

## MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Monday, 31 August 2020 at 09:00.**

---

### **PRESENT:**

Councillor N N Salomon	:	Mayor
Councillor A M Marsh	:	Deputy Mayor
Councillor E Shitana	:	Chairperson of MC
Councillor K N Jason	:	Alternate Chairperson of MC
Councillor P Nashilundo	:	Member of Management Committee
Councillor A Jonas	:	Member of Management Committee
Alderman E //Khoaseb	:	Alternate Member of MC
Councillor E K Hangula	:	Member of Council
Councillor W O Groenewald	:	Member of Council
Councillor U Kaapehi	:	Member of Council

### **OFFICIALS:**

Mr A Benjammin	:	Chief Executive Officer
Mr H !Naruseb	:	General Manager: Finance
Mr MPC Swarts	:	General Manager: Corporate Service &HC
Mr C McClunne	:	GM: Engineering and Planning Services
Mr V Kaulinge	:	Acting GM: Economic Development Services
Mr C Lawrence	:	General Manager: Health & SWM

### **ALSO PRESENT:**

Also present was two (2) members of the Media. Due to COVID-19 regulations the meeting was only attended by the Councillors, General Managers and Media

---

#### 1. **SCRIPTURE READING AND OPENING BY PRAYER**

Mr C Lawrence opened the meeting with a prayer.

---

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

On proposal of Councillor E Shitana seconded by Councillor K N Jason 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:

None.

3.2 Declaration of interest:

None.

---

4. **CONFIRMATION OF MINUTES**  
(C/M 2020/08/31 - A 2/3/5)

4.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 25 JUNE 2020**

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

**RESOLVED:**

That the minutes of the Ordinary Council Meeting held on 25 June 2020, be confirmed as correct.

---

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

(C/M 2020/08/31 - A 2/3/5)

None.

---

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

6.1 Long Service Awards

This will be done on another platform as decided by the Honourable 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 JULY AND AUGUST  
2020

11. RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE

11.1 MANAGEMENT COMMITTEE MEETINGS HELD ON 18  
AUGUST 2020

11.1.1 APPLICATION TO WAIVE THE ESCALATION OF THE  
PURCHASE PRICE FOR ERF 10038, EXTENSION 15,  
SWAKOPMUND

(C/M 2020/08/31 - 10038, E 10039, E 5236)

RESOLVED:

- (a) That Council does not waive the escalation of the purchase price which increased from N\$1 015.00/m<sup>2</sup> to N\$1 119.00/m<sup>2</sup> as it is not in line with Council's Property Policy.
- (b) That upon acceptance of the escalation of the purchase price by the purchaser, Council's intention to sell Erf 10038, Swakopmund be advertised for possible objections as required in terms of the Local Authorities Act, Act 23 of 1992 at the cost of the purchaser.
- (c) 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.
- (d) That payment of the purchase price be secured either in cash or bank guarantee in favour of the Swakopmund Municipality within 120 days from the Honourable Minister's favourable response.
  - *Failure to secure the purchase price within the required period will result in cancellation without the need to place the purchaser on terms.*
  - *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.*
- (e) That the purchaser accept that no rights will accrue to him from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
- (f) The erf is sold "voetstoots" or "as is" with 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. 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.

- (g) That no development or additions to the property be permitted to commence until the statutory processes have been completed and the erf is transferred.
- (h) The agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of receipt thereof.
- (i) That permission be granted to register the consolidated Erf 10039, Extension 15, Swakopmund in the Deeds Office simultaneously with the transfer of Erf 10038, Swakopmund to Dr Raimo Naanda.

11.1.2

**FEEDBACK AND CANCELLATION OF MESSRS MEDICAL DIAGNOSTIC CENTRE NAMIBIA (PTY) LTD TO PURCHASE ERF 519, MATUTURA**

(C/M 2020/08/31 - E 519 MAT)

**RESOLVED:**

- (a) That Council takes note that Messrs Medical Diagnostic Centre Namibia (Pty) Ltd could not be traced to conclude the transaction.
- (b) That Council cancels the transaction in respect of Erf 519, Matutura, with Messrs Medical Diagnostic Centre Namibia (Pty) Ltd.
- (c) That the sale transaction with Medical Diagnostic Centre Namibia (Pty) Ltd be cancelled.
- (d) That all fees and cost related to the transaction be deducted from the N\$50 000.00 deposit and the remaining balance be refunded to Medical Diagnostic Centre Namibia (Pty) Ltd.
- (e) That new valuations be requested for Erf 519, Matutura.
- (f) That once a purchase price is determined, Erf 519, Matutura be sold at Closed Bid Sale.





11.1.3 MESSRS PJN INVESTMENT (PTY) LTD OFFER TO PURCHASE THE MEDULETU HALL ON ERF 1802, MONDESA  
(C/M 2020/08/31 - M 1802, 19.03.02)

**RESOLVED:**

- (a) That Council remains with the purchase price approved for Erf 1802, Mondesa on 25 April 2019 under item 11.1.4 in the amount of N\$1 987 525.00 plus 15 % VAT of N\$298 128.75.
- (b) That Council waives the 5% increase on the purchase price of Meduletu Hall on Erf 1802, Mondesa for the period from 25 April 2019 until 25 April 2020.

11.1.4 ERF 4841, SWAKOPMUND: APPLICATION TO WAIVE PRE-EMPTIVE RIGHT  
(C/M 2020/08/31 - E 4841)

**RESOLVED:**

- (a) That Council waives the pre-emptive right registered over Erf 4841, Swakopmund and permits PSG Trading Enterprises CC to sell their erf to a third party in order to settle their mortgage bonds and municipal account.
- (b) That Council takes note of the financial proof provided by PSG Trading Enterprises CC that they are unable to afford and develop Erf 4841, Swakopmund.

11.1.5 APPLICATION TO PURCHASE A PORTION OF THE STREET BEHIND ERF 4363, MONDESA  
(C/M 2020/08/31 - M 4363)

**RESOLVED:**

- (a) That Council approves the sale of a street portion measuring  $\pm 480\text{m}^2$  as indicated on the plan (Annexure "B") (on file) to Mr Hendrico Visagie the owner of Erf 4363, Mondesa for the consolidation thereof with Erf 4363, Mondesa.
- (b) That Council's valuator and 2 additional valuers value the portion in (a) and that the average of the 3 valuations determines the purchase price.
- (c) That the requirements regarding the alienation of immovable property as prescribed in the Local Authorities Act, Act 23 of 1992, (as amended), and the Townships and Division of Land Ordinance 11 of 1963 respectively, be dealt with successfully.
- (d) That Council's approval in terms of Section 50 (2) of the Local Authorities Act, 1992 as amended, be given for the permanent closure of the portion as "Street" as indicated on the attached map.





- (e) That the street portion be subdivided from Street and consolidated with Erf 4363, Mondesa and rezoned from "Street" to the zoning of Erf 4363, Mondesa in terms of the Townships and Division of Land Ordinance 11 of 1963.
- (f) That the purchaser appoints a town planner at his cost to attend to the statutory processes as set-out in (d) and (e) above.
- (g) That Mr Hendrico Visagie appoints a Town Planner/ environmentalist to attend to the Environmental Impact Assessment in terms of the Environmental Management Act, Act 7 of 2007 as amended.
- (h) That the applicant takes note that no rights will accrue to the applicant unless all the above mentioned conditions are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
- (i) That the applicant be informed that all costs relating to the transaction are for his account, such as (but not limited to) the advertising of the street closure, advertising of the proposed alienation for objections, the appointment of a town planner to attend to the subdivision and consolidation, EIA, the appointment of the land surveyor and the payment of the transfer costs.
- (j) That should any services be required to be shifted, the applicant accepts responsibility to do so at his cost.

11.1.6

**ERF 4883, SWAKOPMUND: OBJECTION AGAINST PURCHASE PRICE AND NEW OFFER AND METHOD OF PAYMENT**

(C/M 2020/08/31 - 19.03.08, M 4883)

**RESOLVED:**

- (a) That Council takes note that Messrs O'B Davids Properties CC have benefitted from a special low rental amount over a period of 187 months (15 years 6 months) where they paid a total of only N\$647 862.00 while their competitors who leased the adjacent property paid N\$2 025 427.00 over a period of 66 months (5 years 6 months).
- (b) That O'B Davids Properties CC be informed that the Council takes note of their offer dated 1 June 2020; but that Council is adhering to the instruction of the Ministry of Urban and Rural Development per their letter dated 19 November 2019 not to proceed with the transaction until the Ministry has had consultations with Council and O'B Davids Properties CC.





11.1.7

**SALE OF 14 DECEMBER 2018: APPLICATION FOR AN  
EXTENSION OF TIME: ERF 4932, EXTENSION 14,  
SWAKOPMUND**

(C/M 2020/08/31 - E 4932)

**RESOLVED:**

- (a) That Council takes note of the motivation given by Ms K Hilundwa for extension of time to secure the purchase price (N\$397 860.00) of Erf 4932, Extension 14, Swakopmund.
- (b) That Council approves the application by Ms K Hilundwa to secure the purchase price (N\$397 860.00) for Erf 4932, Ext 14, Swakopmund until 30 September 2020.
- (c) That Council takes note that the interest charged from 27 February 2020 until 30 September 2020, minus 51 days of the lockdown periods, amounts to **N\$17 740.20** (Annexure "G") (on file).
- (d) That if transfer of ownership takes place earlier than 30 September 2020, the interest be recalculated.
- (e) That Ms K Hilundwa be informed that her application to waive the interest for period from 27 February 2020 until 20 July 2020 not be considered since 51 days are deducted from the total interest as per standard Council resolution passed on 28 May 2020 under item 11.1.16.

11.1.8

**APPLICATION FOR AN EXTENSION OF TIME TO PERFORM:**

- ERF 4972, EXTENSION 14, SWAKOPMUND
- ERF 4975, EXTENSION 14, SWAKOPMUND
- THE CANCELLATION OF SALE OF ERF 4992, EXTENSION 14, SWAKOPMUND

(C/M 2020/08/31 - E 4972, E 4975, E 4992)

**RESOLVED:**

- (a) That Council approves the application by Ms M Miljo and Ms HJ Richter for an extension of time to perform by 31 July 2020 and 30 September 2020 respectively.
- (b) That the extension of time be subject to interest being levied from date of sale until date of transfer (if a bank guarantee is provided) or until date of receipt of payment (cash option).
- (c) That exemption of the interest be granted for 51 days, being the period of the lockdown periods during the National State of Emergency.
- (d) That Council confirms the cancellation of Erf 4992 in Extension 14, Swakopmund in terms of the standard deed of sale that lapsed on 07 July 2020.





- (e) That Erven 4992, Extension 14, Swakopmund that forms part of the sale of 06 December 2019, be offered to the next qualifying bidders in line.

---

11.1.9 **REQUEST BY OWATO INVESTMENT CC FOR ANOTHER EXTENSION OF TIME TO PERFORM: ERF 4108, EXTENSION 10, MONDESA**

(C/M 2020/08/31 - M 4108)

**RESOLVED:**

- (a) That Council takes note of the arrangement made to pay the outstanding amount and that there is still N\$19 886.84 outstanding on the rates and taxes in accordance with the resolution of 31 October 2019.
- (b) That Council does not approve the application by Messrs Owato Investment CC for an extension of time to perform until 30 September 2020, unless the rates and taxes are paid up.
- (c) That should (b) above not been executed Messrs Owato Investment CC be refunded the sum of \$86 956.52 and VAT amount paid.
- (d) That Erf 4108, Mondesa be sold at a closed bid sale pending the performance of Messrs Owato Investment CC.

---

11.1.10 **RENTAL PAYMENT RELIEF FOR KAVITA PARK VENDORS DUE TO COVID-19 PANDEMIC OUTBREAK**

(C/M 2020/08/31 - 14/1/3/1)

**RESOLVED:**

That Council approves a provisional relief/waiver of the rental payments for a period of nine (9) months starting from April to December 2020 for Kavita Park Art & Craft Market tenants.

---

11.1.11 **STANDARD OPERATING PROCEDURES FOR THE MUNICIPAL MOBILE FOOD KIOSK SITES**

(C/M 2020/08/31 - 14/1/3/1)

**RESOLVED:**

That the Standard Operating Procedures (on file) for application, allocation and renewal of the mobile food kiosks, be approved.





11.1.12      **APPLICATION FOR CONSENT USE TO OPERATE A DENTAL PRACTICE ON ERF 4129, SWAKOPMUND AS RESIDENT OCCUPATION**  
(C/M 2020/08/31      -      E 4129)

**RESOLVED:**

- (a) That consent use to operate the dental practice on Erf 4129, Swakopmund Extension 12 be turned down.
- (b) That the applicant be advised to scale down the development to fit the resident occupation policy requirements.
- (c) That the applicant be alternatively advised to rezone the property from single residential to business.
- (d) That the applicant indicate what are the control measures put in place with regard to the disposal of medical waste that the practice would produce.
- (e) That the objectors be informed of Council's decision.

11.1.13      **APPLICATION FOR RELAXATION OF STREET BUILDING LINES ON ERF 2329 SWAKOPMUND EXTENSION 8**  
(C/M 2020/08/31      -      E 2329)

**RESOLVED:**

- (a) That the application for "*Special Consent*" to relax the building line on Erf 2329, Swakopmund, Extension 8 from five (5) metres to zero (0) metres street boundary line be turned down.
- (b) That the applicant revise and submits amended drawings with the unit in question set to at least three (3) metres from the street boundary line in line with the provisions of the Swakopmund Town Planning Scheme.
- (c) That the applicant be informed of his rights to appeal to the Minister against Council's Resolution in respect of resolution (a) above in terms of Clause 8.7 of the Swakopmund Town Planning Scheme within 28 days of receipt of notice of this Resolution, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.





- (d) That the Remainder of Portion B of the Swakopmund Town and Townlands Number 41 be subdivided into Portion 164 (approximately 282.1472 ha) and the Remainder in terms of Section 21 of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963), free of conditions.
- (e) That the Need and Desirability for the township establishment on Portion 164 of Swakopmund Town and Townlands No. 41 in terms of Section 5(5) (a) (i) of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) be approved.
- (f) That approval be granted for application to be made in terms of Section 5 of the Township and Division of Land Ordinance No. 11 of 1963 for the establishment of an extension of Swakopmund (to be allocated by Surveyor General) on Portion 164 as shown on the attached subdivisional layout plan.
- (g) That the Engineering and Planning Services Department be authorized to make minor changes to the layout, to accommodate infrastructure, improve layout dimensions or meet Townships Board and NAMPAB requirements should it be necessary.
- (h) That a thirty two (32) metres wide servitude will be surveyed and registered over the proposed Erf 1 of Portion 164 (Hage Geingob Square) of Swakopmund Town and Townlands No. 41 in favour of Namwater.
- (i) That a three (3) metres wide servitude will be surveyed and registered over the proposed Erven 1, 2, 69, 73, 74, 75, 83, 84, 85, 105, 110 and 113 of Portion 164 (Hage Geingob Square) of Swakopmund Town and Townlands No. 41 in favour of Telecom Namibia.
- (j) That a three (3) metres wide servitude will be surveyed and registered over proposed Erven 2, 65, 72, 73, 74, 75, 76, 88 and 102 of Portion 164 (Hage Geingob Square) of Swakopmund Town and Townlands No. 41 in favour of Erongo RED.
- (k) That the zoning shown on the layout plan tabled at the meeting be approved.
- (l) That the maximum building heights of all building structure on Hage Geingob should not exceed 5 metres.
- (m) That the conditions of Establishment be as follows:

(i) *The following conditions shall be registered against the title deeds of all erven except those reserved as public open space and those zoned Local Authority:*

(a) *The erf must only be used or occupied for purposes which are in accordance with and the use or occupation of the erven shall at all times be subject to the provision of the*



11.1.14

**REZONING OF ERF 562, SWAKOPMUND, FROM "SINGLE RESIDENTIAL" WITH A DENSITY OF 1:900M<sup>2</sup> TO "GENERAL RESIDENTIAL 2" WITH A DENSITY OF 1:100M<sup>2</sup> AND SUBSEQUENT CONSENT TO OPERATE A "PENSION"**

(C/M 2020/08/31 - E 562)

**RESOLVED:**

- (a) That Erf 562, Swakopmund be rezoned from "*Single Residential*" with a density of 1:900m<sup>2</sup> to "*General Residential 2*" with a density of 1:100m<sup>2</sup>.
- (b) That the rezoning of Erf 562, 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 and Planning Services Department for approval.
- (c) That the rezoning of Erf 562, Swakopmund be included in the next Swakopmund Amendment Scheme.
- (d) That consent to operate a "*Pension*" from Erf 562, Swakopmund be granted upon completion of the rezoning process.
- (e) That all the parking be provided on-site in line with the Swakopmund Town Planning Scheme.

11.1.15

**REVISED TOWNSHIP LAYOUT FOR HAGE GEINGOB SQUARE**

(C/M 2020/08/31 - G 3/2/2)

During the discussion of this item Councillor W O Groenewald raised an objection (on file) supported by Councillor U Kaapehi.

**RESOLVED:**

- (a) That the Chief Executive Officer seek clarity and motivation on the reservation of the airport site for the State, from the Ministers or Executive Directors of the Ministry of Urban and Rural Development and Ministry of Works and Transport before resubmitting the application to the Townships Board.
- (b) That upon receipt of the motivations by the Ministry of Urban and Rural Development and the Ministry of Works and Transport, these responses be submitted to Management Committee for consideration of the issues raised and financial implications, should Erf 1 (airport) be reserved for the State as per Townships Board recommendation.
- (c) That the Council Resolution item number 11.1.16 be revoked and replace with this Council decision subparagraphs (d) to (m) and that subparagraph (n) only be included, should Council support recommendation (n) after the review anticipated in subparagraph (b).





*Swakopmund Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954) as amended.*

- (i) *The following conditions be registered against the title deeds of Industrial Erven:*
- (ii) *The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least Equal the municipal valuation of the erf;*
- (iii) *The following conditions shall be registered against the title deeds of Business Zoned Erven:*
- (iv) *The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four (4) times the municipal valuation of the erf;*

- (n) **That Erf 1 (airport) be reserved for the State as per Townships Board recommendation.**

11.1.16

**APPLICATION FOR THE RELAXATION OF BUILDING LINES AND SETBACK ON ERF 110, MYL 4 PROPER**

(C/M 2020/08/31 - M4 110)

**RESOLVED:**

- (a) **That the lateral building line on the north-western of Erf 110, Myl 4 be relaxed from five (3) meters to zero (0) meters on the lateral boundary line.**
- (b) **That the first floor lateral building lines set back on the north-western of Erf 110, Myl 4 be relaxed from five (5) metres to zero (0) metres.**
- (c) **That the rear building line of Erf 110, Myl 4 be relaxed from five (3) meters to zero (0) meters on boundary line.**
- (d) **That the rear building line of Erf 110, Myl 4 be set - back from five (5) meters to zero (0) from the rear boundary.**
- (e) **That the objectors be informed of their rights to appeal to the Minister against Council's Resolution in terms of Clause 8 of the Swakopmund Town Planning Scheme within 28 days of receipt of notice of this Resolution, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.**





11.1.17

**APPLICATION FOR THE SUBDIVISION OF THE REMAINDER OF PORTION B OF SWAKOPMUND TOWN AND TOWNLANDS NUMBER 41 INTO PORTION A AND REMAINDER AND THE SUBSEQUENT APPLICATION FOR NEED AND DESIRABILITY TO ESTABLISH A TOWNSHIP ON PORTION A OF THE REMAINDER OF PORTION B OF SWAKOPMUND TOWN AND TOWNLANDS NUMBER 41**

(C/M 2020/08/31 - 16/1/4/1/4)

During the discussion of this item Councillor W O Groenewald raised an objection (on file) which was not supported.

**RESOLVED:**

- (a) That the subdivision of the Remainder of Portion B of the Swakopmund Town and Townlands Number 41 into Portion A and Remainder be approved.
- (b) That the Need and Desirability for the Township Establishment on Portion A of the Remainder of Portion B of the Swakopmund Town and Townlands Number 41 be approved.
- (c) That the township be known as "*Desert View*".
- (d) That the layout plan and land uses as indicated on the township subdivisional layout be approved.
- (e) That the Conditions of establishment be as follows:
  - (i) *The following conditions shall be registered against the title deeds of all erven, except those reserved as "Public Open Space" and those zoned for Municipal purposes:*  
  
*The Erf shall only be used or occupied for purposes which are in accordance with and the use or occupation of the erf shall at all times be subject to the provisions of the Swakopmund Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954) as amended.*
  - (ii) *The following conditions shall be registered against the title deeds of all business, office and general residential erven:*  
  
*The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four (4) times the municipal valuation of the erf.*
  - (iii) *The following conditions shall be registered against the title deeds of all institutional erven:*  
  
*The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least two (2) times the municipal valuation of the erf.*
- (f) That a forty (40) metre wide servitude be registered against Erf 111 in favour of Namwater.
- (g) That approval be granted for Messrs Robotrino Investments to apply on behalf of Council the subdivision of the Remainder of Portion B of the Swakopmund Town and Townlands Number 41 into Portion A and Remainder and for approval of the Need and Desirability for township establishment on Portion A of the Remainder of Portion B of the Swakopmund Town and Townlands Number 41 from NAMPAB, and the Minister of Urban and Rural Development.





- (h) That delegated powers be granted to the General Manager: Engineering and Planning Services in consultation with the Chief Executive Officer to approve all subdivisions and consolidations and applications for township establishment including minor layout and land use changes to satisfy technical criteria and Townships Board requirements in order to meet Council objectives as set out above.
- (i) That a Power of Attorney be granted to a registered Namibian Town and Regional Planning Consultant to undertake all the town planning procedures described in this resolution on behalf of Council at the expense of the applicant.
- (j) That approval be granted for the Town Planning Consultant to be nominated by Messrs Robotrino Investments to submit the approved layouts to the Townships Board and be authorised to make minor changes to meet architectural design, technical criteria and Townships Board requirements.

---

11.1.18      **ILLEGAL SAND MINING ACTIVITIES WITHING THE JURISDICTION OF SWAKOPMUND COUNCIL**

(C/M 2020/08/31      -      16/2/7/1)

**RESOLVED:**

- (a) That Council charges Refuse Solutions the full deposit fee of N\$10 362.00 applicable for mining sand / gravel, plus the full sand mining permit fee of N\$41 435.00 for excavating sand in an unauthorized area.
- (b) That Council order Refuse Solutions to rehabilitate the area within a period of 2 to 3 months.
- (c) That Council suspend Refuse Solutions gravel mining permit number 04/2019 until rehabilitation has been completed.
- (d) That Council prohibit Refuse Solutions from mining sand or gravel within Council's jurisdiction, should Refuse Solutions fail to comply with Council's compliance order.

---

11.1.19      **AUDITED FINANCIAL REPORT FOR 2017 / 2018 FINANCIAL YEAR**

(C/M 2020/08/31      -      3/2/2/2)

**RESOLVED:**

That the report of the Auditor General for the financial year 2017 / 2018 in terms of Section 87 (1) (3) of the Local Authorities act (Act 23 of 1992) be noted.





11.1.20 **DONATION OF DESALINATED WATER BY MESSRS ORANO NAMIBIA**

(C/M 2020/08/31 - 5/6/7)

During the discussion of this item Councillor W O Groenewald raised an objection (on file) which was not supported.

**RESOLVED:**

That the value of 40 811.29 (N\$606 863.84) cubic desalinated water donated by Messrs Arano Namibia be allocated to settle overdue accounts of those households who's water supply was re-connected as per Ministerial directive under the state of emergency regulations pertaining to COVID-19 pandemic.

11.1.21 **REPLACEMENT OF HANDHELD METER READING DEVICES**

(C/M 2020/08/31 - 16/2/1/7/1)

**RESOLVED:**

- (a) That permission be granted to the General Manager: Finance to replace the Remote handheld meter reading devices at the cost of N\$111 992.41 by following the Procurement Act.
- (b) That the General Manager: Finance identifies funding for the above stated cost.

11.1.22 **REZONING OF PORTION 48 (A PORTION OF PORTION 24) OF THE FARM NO 163 FROM "AGRICULTURAL" TO "GENERAL BUSINESS"**

(C/M 2020/08/31 - 19.03.01, PTN48)

**RESOLVED:**

- (a) That Council condones the construction of the illegal units and the owner of Portion 48 (a Portion of Portion 24) of the Farm No 163, Swakopmund be fined an amount of N\$1 021 020.00 for the construction of the illegal structures.
- (b) That the Engineering and Town Planning Services Department issue a penalty of N\$1 021 020.00 to the owners of Portion 48 (a Portion of Portion 24) of the Farm No. 16, Swakopmund of Farm 236, Swakopmund to be paid within a period of twenty-eight (28) days from the date of notification.
- (c) That upon receipt of the penalty payment, subject to the certification of a structural engineer, the applicant be allowed to submit as-built drawings for the illegally constructed structures for approval.
- (d) That rezoning of Portion 48 (a Portion of Portion 24) of the Farm No 163, Swakopmund from "Agricultural" to "General Residential" with a density of one dwelling per 900m<sup>2</sup> to a maximum bulk factor of 0.1 instead of "General Business", be approved.



- (e) That Council grant consent for an accommodation establishment on Portion 48 (a Portion of Portion 24) of the Farm No 163, Swakopmund for the operation of a tourism related business.
- (f) That the rezoning of Portion 48 (a Portion of Portion 24) of the Farm No 163, 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 and Town Planning Services Department for approval.
- (g) That all the parking be provided on-site in line with the Swakopmund Town Planning Scheme.
- (h) That all costs emanating from the development on Portion 48 (a Portion of Portion 24) of the Farm No 163, Swakopmund be for the applicant's account.
- (i) That the betterment fee payable for the rezoning be charged at 75% in accordance with the Law and Betterment fee Policy.
- (j) That the applicant responds in writing accepting Council's resolution and conditions of its approval before the rezoning is included in a town planning amendment scheme.
- (k) That upon acceptance of the Council conditions the rezoning of Portion 48 (a Portion of Portion 24) of the Farm No 163, Swakopmund, be included in the next Swakopmund Amendment Scheme.
- (l) That the objectors be informed of this Council decision;
- (m) That the applicant be informed that the applicant may appeal the Council decision to the Minister of Urban and Rural Development with valid reasons within twenty eight (28) days from the date of the decision in accordance with clause 8 of the Swakopmund Town Planning Scheme.

11.1.23

**REZONING OF ERF 3289, MONDESA EXTENSION 8 FROM "GENERAL RESIDENTIAL 1" WITH A DENSITY OF 1/100M<sup>2</sup> TO "GENERAL BUSINESS" WITH A BULK OF 1**

(C/M 2020/08/31 - M 3289)

**RESOLVED:**

- (a) That rezoning of Erf 3289, Mondesa Extension 8 from "General Residential 1" with a density of 1/100m<sup>2</sup> to "General Business" with a bulk of 1 be approved;
- (b) That the rezoning of Erf 3289, Mondesa be included in the next Swakopmund Amendment Scheme.





- (c) That Erf 3289, Mondesa 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 and Town Planning Services Department for approval.
- (d) That all the parking be provide on-site in line with the Swakopmund Town Planning Scheme.
- (e) That the consent for the service station be approved.
- (f) That no building plans be approved for the construction of the service station without and Environmental Clearance Certificate from the Department of the Environmental Affairs (Environmental Commissioner).
- (g) That the construction of the service station is subject to the environmental clearance certificate from the Environmental Commissioner.

11.1.24

**REZONING OF ERF 779, SWAKOPMUND FROM SINGLE RESIDENTIAL WITH A DENSITY OF ONE DWELLING PER 600M<sup>2</sup> TO GENERAL BUSINESS WITH A BULK OF ONE**

(C/M 2020/08/31 - E 779)

**RESOLVED:**

- (a) That rezoning of Erf 779, Swakopmund from "*Single residential*" with a density of one dwelling per 600m<sup>2</sup> to "*General business*" with a bulk of 1.0 be approved.
- (b) That the rezoning of Erf 779, Swakopmund be included in the next Swakopmund Amendment Scheme.
- (c) That all the parking provided on-site be in line with the Swakopmund Town Planning Scheme.
- (d) That the applicant ensures that sufficient parking is provided on-site before commencement of the boutique hotel,
- (e) That the applicant conducts a traffic study and to evaluate the impact that the proposed rezoning will have on the road.
- (f) That the applicant provides Council a copy of their lease agreement which enables the applicant to occupy and develop a portion of the beach area adjacent to Erf 779, Swakopmund.
- (g) That the applicant provides feedback to Council in terms of resolution ((e) and (g)) above within 28 days of receipt of notice of this Resolution. If the applicant fails to provide Council the above mentioned proof Council will be in a position to act accordingly / revoke the approval.
- (h) That the rezoning of Erf 779, Swakopmund be subject to a betterment fee calculated according to the betterment





fee policy of 2009 and be paid by the applicant before the item is included in the next Swakopmund Amendment Scheme.

- (i) That the applicant be informed that the applicant may appeal the Council decision to the Minister of Urban and Rural Development with valid reasons within twenty-eight (28) days from the date of the decision in accordance with clause 8 of the Swakopmund Town Planning Scheme.
- (j) That the objector be informed that they may appeal the Council decision to the Minister of Urban and Rural Development with valid reasons within twenty-eight (28) days from the date of the decision in accordance with clause 8 of the Swakopmund Town Planning Scheme.

11.1.25 **EMERGENCY CAMP INITIATIVE: FIRE VICTIMS // TEMPORARY CAMP SITE**

(C/M 2020/08/31 - 3/15/1/6/1)

**RESOLVED:**

- (a) That Council approves the Emergency Camp Initiative in an effort to assist the fire victims of Swakopmund Community with temporary accommodation as a result of the fire eruptions.
- (b) That Council approves for the purchase of the following items to be utilized at the Emergency Camp:

<b>SUMMARY OF EXPENDITURE EMERGENCY CAMP</b>		
<i>Description of building material requested</i>	<i>Supplier</i>	<i>Pricing</i>
10 x Tent Afro 300 2 Window	Cymot Namibia	N\$40150.00
200 x VP 11 Single Mattresses	Brothers Swakopmund	N\$78 600.00
300 x Blankets	Pep Stores	N\$44 997.00
<b>TOTAL EXPENDITURE BASED ON OFFERS RECEIVED</b>		<b>N\$163747.00</b>

- (c) That the General Manager: Finance source funds to support the Fire Emergency Camp initiative.

11.1.26 **OLD AND REDUNDANT ITEMS / EQUIPMENT: FINANCE**

(C/M 2020/08/31 - 2/18/1))

**RESOLVED:**

- (a) That Council approves the writing-off of the Rexel shredder at Finance Department:

<i>Item Description</i>	<i>Quantity</i>	<i>Serial Number</i>	<i>Model Number</i>
Rexel Shredder	1	N/A	N/A

- (b) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset price for the redundant Rexel shredder.



11.1.27

**OLD AND REDUNDANT ITEMS / EQUIPMENT: ECONOMIC DEVELOPMENT SERVICES - OFFICE & CEMETERIES**

(C/M 2020/08/31 - 2/18/1)

**RESOLVED:**

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

<i>Quantity</i>	<i>Description</i>
1	Isuzu single cab (N 5869 S) KM 20199, Model 2005
1	Fridge
27	Rakes (Plastic)
2	Rakes (Steel)
4	Bod Shelves
1	Television
1	Grass Mover (Electrical)
5	Pruning Scissor
4	Brooms
1	Wooden (Notice board)

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

11.1.28

**OLD AND REDUNDANT ITEMS ECONOMIC DEVELOPMENT SERVICES, REST CAMP****RECOMMENDED:**

(C/M 2020/08/31 - 2/18/1)

**RESOLVED:**

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

<i>Quantity</i>	<i>Descriptions</i>
14	Chair Covers
32	Curtains

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

11.1.29

**OLD AND REDUNDANT ITEMS / EQUIPMENT: ENGINEERING AND TOWN PLANNING SERVICES DEPARTMENT**

(C/M 2020/08/31 - 7/2/15)

**RESOLVED:**

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

**Office**

<i>TOTAL</i>	<i>DESCRIPTION</i>
1	Water Dispenser
1	HP Office jet 7110
1	16 Stand Fan - African Electric



1	HP Office jet 7110 is out of order - S/N: CN66T5R0JF
2	Two office leather chairs black Chairs

**Works Section**

<b>TOTAL</b>	<b>DESCRIPTION</b>
1	Isuzu 2ltr engine - 21B57R90400228GM
1	Isuzu 2ltr engine - 29E792067566
1	Isuzu 2ltr engine - 1B6R90400228GM
1	Honda engine -
1	6 Ton mega trolley jack
1	10 Ton mega trolley jack
1	5 Ton mega trolley jack
1	Bottle jack 1.5 ton
1	Hydraulic cylinder
1	Hydraulic press Bosal 20ton
1	12 Speed Drill press
1	Electrical pump PP-GF20
1	Kettle
1	Airpump
1	Air nozzle
1	Bench grinder Model HBG825
1	Pop rivet gun
1	Bearing puller 3leg
2	Fire extinguisher 9kg
1	Wheel spanner
1	Cut off machine
1	Stanley knife
1	Ratchet
2	Face shield
1	Bosch pressure cleaner

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

---

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

None.

---

The meeting adjourned: **09.40**

Minutes to be confirmed on: **24 September 2020**

  
Councillor N N Salomon  
MAYOR

  
A Benjamin  
CHIEF EXECUTIVE OFFICER