construction be permitted to commence until the statutory processes have been completed and the erf is transferred.*
 - (xii) *That the purchaser constructs 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;*
 - (xiii) *That the said improvements be completed within 24 months (2 years) from date of transfer.*
 - (xiv) *That the property may not be alienated unless a completion certificate is issued in respect of the structural improvements, referred to in (xi) above. This restraint of alienation is to be registered against the title deed of the property.*
 - (xv) *The agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of receipt thereof by the purchaser.*
 - (xvi) *That the purchaser indemnifies Council against any claims resulting from blasting, should blasting need to be done.*
 - (xvii) *That the purchaser being an entity 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 entity remains the same until the transfer takes place and they have complied with all conditions of sale.*
- (e) **That the following special conditions of sale approved by Council on 31 May 2017, item 11.1.18 and 26 July 2018, item 11.1.5; be applicable:**
- (i) *That Coastal Veterinary Clinic CC extends all services from the existing infrastructure to the newly created erf at their own expense.*

- (ii) *That a Right of Way servitude be registered in favour of the newly created erf against the existing access road giving access to the Remainder of Erf 577, Tamariskia.*
- (iii) *That the following statutory processes be finalized by the developer upon acceptance of the conditions of sale and purchase price by Coastal Veterinary Clinic CC at the cost of the purchaser:*
- (1) *Closure of a portion of the Remainder of Erf 577, Tamariskia in terms of Section 50 of the Local Authorities Act.*
 - (2) *Subdivision of Erf 577, Tamariskia into a newly created Erf.*
 - (3) *Rezoning of the newly created Erf from "Local Authority" to "General Business"; that no betterment fee be charged as the purchase price was determined assuming a zoning of "General Business".*

11.1.12 **INTERLOCK PAVING OF THE APRON**
(C/M 2019/06/27 - 18/1)

GM: ES GM: F

RESOLVED:

- (a) That permission be granted to the General Manager: Engineering Services to use the funds from the following votes to pave the Apron at the Aerodrome:
- 202631635600 - Upgrading of terminal building
 - 202631635700 - Fence replacement
 - 202633032200 - Upgrading ablution facilities & electricity
- (b) That the General Manager: Finance be granted permission to transfer the amount of N\$375 818.52 in vote 202631635600 - Upgrading of terminal building from the 2018/2019 financial budget to the 2019 / 2020 financial budget.
- (c) That the General Manager: Finance be granted permission to transfer the amount of N\$500 000.00 in Vote 202631635700 - Fence replacement from the 2018/2019 financial budget to the 2019 / 2020 financial budget.
- (d) That the General Manager: Finance be granted permission to transfer the amount of N\$410 916.51 in Vote 202633032200 - Upgrading ablution facilities & electricity from the 2018/2019 financial budget to the 2019 / 2020 financial budget.
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11.1.13 **CESSION OF THE RIGHT TO HANGAR 67**
(C/M 2019/06/27 - Hangar 67)

CO: P
GM: CS&HR

RESOLVED:

- (a) That Council approves the cession of the rights of Hangar 67 from Mr Jurgen Paul Gossow to Mr A P Ferreira, subject to the standard lease conditions for hangars at the aerodrome.
- (b) That the approval be subject to Jurgen Paul Gossow's lease account is up to date (at the closing date for submissions the hangar rental account was fully paid up).

11.1.14 **ENCROACHMENT OF THE STREET RESERVE BY A BALCONY OF THE BUILDINGS ON ERF 301, SWAKOPMUND**
(C/M 2019/06/27 - E 301)

GM: ES

RESOLVED:

That the Council Resolution of 22 November 2018, under Item Number 11.1.14 be revoked and be replaced with this Council Resolution:

- (a) That Council condones the actions of the General Manager: Engineering Services.
- (b) That it be noted that the Swakopmund Town Planning Scheme allows for encroachments only for the sites which are zoned "General Business".
- (c) That only encroachments that are minor in nature and do not extent more than 0.5 metres over a street or other public space be accepted and permitted for sites which are zoned "General Business" during construction or approval of building plans.
- (d) That Sam Nujoma Avenue be subdivided into Portion A approximately 11.31m² in extent and Remainder Street as shown on the Subdivisional Plan dated May 2019.
- (e) That Otavi Street be subdivided into Portion B approximately 5m² in extent and the Remainder as shown in the Subdivisional Plan dated May 2019.
- (f) That the owner of Erf 301, Swakopmund be informed and allowed to purchase Portions A of Sam Nujoma Avenue and B of Otavi Street.
- (g) That the owner of Erf 301, Swakopmund be responsible for the Environmental Impact Assessment in terms of the Environmental Management Act, Act 7 of 2007, as amended.
- (h) That Portions A of Sam Nujoma Avenue and B of Otavi Street be permanently closed as "Street" in terms of Section 50 (1) of the Local Authorities Act, Act 23 of 1992, as amended.
- (i) That the owner of Erf 301, be responsible for the advertisement procedures which include preparing the adverts and inserting the notices in the media, including the Government Gazette, placing copy on site and distribution to affected neighbours and costs pertaining to these procedures be for the purchaser's account.

- (j) That proof of advertisement be provided to the General Manager: Engineering Services before the sale agreement is signed.
- (k) That Portions A of Sam Nujoma Avenue and B of Otavi Street be consolidated with Erf 301, Swakopmund.
- (l) That Portions A of Sam Nujoma Avenue and B of Otavi Street assume the same zoning as Erf 301, Swakopmund.
- (m) That a right of way servitude equivalent to Portions A of Sam Nujoma Avenue and B of Otavi Street in favour of the public be registered over the newly consolidated erf.
- (n) That the owner of Erf 301, Swakopmund be responsible for all town planning and cadastral procedures such as application to Townships Board, land surveying and registration of the newly consolidated erf and a right of way servitude.
- (o) That the current Title Deed conditions registered against Erf 301, Swakopmund be retained and be registered against the newly consolidated erf.
- (p) That upon agreement and acceptance of the Council conditions, a purchase price for the Portions A of Sam Nujoma Avenue and B of Otavi Street be determined by the Council's valuator and any other competent valuator to be nominated by the owner of Erf 301, Swakopmund.
- (q) That the owner of Erf 301, Swakopmund be granted a Power of Attorney to act on behalf of the Swakopmund Municipality Council to lodge all necessary planning, closure and cadastral procedures pertaining to the subdivision of Sam Nujoma Avenue and Otavi street and consolidation thereof.
- (r) That all cost involved should be for the account of the owner of Erf 301, Swakopmund.
- (s) That delegated powers be granted to the General Manager: Engineering Services and Manager: Town Planning, to condone minor encroachments (not more than 0.5 m in depth) for the purpose of Sectional Title Schemes registration on sites zoned "*General Business*".

11.1.15 **ENCROACHMENT OF THE STREET RESERVE BY A BALCONY OF THE BUILDINGS ON ERF 113, SWAKOPMUND**
(C/M 2019/06/27 - E 113)

RESOLVED:

GM: ES

That the Council Resolution of 31 August 2017, under Item 11.1.19 be revoked and be replaced with this Council Resolution:

- (a) That Council condones the actions of the General Manager: Engineering Services.
- (b) That it be noted that the Swakopmund Town Planning Scheme does not allow for encroachments for the sites which are not zoned "*General Business*".

- (c) That only encroachments that are minor in nature and do not extent more than 0.5 metres over a street or other public space be accepted and permitted for sites which are zoned "*General Business*" during construction or approval of building plans.
- (d) That Werft Street be subdivided into Portion A approximately 2.28m² in extent and Remainder Street as shown on the subdivisional Plan dated May 2019.
- (e) That the owner of Erf 113, Swakopmund be informed and allowed to purchase Portion A of Werft Street.
- (f) That the owner of Erf 113, Swakopmund be responsible for the Environmental Impact Assessment in terms of the Environmental Management Act, Act 7 of 2007, as amended.
- (g) That Portion A of Werft Street be permanently closed as "*Street*" in terms of Section 50 (1) of the Local Authorities Act, Act 23 of 1992, as amended.
- (h) That the owner of Erf 113, be responsible for the advertisement procedures which include preparing the adverts and inserting the notices in the media, including the Government Gazette, placing copy on site and distribution to affected neighbours and costs pertaining to these procedures be for the purchaser's account.
- (i) That proof of advertisement be provided to the General Manager: Engineering Services before the sale agreement is signed.
- (j) That Portion A of Werft Street be consolidated with Erf 113, Swakopmund.
- (k) That Portion A of Werft Street venue assume the same zoning as Erf 113, Swakopmund.
- (l) That a right of way servitude equivalent to Portion A of Werft Street in favour of the public be registered over the newly consolidated erf.
- (m) That the owner of Erf 113, Swakopmund be responsible for all town planning and cadastral procedures such as application to Townships Board, land surveying and registration of the newly consolidated erf and a right of way servitude.
- (n) That the current Title Deed conditions registered against Erf 113, Swakopmund be retained and be registered against the newly consolidated erf.
- (o) That upon agreement and acceptance of the Council conditions, a purchase price for the Portion A be determined by the Council's valuator and any other

competent valuator to be nominated by the owner of Erf 113, Swakopmund.

- (p) That the owner of Erf 113, Swakopmund be granted a Power of Attorney to act on behalf of the Swakopmund Municipality Council to lodge all necessary planning, closure and cadastral procedures pertaining to the subdivision of Werft Street and consolidation thereof.
- (q) That all cost involved should be for the account of the owner of Erf 113, Swakopmund.

11.1.16 **APPLICATION FOR THE RELAXATION OF ON-SITE PARKING ON ERF 3615 SWAKOPMUND**

(C/M 2019/06/27 - E 3615)

RESOLVED:

GM: ES

- (a) That the application by Messrs Brynard Kotze Architects Incorporated for parking relaxation on Erf 3615, Swakopmund be turned down.
- (b) That the developer takes note that it is his responsibility to provide parking for the proposed development, preferably on-site as per the requirements of the Swakopmund Town Planning Scheme.
- (c) That no building plans shall be approved if parking provision is insufficient.
- (d) That the parking site on Erf 3615, Swakopmund has already been exhausted therefore no further additions to the development.

11.1.17 **WRITING OFF OF REDUNDANT AND DAMAGED FURNITURE AND GOODS - CORPORATE SERVICES DEPARTMENT**

(C/M 2019/06/27 - A 1/3/6, L 2)

RESOLVED:

CEO
CO: A
GM: CS&HR

- (a) That the following furniture and goods from the Corporate Services Department be written off:

No	Quantity	Object	Remarks
1.	4	Wooden Visitors' Chairs with Grey Seating	Chairs were replaced.
2.	1	Wooden Visitors' Chair with Brown Seating	Chair was replaced.
3.	2	Wooden Chairs with Maroon Seating	Chairs obsolete.
4.	5	Typist's / Operator's Chairs	Broken
5.	2	Urns	Broken
6.	1	Standing Fan	Broken
7.	1	Projector	Obsolete
8.	1	Asbestos Heater	Obsolete
9.	2	Heater / Cooler	Broken
10.	1	2 Door Steel Cabinet with Shelves	Obsolete

		(Grey)	
11.	2	Waste Paper Bins	Obsolete
12.	1	HP Deskjet 5443, S/N: H5BC16065	Obsolete

- (b) That the Chief Executive Officer and the Chairperson of the Management Committee determines the upset prices for the furniture and goods.

11.1.18 **DETERMINATION OF A FEE FOR STREET CLOSURE FOR WEDDINGS, FUNERAL AND MEMORIAL SERVICES**

(C/M 2019/06/27 - N 8/10/2)

RESOLVED:

GM: CDS
GM: F

- (a) That Council approves street closure for weddings, funeral and memorial services.
- (b) That a refundable deposit be applicable for the different road surfaces as follows:
- Gravel - N\$ 750.00
 - Interlocks - N\$1 500.00
 - Bitumen - N\$2 000.00
- (c) That Council approves a rental / lease fee of N\$99.00 (Vat exclusive) per day for street closures to be escalated by 10% per year.
- (d) That the repair costs for the road surface as mentioned in (b) be defrayed from the refundable deposit.

11.1.19 **MS H MUPUPA: SALE OF A PORTION OF THE REMAINDER OF PORTION 5 OF SWAKOPMUND TOWN AND TOWNLANDS NO 41:**

(C/M 2019/06/27 - H 5/1)

RESOLVED:

CO: P
GM: CS&HR

- (a) That the Management Committee resolution passed on 23 May 2019 under item 5.7 be repealed.
- (b) That Ms H Mupupa replaces one of the non-performing developers which were allocated land as per the Action Plan approved by Council on 31 May 2019 under item 11.1.25 and on 22 November 2018 under item 11.1.35.
- (c) That it be noted that the application of Ms H Mupupa applied for land during 2014 and regarded as an exception based on the directive received from the Ministry of Urban and Rural Development stating that an alternative portion of land be allocated to her. Therefore, although she does not appear on the list of applicants submitted to Council on 30 November 2017, land be allocated to her.

11.1.20 **PURCHASER OF ERF 115, MONDESA**
(C/M 2019/06/27 - 115 M)

CO: P
GM: CS&HR

RESOLVED:

That this item be withdrawn from the Agenda.

11.1.21 **EXEMPTION FROM PAYMENT OF ASSESSMENT RATES**

(C/M 2019/06/27 - D 3/2)

CO: P
GM: F
GM: CS&HR

RESOLVED:

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

<i>Erf Number</i>	<i>Organisation / Body</i>	<i>Purpose for which the Erf is Used</i>
<i>Erf 2709, S</i>	<i>Seventh Day Adventist Church</i>	<i>place of worship</i>
<i>Erven 4206,508 & 2836, S</i>	<i>Ned. Geref. Kerk Swakopmund</i>	<i>place of worship and rectory</i>
<i>Erf 4369, M</i>	<i>Morewag Church of Namibia</i>	<i>place of worship</i>
<i>Erven 1544 & 4347</i>	<i>COSDEC Swakopmund</i>	<i>Training</i>
<i>Erven 206 & 598, T</i>	<i>Congregational Church Swakopmund</i>	<i>place of worship and rectory</i>
<i>Erven 4235, 4236, 4237 & Ext 21, Swk</i>	<i>Pro-Ed Akademie</i>	<i>Educational</i>
<i>Erf 5158, S</i>	<i>Nederduitsch Hervormde Kerk</i>	<i>place of worship</i>
<i>Erf 5845, S</i>	<i>Believers' Fellowship Church</i>	<i>place of worship</i>
<i>Erf 776</i>	<i>African Methodist Episcopal Church Swakopmund, Arandis & Henties</i>	<i>place of worship</i>
<i>Erf 309 & 763</i>	<i>New Apostolic Church</i>	<i>place of worship</i>
<i>Erf 4264 & 1729</i>	<i>Swakopmund Baptist Church</i>	<i>place of worship and rectory</i>
<i>Re of Erf 63, M</i>	<i>Mondesa Youth Opportunities</i>	<i>Educational</i>
<i>Erf 8680</i>	<i>A G S Filadelfia</i>	<i>place of worship</i>
<i>Erf 5824</i>	<i>Shofar Christian Church</i>	<i>place of worship</i>
<i>Erf 2649</i>	<i>Swakopmund Methodist Church</i>	<i>place of worship</i>
<i>Erf 1111</i>	<i>Evangelical Mission Church</i>	<i>place of worship</i>
<i>Erf 614 & 567 & 4633</i>	<i>A.F.M Church</i>	<i>place of worship and rectory</i>
<i>Erf 6645, M</i>	<i>DRC Womens Project</i>	<i>charitable institution</i>
<i>Erf 1759, S</i>	<i>Evangelische Stadtmission Swakopmund</i>	<i>place of worship</i>
<i>Erf 4371, M</i>	<i>Evangelical Bible Church</i>	<i>place of worship</i>
<i>Erf 801, 2781 & 4200</i>	<i>Lions Old Age & Retirement Village</i>	<i>retirement village / old age home</i>
<i>Erf 602, M</i>	<i>Evangelical Lutheran Church</i>	<i>place of worship</i>
<i>Erven 183 & 491</i>	<i>Deutsche Evang-Luth.Gemeinde</i>	<i>place of worship & kindergarten</i>
<i>Erven 4368, M</i>	<i>Ebenezer Pentecostal Church of Namibia</i>	<i>place of worship</i>
<i>Erf 3758</i>	<i>S.P.C.A (Tierschutzverein)</i>	<i>animal care / charitable</i>
<i>Erven 949 E, 24 T, 284, M</i>	<i>Sigill Ecclesiae Catholic</i>	<i>place of worship</i>
<i>Erf 521, S</i>	<i>Blood Transfusion Services of Namibia</i>	<i>collecting blood from blood donors</i>
<i>Erf 3355, S</i>	<i>Palm Court Retirement Village</i>	<i>retirement village / old age home</i>
<i>Erf 3534 & 4234</i>	<i>Deutsche Pfadfinder</i>	<i>youth organization</i>
<i>Erven 723, 724, 725, 726 & 728</i>	<i>Deutscher Schulverein Swakopmund</i>	<i>hostel, kindergarten and backpackers</i>
<i>Erf 3669</i>	<i>Antonius Residence Trust</i>	<i>old age home</i>
<i>Re of Erf 196</i>	<i>Stella Maris</i>	<i>Convent</i>
<i>Erf 455</i>	<i>St. Boniface Anglican Church</i>	<i>place of worship</i>

<i>Erf Number</i>	<i>Organisation / Body</i>	<i>Purpose for which the Erf is Used</i>
<i>Erf 620</i>	<i>The Rossing Foundation</i>	<i>after school classes</i>
<i>Erf 305, 801, 800 & 588, T</i>	<i>Unity Reformed Church</i>	<i>place of worship and rectory</i>
<i>Erf 195 & 196, 5065, 5064,5063</i>	<i>The Missionary Benedictine Sisters</i>	<i>convent & rectory</i>
<i>Erf 657, T</i>	<i>Christian Assembly Church Swakopmund</i>	<i>place of worship</i>
<i>Erf 782, T</i>	<i>Jehovah's Witnesses</i>	<i>place of worship</i>
<i>Erven 2864</i>	<i>Emanuel Church Swakopmund</i>	<i>place of worship</i>
<i>Erven 449</i>	<i>Owato Elcin Parish Church</i>	<i>place of worship</i>
<i>Erven 1772 - 1774, S</i>	<i>Private School Swakopmund</i>	<i>Educational</i>
<i>Erven 927,1613 & 900</i>	<i>Scientific Society Swakopmund</i>	<i>educational</i>
<i>Erf 1512, S</i>	<i>Die Voortrekkers</i>	<i>youth organisation</i>
<i>Erf 2605</i>	<i>West Side High School</i>	<i>Educational</i>
<i>Erf 1624</i>	<i>Namib High School</i>	<i>Educational</i>
<i>Erf 461</i>	<i>Swakopmund Secondary School</i>	<i>Educational</i>
<i>Erf 247</i>	<i>Namib Primary School</i>	<i>Educational</i>
<i>Erf 47, T</i>	<i>Tamariskia Primary School</i>	<i>Educational</i>
<i>Erf 1</i>	<i>Vrede Rede Primary School</i>	<i>Educational</i>
<i>Erf 1</i>	<i>Festus Gonteb Primary School</i>	<i>Educational</i>
<i>Erf 3646</i>	<i>Hanganeni Primary School</i>	<i>Educational</i>
<i>Erf 540</i>	<i>Atlantic Primary School</i>	<i>Educational</i>
<i>Erf 1968</i>	<i>Swakopmund Primary School</i>	<i>Educational</i>
<i>Erf 629</i>	<i>Herman Gemeiner School</i>	<i>educational</i>
<i>Erf 127</i>	<i>Teachers Resource Centre</i>	<i>educational</i>
<i>Erf 461</i>	<i>House Akasia</i>	<i>school hostel</i>
<i>Erf 3565</i>	<i>Ernst Rumpf Hostel</i>	<i>school hostel</i>
<i>Erf 1308</i>	<i>Woermann House</i>	<i>library</i>
<i>Erf 461</i>	<i>Namib Hostel</i>	<i>school hostel</i>
<i>Erf 1624</i>	<i>House Romi Hostel</i>	<i>school hostel</i>
<i>Erf 255 & 256</i>	<i>Hofmeyer Hostel</i>	<i>school hostel</i>
<i>Erf 1327,1949 & 2599</i>	<i>Regional Director of Education, Arts and Culture</i>	<i>educational</i>

- (b) That the exemption of payment of assessment rates be credited with effect 1 July 2019 where applicable.
- (c) That the following application not be exempted as it does not comply with the requirements of Section 75 of the Local Authorities Act 1992, as amended:

<i>Erf Number</i>	<i>Organisation / Body</i>	<i>Purpose for which the Erf is Used</i>
<i>Erf 110</i>	<i>ELCRN Erholungsheim</i>	<i>accommodation & self-catering apartment</i>

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

None.

The meeting adjourned: **19:53**

Minutes confirmed on: **25 July 2019**

**Councillor M Elago
DEPUTY MAYOR**

**A Benjamin
CHIEF EXECUTIVE OFFICER**

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