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MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Thursday, 28 July 2022** at **19:00.**

PRESENT:

Councillor L Kativa : Mayor

Councillor D Am-!Gabeb : Deputy Mayor of MC Councillor W O Groenewald : Chairperson of MC

Councillor C W Goldbeck : Alternate Chairperson of MC

Councillor P Shimhanda : Member of Management Committee Councillor B R Goraseb : Member of Management Committee

Councillor E Shitana : Member of Council Councillor M Kautondokua : Member of Council

OFFICIALS:

Mr A Benjamin : Chief Executive Officer

Mr V S Kaulinge : GM: Economic Development Services Mr C McClune : GM: Engineering & Planning Services

Mr A Plaatjie : GM: Corporate Services & HC

Mr H Naruseb : GM: Finance

Mr L Mutenda : GM: Health Services & SWM
Mr U Tjiurutue : Corporate Officer: Administration

ALSO PRESENT:

Five (5) members of the public.

1. OPENING BY PRAYER (IF REQUIRED)

Pastor Gaeses opened the meeting with scripture reading and prayer.

2. ADOPTION OF THE AGENDA OF THE MEETING OF COUNCIL

(C/M 2022/07/28 - 5/2/1/1/2)

On proposal of Councillor C W Goldbeck seconded by Councillor E Shitana, it was:

RESOLVED:

CO: A
Acting GM: CS&HC

That the agenda be adopted.

3. <u>APPLICATIONS FOR LEAVE OF ABSENCE AND DECLARATION OF INTEREST BY MEMBERS OF COUNCIL</u>

3.1 Application for leave of absence:

• Councillor M Henrichsen : Member of Management Committee

• Councillor H H Nghidipaya : Member of Council

3.2 Declaration of interest:

None.

& L.K

4. **CONFIRMATION OF MINUTES**

(C/M 2022/07/28 - 5/2/1/1/2)

4.1 MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 30 JUNE 2022

On proposal of Councillor C W Goldbeck seconded by Councillor B R Goraseb, it was:

RESOLVED:

CO: A
Acting GM: CS&HC

That the minutes of the Ordinary Council Meeting held on 30 June 2022, be confirmed with correction on the portfolios of the officials who attended the meeting.

5. OFFICIAL ANNOUNCEMENTS, STATEMENTS AND COMMUNICATIONS

(C/M 2022/07/28 - 5/5/2)

HONOURABLE COUNCILORS, THE CHIEF EXECUTIVE OFFICER, MR. ALFEUS BENJAMIN IN ABSENTIA, GENERAL MANAGERS, MANAGERS, OFFICIALS, REVEREND MARKUS NAUISEB, MEMBERS OF THE COMMUNITY, MEDIA REPRESENTATIVES, LADIES AND GENTLEMEN

GOOD MORNING AND WELCOME TO THE COUNCIL MEETING AND ANNOUNCEMENTS FOR THE MONTH OF JULY.

LADIES AND GENTLEMEN

DURING THIS MONTH, COUNCIL PARTICPATED IN THE FOLLOWING ACTIVITIES

- THE OPENING OF THE RAKATOKA/GROOTFONTEIN ROAD.
- INTRODUCTION OF THE NAMPOL REGIONAL COMMANDER TO COUNCIL
- STATE OF THE REGION ADDRESS BY THE GOVERNOR OF THE ERONGO REGION
- SIGNING OF THE TRIPARTITE AGREEMENT BETWEEN OUR MUNICIPALITY, THE MUNICIPALITY OF WALVIS BAY AND THE CITY OF WINDHOEK
- INFORMATION SHARING BY THE MINISTRY OF MINES AND ENERGY
- STAKEHOLDER ENGAGEMENT BY NAMWATER
- THE MINI CULTURAL EXPO

HONOURABLE COUNCILORS, LADIES AND GENTLEMEN,

DURING THIS MONTH, ON THE 20TH OF JULY, THE JUNIOR TOWN COUNCIL HELD AN INAUGURATION CEREMONY WHERE 12 NEW MEMBERS WERE WELCOMED. THE EXECUTIVES POSITIONS WERE APPOINTED AS FOLLOW:

- 1. TREASURER: ESTHER SHIGWEDHA
- 2. SECRETARY: AMIT VAN WYK
- 3. PUBLIC RELATIONS OFFICER: RICY UNAEB
- 4. DEPUTY JUNIOR MAYOR: PENOUUA KAOTI
- JUNIOR MAYOR: SHAKIRA KISTING

WE WISH THEM ALL THE BEST AS THEY TAKE ON THEIR POSITIONS. MAY IT BE AN IMPACTFUL REIGN AS THEY CONTINUE TO ADOVCATE FOR YOUTH EMPOWERMENT.

LADIES AND GENTLEMEN

OUR TOWN WILL BE TURNING A 130 YEARS ON THE 4TH OF AUGUST 2022. AS COUNCIL, WE HAVE BEEN TASKED TO DELIVER A SUCCESSFUL 130TH ANNIVERSARY CELEBRATION WHICH IN ORDER TO RE AWAKEN THE INSTITUTIONAL MEMORY OF SWAKOPMUND. THROUGH THIS, THE CURRENT AND FORMER RESIDENTS OF OUR TOWN CAN RECONNECT.

WE WISH TO CELEBRATE THE RICH HISTORY OF THE TOWN ACROSS A WIDE SPECTRUM OF PERSPECTIVES INCLUDING THE AESTHETIC HISTORIC LANDMARKS AND EVENTS

LADIES AND GENTLEMEN

Fr.K

A LOCAL ORGANISING COMMITTEE HAS BEEN ESTABLISHED AND THEY ARE BUSY WORKING TO CARRY OUT VARIOUS ACITIVITES FOR OUR RESIDENTS.

THE ACTIVITIES HAVE BEEN SET OUT TO TAKE PLACE DURING THE MONTH OF AUGUST ARE AS FOLLOW:

ACTIVITY 1 - OFFICIAL OPENING OF THE SWAKOPMUND CELEBRATIONS

VENUE: AMPHITHEATRE DATE: 04 AUGUST 2022

ACTIVITY 2: LIGHTING UP OF BUILDINGS

VENUE: 10 (SELECTED) HISTORIC BUILDINGS IN SWAKOPMUND DATE: 04 AUGUST 2022

3. ACTIVITY 3: SWAKOPMUND SPORTS FESTIVAL & COLOUR PARTY

VENUE: VINETA SPORTS STADIUM DATE: 06 AUGUST 2022

4. ACTIVITY 4: SWAKOPMUND GOSPEL SHOW

VENUE: MULTI- PURPOSE CENTRE DATE: 07 AUGUST 2022

ACTIVITY 5: SWAKOPMUND POTJIEKOS COMPETITION

VENUE: BASKETBALL COURT IN TAMARISKIA DATE: 13 AUGUST 2022

6. ACTIVITY 6: SWAKOPMUND YOUTH TALENT SHOW

VENUE: NAMIB PRIMARY SCHOOL DATE: 20 AUGUST 2022

7. ACTIVITY 7: SWAKOPMUND CULTURAL FESTIVAL

VENUE: MAIN MUNICIPAL OFFICE BUILDING DATE: 26 AUGUST 2022

8. ACTIVITY 8: SWAKOPMUND MUSIC FESTIVAL

VENUE: MONDESA (OPEN SPACE BETWEEN VREDE REDE & FESTUS GONTEB PRIMARY SCHOOLS)
DATE: 27 AUGUST 2022

WE HOPE THAT THE RESIDENTS AND VISITORS WILL ENJOY WHAT WE HAVE PREPARED FOR YOU.

HONOURABLE COUNCILLORS, LADIES AND GENTLEMEN

THAT IS ALL WE HAD FOR TONIGHT. WE WILL NOW CONTINUE WITH THE DELIBERATIONS AS PER THE AGENDA.

6. <u>INTERVIEWS WITH DEPUTATIONS OR PERSONS SUMMONED</u> OR REQUESTED TO ATTEND THE MEETING OF A COUNCIL

6.1 Long Service Awards.

None.

7. **PETITIONS**

None.

8. MOTIONS OF MEMBERS

None.

JL.K

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 2022

RESOLVED:

CO: A
Acting GM: CS&HC

That the report to Council on the resolutions taken by Management Committee meeting held on 14 July 2022, be noted.

10.2 FEEEDBACK REPORT TO COUNCIL MINUTES:28 APRIL 2022

RESOLVED:

CO: A
Acting GM: CS&HC

That the feedback report on the execution of the Council Minutes of 28 April 2022, be noted.

- 11. RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE
- 11.1 MANAGEMENT COMMITTEE MEETINGS HELD ON 14 JULY AND 28 JULY 2022
- 11.1.1 <u>UTILIZATION OF SPORTS FIELDS BY MESSRS ERONGO</u>
 <u>SPORTS DEVELOPMENT ACADEMY</u>

(C/M 2022/07/28

14/2/2/1/1 , 14/2/2/1/2 ,14/2/2/1/3)

RESOLVED:

GM: FDS

- (a) That Council <u>does not</u> approve the request by Messrs Erongo Sports Development Academy for a reduced annual membership fee by 50% to grant them access to the Sports facilities for the current year.
- (b) That Messrs Erongo Sports Development Academy be encouraged to pay the membership fees in instalments.
- (c) That Messrs Erongo Sports Development Academy be required to pay normal fees for events and tournaments as per Council's financial regulations.

E/LK

11.1.2 <u>SUBDIVISION AND TOWNSHIP ESTABLISHMENT ON ERF 673,</u> TAMARISKIA EXTENSION 2

(C/M 2022/07/28 - 16/1/4/1/4, T 673)

RESOLVED:

GM: EPS

That the Council Resolution of 27 October 2011 under item 11.1.8 be repealed and replaced by this resolution:

- (a) That the Need and Desirability for township establishment on Erf 673, Tamariskia Extension 2 be approved.
- (b) That the amended layout plan be approved.
- (c) That the approval is subject to the renewal of the Environmental Clearance Certificate before submission to the Urban and Regional Planning Board.
- (d) That no access, either single or as a main for the township from Daniel Kamho Avenue be approved.
- (e) That the following conditions shall be registered against the title deeds of single residential:
 - 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 Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act (Act 5 of 2018).
 - B. 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, and
- (f) That the public open space and parastatal zoned erven be free of conditions.

11.1.3 REQUEST FOR COUNCIL TO SETTLE MORTGAGE BOND REGISTERED OVER ERF 2277, MONDESA EXT 4 IN FAVOUR OF BANK WINDHOEK

(C/M 2022/07/28

M 2277)

CO: H
GM: F
Acting GM: CS&HC

RESOLVED:

- (a) That Council takes note of the history of Erf 2277, Matutura, Extension 4, as it relates to Ms Kashe and Mr Haufiku.
- (b) That Council finances the bond cancellation fee of N\$1 609.50 to DR Weder, Kauta & Hoveka Inc. to cancel the bond.
- (c) That a new deed of sale be entered into between the parties.
- (d) That Kinghorn Associates attends to the transfer of Erf 2277, Matutura, Extension 4 from Ms L T Kashe to Mr Haufiku, at the account of Mr Haufiku.
- (e) That any other cost be for the account of Mr Haufiku.

FLX

11.1.4 <u>DETERMINATION OF PURCHASE PRICE FOR THE STREET PORTION BEHIND ERF 4363, MONDESA</u>

(C/M 2022/07/28

M 4363)

RESOLVED:

CO: P GM; EPS Acting GM: CS&HC

- (a) That Council approves the sale of a portion of Mandume Ndemufayo Street measuring ±480m² to the Estate of the Late Mr Hendrico Visagie at a purchase price of N\$700.00/m² x 480m² = N\$ 336 000.00 plus 15% VAT subject to the conditions contained in the Council's resolution passed on 30 August 2020 under item 11.1.5.
- (b) That the executor representing the Estate of Mr Hendrico Visagie confirms in writing the acceptance of the purchase price whereafter the sale be advertised as required in terms of the Local Authorities Act, Act 23 of 1992, as amended, at the cost of the purchaser.
- (c) 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 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.
- (d) That the purchase price and 15% VAT be secured within 120 days from the date the last party signing the deed of sale:
 - (i) Failure to secure the purchase price within the required period will result in cancellation without the need to place the purchaser on terms.
 - (ii) 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 the last party signing the deed of sale (date of sale) until the date or registration of transfer at a rate as confirmed with Council's bank on the date of sale (date of last party signing).
- (e) That the purchaser be responsible for the rezoning the street portion from "Street" to "Local Business".

11.1.5 **EXEMPTION FROM PAYMENT OF ASSESSMENT RATES**

(C/M 2022/07/28

3/4/1/2

RESOLVED:

CO: P GM: F Acting GM: CS&HC

(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:

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Erf Number	Organisation / Body	Purpose for which the Erf is Used	
Erf 3355, Swk	Palm Court Retirement Village	Retirement Village	
Erf 356, S	Marie Dougleas Heim	Old age Home	
Erven 4264 & 1729	Swakopmund Baptist Church	Place of Worship	
Erven 1772 & 1774	Private School Swakopmund	Educational	
Erf 9104,8159,9104,8159	DRC School Project and	Educational	
Ext 21	Community Pro-Ed AKademie	Educational	
Ext 21 Erf 776	A.M. E Church	Place of Worship	
	Swakopmund Congregational		
Erf 598	Church	Place of Worship	
Erf 1613	Scientific Society Swakopmund	Scientific Development & Educational	
Erven 2108 & 681	The Old Apostolic Church	Place of Worship	
Erf 1111	Evangelical Mission Church	Place of Worship	
Erf 602, M	Evangelical Lutheran Church	Place of Worship	
Erf 4371	Evangelical Bible Church	Place of Worship	
Reminder of Erf 1759	Evangelische Stadtmission	Place of Worship	
Erven 614 & 567	A F M Tamariskia	Place of Worship	
Erf 3572, S	Reiterverein Swakopmund	Horse Riding Club	
Erf 449	Owato Parish	Place of Worship	
Erf 455	St .Boniface Anglican Church	Place of Worship	
Erf 521	Blood Transfusion Service	Collecting Blood From Doners & Distributing to Hospitals	
Erf 4650	Stepping Stone School	Educational	
Erf 8680	A G S Filadelfia Swakopmund	Place of Worship	
Erf 782, T	Jehovah's Witnesses	Place of Worship	
Erf 3534 & 4234	Deutsche Pfadfinder	Youth Organisation	
Erven 236, 612,	Full Gospel Church of God	Place of Worship	
Erf 2649	Swakopmund Methodist Church	Place of Worship	
Erven 183 & 491	Deutsche Evang-Luth Gemeinde	Kindergarten &	
	Tierschutzverein (S. P. C. A)	Church Service Looking after	
Erf 3758 & E 10035	Swakopmund	Stray/Homeless dogs	
Erf 4367	Oruuano Church	Community Service	
Erven 723, 724, 725, 726 & 728	Deutscher Schulverein Swk	Hostel	
Erf 2781, 801 & 4200	Wo13 Lions Old age home	Old Age Home	
Erf 763, 309	New Apostolic Church	Place of Worship	
Erf 910, 779	Pentecostal Assemblies of God	Place of Worship	
Erf 4324	Happy Du Children Charity Organisation	Welfare Purposes	
Erven 3669, 3668	Antonius Residence Trust	Old Age Home	
Erf 949,	Sigill Ecclasine Catholic	Worship Service	
Erf 63	Mondesa Youth Opportunities	Worship Services	
Erf 620	Trust Rossing Foundation	Educational	
Erven 195 & 196 A, 5065,		Sisters Living	
5064, 5063	The mission Benedictine Sister's	Quatres	
Erf 305, 801, 800, 588	United Reformed Church	Place of Worship	
Erf 5824	Shofar Christian Church	Place of Worship	
	Onoral Omistian Onulch	riace of worship	
Erf 2605	West Side High School	Educational	
Erf 1624	Namib High School	Educational	
Erf 461	Swakopmund Secondary School	Educational	
Erf 247	Namib Primary School	Educational	
Erf 47, T	Tamariskia Primary School	Educational	
Erf 1	Vrede Rede Primary School	Educational	
Erf 1	Festus Gonteb Primary School	Educational	
Erf 3646	Hanganeni Primary School	Educational	
Erf 540	Atlantic Primary School	Educational	
Erf 1968	Swakopmund Primary School	Educational	
Erf 629	Herman Gemeiner School		
Erf 127	Teachers Resource Centre	Educational	
		Educational	
Erf 461	House Akasia	School Hostel	
Erf 3565	Ernst Rumpf Hostel	School Hostel	
Erf 1308	Woermann House	Library	
Erf 461	Namib Hostel	School Hostel School Hostel	
Erf 1624	House Romi Hostel		



Erf Number	Organisation / Body	Purpose for which the Erf is Used	
Erf 255 & 256	Hofmeyer Hostel	School Hostel	
Erven 1327,1949 & 2599	Regional Director of Education, Arts and Culture	Educational	

- (b) That the exemption of payment of assessment rates be credited with effect 1 July 2022 where applicable.
- (c) That the Messrs Masonic Management Committee be informed that they do not qualify for the exemption of the assessment rate and taxes.

11.1.6 NOMINATION OF ALTERNATIVE COUNCILLOR FOR THE ONLINE EXPERT EXCHANGE PROJECT BETWEEN THE SWAKOPMUND AND GIESSEN MUNICIPALITIES

(C/M 2022/07/28

5/2/4/5)

RESOLVED:

CO: M&C CEO Acting GM: CS&HC

That Councillor C W Goldbeck replaces Councillor M Henrichsen to lead the Swakopmund Municipality delegation for the duration of the Online Expert Exchange project between the Swakopmund Municipality and Gießen Municipality (Germany).

11.1.7 <u>MEMORANDUM OF AGREEMENT JCDECAUX NAMIBIA</u>
<u>OUTDOOR ADVERTISING PROPRIETARY LIMITED AND</u>
SWAKOPMUND MUNICIPALITY

(C/M 2022/07/28

7/2/10)

RESOLVED:

GM: F

- (a) That Council enters into a formal agreement with Messrs JCDecaux Namibia for the purpose of supplying advertising concrete bins for a period of five (5) years in terms of Clause 4.1 of the agreement on the same terms and conditions.
- (b) That Messrs JCDecaux Namibia refurbishes and upgrade the current inventory of 32 units to the satisfaction of the General Manager: Health Services and Solid Waste Management before committing to providing additional units.
- (c) That a proposed financial forecast over a period of 5 years, with 15% revenue share on sales secured from advertising, payable in quarterly sessions to the Swakopmund Municipality.

Gr.K.

11.1.8 SUBDIVISION OF ERVEN 1023 AND 3778, SWAKOPMUND INTO PORTION A, B AND REMAINDER AND PORTION C AND REMAINDER, RESPECTIVELY; SUBSEQUENT PERMANENT CLOSURE OF PORTION, A, B AND C OF THE AFORESAID ERVEN AS "STREET" AND REZONING OF PORTION A, B AND C FROM "STREET" TO "GENERAL BUSINESS" WITH A BULK OF 2 AND CONSOLIDATION OF PORTION B AND C INTO ERF X

(C/M 2022/07/28

E 1023; E 3778)

RESOLVED:

GM: EPS GM: F

- (a) That the Remainder of Erf 1023, Swakopmund (*Street*) be subdivided into Portion A, B and Remainder.
- (b) That Erf 3778, Swakopmund (*Street*) be subdivided into Portion C and Remainder.
- (c) That Portion A and B of the Remainder of Erf 1023, Swakopmund be permanently Closed as "Street" in terms of Section 50 of the Local Authorities Act.
- (d) That Portion C of Erf 3778, Swakopmund be permanently Closed as "Street" in terms of Section 50 of the Local Authorities Act.
- (e) That the permanent closure and rezoning of Portion A, B and C from "Street" to "general business" be subject to an Environmental Impact Assessment in accordance with the provision of the Environmental Management Act, Act 7 of 2007.
- (f) That Portion B and C be consolidated into Erf X.
- (g) That Portion A and Erf X be rezoned from "Street" to "General Business" with a bulk of 2.
- (h) The costs involved be defrayed from Vote Number 500031014300 where an amount of N\$1 339 361.11, is available.

11.1.9 <u>DEVELOPMENT OF THE REMAINDER OF ERF 2747,</u> <u>SWAKOPMUND: FISCON INVESTMENTS 23 CC</u>

(C/M 2022/07/28

E 2747)

RESOLVED:

CO: P
Acting GM: CS&HC

- (a) That Council takes note that Fiscon Investment 23 CC complied with the Management Committee decision passed on 13 January 2022 under item 7.12 by paying the required deposit in the amount of N\$100 000.00 on 10 January 2022 and that proof of financing in the name of a member, Mr G van der Merwe was provided.
- (b) That Fiscon Investment 23 CC be informed that Council takes note of the request:

J L.K

- (i) for a reduction in the purchase price by deducting the services cost.
 - 1. That Council reduces the purchase price to the amount of N\$1 000.00/m² approved on 28 March 2019 under item 11.1.24, points (a), (b) and (c) and the price not be escalated by 5% per annum.
 - 2. That it be recorded that the reason for the above decision is that the valuations were based on serviced land. The developer is responsible for all costs related to the development on the portion of land.
 - 3. That the developer be informed that they must pave the street on their own cost.
- (ii) that Council remains with the decision that the developer sells portion "F" directly to the Ministry of Fisheries & Marine Resources.

11.1.10 <u>APPLICATION BY MS GRETA NDINELAGO KRONELIUS TO WAIVE THE PRE-EMPTIVE RIGHT TO SELL ERF 1113, MATUTURA. EXTENSION</u>

(C/M 2022/07/28

E 1113 M)

RESOLVED:

CO: H
Acting GM: CS&HC

- (a) That Council waives the pre-emptive right registered over Erf 1113, Matutura and permits Ms Greta Kronelius to sell the property to the third party.
- (b) That Ms Gerta Kronelius be informed that she no longer qualifies for allocation an erf under the low-cost housing projects, as she is no longer a first-time property owner.

11.1.11 OKAHEKE INVESTMENT CC: PROGRESS AND CHANGE IN DEVELOPMENT

(C/M 2022/07/28 - T 626)

RESOLVED:

CO: P GM: EDS Acting GM: CS&HC

- (a) That Council takes note of the report by Okaheke Investment CC dated 06 June 2022 and of their request to change the development of the Remainder of Erf 626, Tamariskia of primarily indoor sport complex development to sectional title / housing development.
- (b) That Council rejects the request to change to a residential development.
- (c) That Okaheke Investment CC be informed that due to the long delay in this transaction in that the required rezoning is not yet completed since approved 31 January 2019 and failure to provide proof of attempts to obtain funding as resolved by Council on 23 May 2019, Council terminates the transaction.

TL.K

(d) That the Economic Development Services Department proposes a suitable community development for the Remainder of Erf 626, Tamariskia by Council; alternatively Corporate Services & Human Capital invites development proposals at a purchase price of N\$500.00/m² (7 522m² x N\$500.00 = N\$3 761 000.00), excluding 15% VAT for allocation based on the best proposal.

11.1.12 <u>DETERMINATION OF PURCHASE PRICE FOR PORTIONS</u> ADJACENT TO ERF 3209 AND REMAINDER 1797, MONDESA

(C/M 2022/07/28

RE/ 1797, M 3209)

CO: P GM: EPS

RESOLVED:

Acting GM: CS&HC

- (a) That Council approves the purchase price for the two street portions adjacent to Erf 3209 and Erf R1797, Mondesa at an average price of N\$555.00/m² x 337m² = N\$187 035.00 for sale to Ms Aina Uushona subject to the conditions as approved by Council on 25 March 2021, under item 11.1.19.
- (b) That Ms Aina Uushona confirms in writing the acceptance of the purchase price and conditions of sale approved by Council on 25 March 2021 under item 11.1.19.
- (c) That it be noted that Engineering & Planning Services Department provided a memorandum dated 18 February 2020 regarding the intended sale of the two street portions (point (a) of Council's decision passed on 25 March 2021 under item 11.1.19).
- (d) That Ms Aina Uushona pays the required N\$10 000.00 deposit as per point (n) of Council's decision passed on 25 March 2021.
- (e) That once the statutory process is finalized, the sale of the two portions located adjacent to Erf 3209 and Erf R1797, Mondesa to Ms Aina Uushona be advertised for possible objections as required in terms of the Local Authorities Act, Act 23 of 1992 as amended at the cost of the purchaser.
- (f) That the sale be subject to Council's standard conditions of sale by private treaty.
- (g) That the purchase price be secured within 120 days from the date the last party signing the deed of sale:
 - (i) Failure to secure the purchase price within the required period will result in cancellation without the need to place the purchaser on terms.
 - (ii) 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 the last party signing the deed of sale (date of sale) until the date or registration of transfer at a rate as confirmed with Council's bank on the date of sale (date of last party signing).

JI.K

11.1.13 ERF 673, TAMARISKIA - EDDY ANGULA TRUST

(C/M 2022/07/28 -

T 673)

RESOLVED:

CO: P GM: EPS Acting GM: CS&HC

- (a) That Council takes note of the new amended lay-out plan (Annexure "B", on file) submitted by Eddy Angula Trust and Block 9 Endowment Trust for the development of Erf 673, Tamariskia; which is tabled by the Engineering & Planning Services for consideration.
- (b) That, subject to approval of the amended lay-out plan in (a), the following conditions be applicable:
 - (i) That the developer pays the difference in value in the amount of N\$ 116.00 / m² for the size of the golf driving range (5 077m²) being converted into the single residential zoning.
 - (ii) That the developer be granted 18 months from the date of this Council resolution to commence with statutory process and complete the installation of services on Erf 673, Tamariskia.
 - (iii) That an addendum to the agreement be prepared and signed by the parties to reflect the above changes.
 - (iv) That the relevant betterment fee and or endowment fee be charged.
 - (v) That the developer be responsible for the upgrade and connections to the bulk services at their own cost.
 - (vi) That the developer signs an addendum to the agreement reflecting the above.

11.1.14 <u>APPLICATION BY MS M C ENGELBRECHT TO WAIVE THE PRE-EMPTIVE RIGHT OVER ERF 2592, MATUTURA, EXTENSION 12</u>

(C/M 2022/07/28 -

E 2592 M)

RESOLVED:

CO: H
Acting GM: CS&HC

- (a) That Council waives the 10-year restriction over, Erf 2592, Matutura and permits the sale of Erf 2592 to third party.
- (b) That Ms Engelbrecht be informed that she no longer qualifies for allocation an erf under the low-cost housing projects, as she is no longer a first-time property owner.
- (c) That Ms Engelbrecht submits the third party's information in order to determine whether or not he or she is eligible to purchase the house. The purpose of low-cost housing is defeated if the house is sold to a third party who is not on the Master Waiting List and is not a first-time homeowner.
- (d) That the Ministerial approval be obtained to allow Ms Engelbrecht to sell Erf 2592 to a third party.

TL.K

11.1.15 REQUEST TO INCLUDE THE ALIENATION RESTRICTION CLAUSE AS STIPULATED IN THE BUILD TOGETHER PROGRAMME

(C/M 2022/07/28 - M 3602)

RESOLVED:

CO: H

Acting GM: CS&HC

That Council waves the 10 years restriction clause.

11.1.16 <u>UNFORESEEN DELAY IN TRANSFER: ERF 5012, EXTENSION 14, SWAKOPMUND</u>

(C/M 2022/07/28

E 5012)

RESOLVED:

CO: P

Acting GM: CS&HC

- (a) That Council takes note of the delay caused on the transfer of Erf 5012, Swakopmund due to unresolved issue of the antenuptial contract.
- (b) That Council grants Mr Sydney Garoeb an extension of time until the antenuptial issue is resolved.
- (c) That interest on the transaction be waived since the delay is due to matters beyond his control.
- (d) That an addendum to the deed of sale be compiled and signed to reflect the amendments.

11.1.17 <u>STATUS REPORT ON INSTALLATION OF STREETLIGHTS AND PLANNED SERVICING OF EXTENSION 41 "WAGDAAR AREA"</u>

(C/M 2022/07/28

16/1/4/2/1/14)

RESOLVED:

GM: EPS CEO

That Council take note of the status report on the installation of the 19 streetlights in Extension 41 as well as the planned services installation, as per the approved annual procurement plan.

11.1.18 APPLICATION FOR THE REZONING OF ERF 171, SWAKOPMUND PROPER FROM INSTITUTIONAL TO GENERAL BUSINESS

(C/M 2022/07/28

E 171)

RESOLVED:

GM: EPS

- (a) That the rezoning of Erf 171, Swakopmund Proper from "Institutional" to "General Business" be approved.
- (b) That the rezoning of Erf 171, Swakopmund Proper be subject to a betterment fee of 50% calculated according to the betterment fee policy of 2009 and be paid by the applicant before the Fitness Certificate is issued and any submission of building plans to the Engineering and Planning Services Department for approval.

Ji.

- (c) That the applicant must apply for consent use to operate bed and breakfast on Erf 171, Swakopmund Proper.
- (d) That the total of seven (7) parking bays for the three (3) rooms be provide on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve shall be tolerated.
- 11.1.19 PERMANENT CLOSURE OF ERF 9806, SWAKOPMUND AS PUBLIC OPEN SPACE, REZONING OF ERF 9806 FROM PUBLIC OPEN SPACE TO GENERAL BUSINESS, CONSOLIDATION OF ERVEN 9806 AND 9794, SWAKOPMUND AND REZONING OF ERF 9793, SWAKOPMUND FROM GENERAL RESIDENTIAL 2 TO PUBLIC OPEN SPACE

(C/M 2022/07/28

E 9806, E 9793)

RESOLVED:

GM: EPS

- (a) That Erf 9806, Swakopmund, Extension 39 be closed as Public Open Space in terms of Section 50 (1) (c) of the Local Authorities Act, Act No. 23 of 1992.
- (b) That Erf 9806, Swakopmund, Extension 39 be rezoned from Public *Open Space* to General Business in terms of Section 105 (1)(a)(ii) of the Urban and Regional Planning Act, Act No 5 of 2018.
- (c) That Erven 9806 and 9794, Swakopmund be consolidated into Erf X in terms of Section 105 (1)(e)(ii) of the Urban and Regional Planning Act, Act No 5 of 2018.
- (d) That Erf 9793, Swakopmund, Extension 39 be rezoned from General Residential 2 with a density of 1:250 m² to Public Open Space in terms of Section 105 (1)(a)(ii) of the Urban and Regional Planning Act, Act No 5 of 2018.
- (e) That the objectors be informed of Council's decision and their right to appeal to the Minister against Council's Resolution in terms of Section 110 of the Urban and Regional Planning Act, 2018 (Act No 5 of 2018), within 21 days of receipt of notice of this Resolution, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.
- 11.1.20 REZONING OF ERF 31, VINETA PROPER FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1:600M² TO BUSINESS WITH A BULK OF 1

(C/M 2022/07/28

V 31)

RESOLVED:

GM: EPS

(a) That the rezoning of Erf 31 Vineta Proper, Swakopmund from "Singe Residential" with a density of 1/600m² to "General Business" with a bulk of 1.0 not be granted.

J.

(b) That the applicant be informed of their right to appeal to the Minister against Council's Resolution in respect of the above in terms of Section 110 of the Urban and Regional Planning Act, (Act No. 5 of 2018).

11.1.21 <u>APPLICATION FOR THE REZONING OF ERF 9644,</u> <u>SWAKOPMUND EXTENSION 18 FROM SINGLE RESIDENTIAL TO</u> <u>GENERAL RESIDENTIAL 2 WITH A DENSITY OF 1:300M²</u>

(C/M 2022/07/28

E 9644)

RESOLVED:

GM: EPS

- (a) That the rezoning of Erf 9644, Swakopmund, Extension 18 from "Single Residential" with a density of 1:600 to "General Residential 2" with a density of 1:300 be approved.
- (b) That the rezoning of Erf 9644, Swakopmund, Extension 18 be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid by the applicant before any business registration and/or submission of building plans to the Engineering and Planning Services Department for approval.
- (c) That all the parking be provide on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated,
- (d) That the objectors be informed of their rights to appeal the Council decision to the Minister of Urban and Rural Development with valid reasons within twenty-one (21) days from the date of the decision in accordance with section 110 of the Urban and Regional Planning Act, 2018 (Act 5 of 2018).

11.1.22 CONSENT TO OPERATE A TOURIST ESTABLISHMENT (LODGE AND ASSOCIATED ACTIVITIES) ON PORTION 48 (A PORTION OF PORTION 24) OF THE FARM NO 163

(C/M 2022/07/28

Farm 48)

RESOLVED:

GM: EPS

- (a) That the consent to operate a tourist establishment (lodge and associated activities) on Portion 48 (a Portion of Portion 24) of the Farm No 163, Swakopmund be approved.
- (b) That the applicant be informed that Council has granted the consent for a lodge limited to a maximum coverage of 10% of the property.
- (c) That the applicant submits as-built drawings for the illegally constructed structures for approval.
- (d) That upon successful compliance with the provisions of the Council decision and Clause 6 of the Swakopmund Zoning Scheme, the tourist establishment be registered with both

J.K.

- the Health and Solid Waste Management Department and Namibia Tourism Board.
- (e) That all the parking be provided on-site in line with the Swakopmund Zoning Scheme.
- (f) 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.
- (g) That all building structures be to the satisfaction of the General Manager: Engineering and Planning Services.
- 11.1.23 REZONING OF 1166, TAMARISKIA, EXTENSION 3 FROM SINGLE RESIDENTIAL WITH A DENSITY OF ONE DWELLING PER 600M²
 TO GENERAL BUSINESS WITH A BULK OF 1.0, CONSENT FOR A SERVICE INDUSTRY (CAR WASH) ON THE ERF

(C/M 2022/07/28

T 1166)

RESOLVED:

GM: EPS

- (a) The rezoning of Erf 1166, Tamariskia, Extension 3 from "Single Residential" with a density of one dwelling per 600m² to "General Business" with a bulk of 1.0 be approved, provided that an Environmental Clearance Certificate (ECC) be attached as part of the application to the Urban and Regional Planning Board.
- (b) That consent for a service industry (car wash) on the property be approved.
- (c) That parking be provide on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated.
- (d) That the rezoning of Erf 1166, Tamariskia, Extension 3 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.
- 11.1.24 APPLICATION FOR THE REZONING OF ERF 1165, TAMARISKIA, EXTENSION 3 FROM GENERAL RESIDENTIAL 1 WITH A DENSITY OF 1:100 TO GENERAL BUSINESS WITH A BULK OF 1 (C/M 2022/07/28 T 1165)

RESOLVED:

GM: EPS

- (a) That the rezoning of the Erf 1165, Tamariskia, Extension 3 from *General Residential* 1 with a density of 1:100 to general business with a bulk of 1 be approved.
- (b) That the rezoning of Erf 1165, Tamariskia, Extension 3 be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid by the applicant

J.K.

before any business registration and/or submission of building plans to the Engineering and Planning Services Department for approval.

- (c) That all the parking be provided on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated.
- (d) That the rezoning of Erf 1165, Tamariskia, Extension 3 from general residential 1 with a density of 1:100 to general business with a bulk of 1 be subject to obtain an Environmental Clearance Certificate in accordance with the provision of the Environmental Management Act, Act 7 of 2007.

111.1.25 SUBDIVISION OF ERF 8553 SWAKOPMUND EXTENSION 31 INTO PORTION A AND REMAINDER AND SUBSEQUENT REZONING OF PORTION A FROM GENERAL RESIDENTIAL 2 WITH A DENSITY OF 1:250M² TO PARASTATAL

(C/M 2022/07/28

M 8553)

RESOLVED:

GM: EPS

- (a) That the subdivision of Erf 8553, Swakopmund, Extension 31 into Portion A and Remainder be approved.
- (b) That the rezoning of Portion A from general residential 2 to parastatal be approved.
- (c) That the title deed conditions registered against Erf 8553, Swakopmund, Extension 31 be retained for the Remainder Erf 8553, Swakopmund Extension 31, as follows:
 - (i) The erf shall only be used or occupied for purposes which are in accordance with and the use or occupation of the erf shall at all times be subject to the provisions of the Swakopmund zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act 5 of 2018);
 - (ii) The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four times the municipal valuation

11.1.26 REZONING OF ERVEN 859 AND 860, TAMARISKIA EXTENSION 3
FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1:600M² TO
"GENERAL RESIDENTIAL 1" WITH A DENSITY OF 1:250 M² AND
SUBSEQUENT CONSOLIDATION OF ERVEN 859 AND 860,
TAMARISKIA, EXTENSION 3 INTO CONSOLIDATED ERF X
(C/M 2022/07/28 - T 859, T 860)

RESOLVED:

GM: EPS

- (a) That the rezoning of Erven 859 and 860, Tamariskia, Extension 3 from single residential with a density of 1:600 to general residential 1 with a density of 1:250 be approved.
- (b) That the consolidation of erven 859 and 860, Tamariskia, Extension 3 into Consolidated Erf X be approved.

L.K

- (c) That the rezoning of Erven 859 and 860, Tamariskia, Extension 3 be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid by the applicant before any business registration and/or submission of building plans to the Engineering and Planning Services Department for approval.
- (d) That all the parking be provided on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated.

11.1.27 <u>REQUEST TO HARVEST SEAWEED FROM BEACHES</u> OFSWAKOPMUND

(C/M 2022/07/28

16/1/3/2)

RESOLVED:

GM: HSSWM

- (a) That Council grants permission to Messrs Hafa Peak Investments CC to harvest seaweed from the Swakopmund beaches.
- (b) That Hafa Peak Investments CC be requested to submit an operational plan that outlines the plan of action.
- (c) That Council be indemnified from accidents and injuries that might arise from the collection of seaweed on the beaches.
- (d) That the drying and partial drying of seaweed on site is prohibited.
- (e) Tha no direct harvesting from the sea is allowed.
- (f) That Messrs Hafa Peak Investments CC be informed that the first employment opportunity be given to local residents.
- (g) That an agreement be drafted for signature between Council and Messrs Hafa Peak Investment CC.

11.1.28 REQUEST TO TRANSFER FUNDS FOR THE CONSTRUCTION OF SANITATION CENTERS IN DRC TO NEXT FINANCIAL YEAR

(C/M 2022/07/28

3/1/1/1/1)

RESOLVED:

GM: HSSWM GM:F

That the General Manager: Finance be permitted to transfer funds for the construction of sanitation centers in DRC under Vote: 750031015900 to the next financial year 2022 / 2023.

L.K.

11.1.29 ENVIRONMENTAL EDUCATION (EE) AND EDUCATION FOR SUSTAINABLE DEVELOPMENT (ESD) STRATEGY AND ACTION PLAN(2022- 2026)

(C/M 2022/07/28

A 4/3/1/3)

RESOLVED:

GM: HSSWM

- (a) That the Management Committee endorses the Environmental Education (EE) And Education for Sustainable Development (ESD) Strategy and Action Plan (2022-2026).
- (b) That the General Manager: Health Services, where possible, applies the strategy and action plan locally.
- (c) That Mr R Ujaha be appointed as secundi to the Manager: Health Services to ensure continuity in the execution and implementation (ESD) Strategy and Action Plan (2022-2026) as approved by Council from time to time in order to fulfill the commitments towards the Sustainable Development Goals (SDGs).
- (d) That special leave be granted to the above-mentioned staff member/s to attend workshops/meetings organized by Namibian Environmental Education Network (NEEN) and as approved for attendance.
- (e) That traveling and subsistence allowance is paid in terms of Council policy when required and the expenses be defrayed from the Conference Expenses Vote 300015505500.

11.1.30 FINAL REPORT OF BASELINE SURVEY AND BUSINESS CENSUS OF SWAKOPMUND

(C/M 2022/07/28

14/1/1/2; 14/1/1/3)

RESOLVED:

GM: EDS CEO

- (a) That the report for the Baseline Survey and Business Census by Messrs Glowshot Capital be approved.
- (b) That Council establish platforms such as Business Forums for public private dialogues for local economic development purposes.
- (c) That Council explore the possibility of establishing funding mechanisms to support businesses.
- (d) That Business census and survey be conducted every 2 years to have updated information for planning purposes.
- (e) That Business registration process/form be reviewed to provide more information.

L.K

11.1.31 NAMPOL: REQUEST FOR ACCOMMODATION AND MEALS DURING THE FESTIVE SEASON-2022 / 2023

(C/M 2022/07/28

14/2/7/1/2, 3/15/1/5/2)

RESOLVED:

GM: EDS CEO

- (a) That Council approves accommodation (N\$37 074.00) for members of the Namibian Special Police Force at the Swakopmund Rest Camp to assist with crime prevention from 15 December 2022 until 05 January 2023, on condition that they only operate in Swakopmund.
- (b) That Council will not pay additional fees, other than what is indicated in (a), above.
- (c) That the Namibian Special Police Force be requested to assist with the safety and security at the Swakopmund Fair from 16-18 December 2022.
- (d) That the Ministry of Safety and Security ensure that the Special Field Force are deployed in Swakopmund full time during the dates mentioned in (a).
- (e) That Nampol be requested to submit a report of their activities during the festive period of 15 December 2022 until 05 January 2023 to the Municipality of Swakopmund.

11.1.32 TRANSFER OF FUNDS - CAPITAL BUDGET 2021/2022

(C/M 2022/07/28

3/1/1/1/1)

RESOLVED:

GM: EPS GM: F

(a) That the following capital projects be transferred to the 2022/2023 financial year:

Project Description	Amount Approved	Estimated amount to be carried over 2022/2023	Vote Number
Designing of open market in DRC	1 000 000	70 000.00	251531008600
Upgrading of Mondesa business stalls	1 300 000	950 000.00	251531013400
Supply and Delivery of Open-Air Gym Equipment	1 500 000	1 300 000.00	251031007100
Development of the DRC Sports Stadium	350 000	150 000.00	400531002600
Business Census and Baseline Survey	630 250	127 937.50	4500310800 450031010900

(b) That permission be granted to the General Manager: Finance to transfer these votes with the required amounts to the 2022/2023 financial year.

LK

Ordinary Council Meeting:28 July 2022

11.1.33 GHETTO ASSISTANCE CENTRE (PTY) LTD - OPINION REGARDING THIRD PARTY AGREEMENT

(C/M 2022/07/28

14/2/1/2. 16/1/4/2/1/14)

RESOLVED:

CO: P Acting GM: CS&HC

- That Council takes note that currently there is no agreement in force between Council and Ghetto Assistance Centre (Ptv) Ltd and that Council resolved on 27 January 2022 to develop Extension 4, Matutura.
- That Council does not accept the joint venture agreement between Ghetto Assistance Centre (Pty) Ltd and CWN Investments CC as such dilutes Council's claims for performance and recourse to a 30% partner.

11.1.34 TRANSFER OF FUNDS - CAPITAL BUDGET 2021/2022

(C/M 2022/07/28

E 8443; 16/1/4/2/1/14)

CO: H GM: F

RESOLVED:

Acting GM: CS&HC

That permission be granted to the General Manager: Finance to transfer the amount of N\$300 000.00 under Vote: 150531013200 to the 2022 / 2023 financial year to finance the two Satellite Office containers.

11.1.35 TRANSFER OF FUNDS: HIGH DENSITY CABINETS

(C/M 2022/07/28

3/1/1/1/1)

CO: A GM: F

RESOLVED:

Acting GM: CS&HC

That permission be granted to the General Manager: Finance to transfer N\$887 000.00 under High Density Cabinet Vote No: 150531012900 to the 2022 / 2023 financial year.

11.1.36 REQUEST SPONSORSHIP: **FOR SWAKOP** ATLANTIC WRESTLING ACADEMY

(C/M 2022/07/28

3/15/1/5/1)

RESOLVED:

CO: M&C Acting GM: CS&HC

- (a) That the sponsorship of twenty-five (25) uniforms to the value of N\$10 000.00, to the wrestlers of the Swakop Atlantic Wrestling Academy be approved.
- (b) That the funds be defrayed from the Corporate Publicity Vote where N\$300 000.00 is available.
- That the uniforms sponsored (c) by Council to the Swakopmund Atlantic Wrestling Academy's be branded the following wording: "Sponsored Swakopmund Municipality".

11.1.37 <u>REQUEST FOR SPONSORSHIP: PARTICIPATION IN FOOTBALL</u> TRIALS IN MILAN, ITALY

(C/M 2022/07/28

3/15/1/5/1)

RESOLVED:

CO: M&C
Acting GM: CS&HC

That the request for sponsorship for the four (4) players, who were selected from the Erongo Region, to be a part of the Italian Football Trials be declined as it is not in line with Council's Sponsorship and Donation Policy.

11.1.38 REQUEST FOR SPONSORSHIP: PARTICIPATION AT THE AFRICAN UNION SPORT COUNCIL (AUSC) - DART CHAMPIONSHIP IN KEETMANSHOOP

(C/M 2022/07/28

3/15/1/6/1)

RESOLVED:

CO: M&C
Acting GM: CS&HC

- (a) That Council sponsors two players and the manager of the Namibian Darts Federation (NAMDAF), to participate at the African Union Sports Council (AUSC) Region 5 Dart Championship from 29 August 2022 to 3 September 2022 in Keetmanshoop.
- (b) That the total value of N\$10 000.00 be defrayed from the Corporate Services Publicity Vote: 150515533000 where N\$300 000.00 is available.
- (c) That the uniforms sponsored by Council to the Namibian Darts Federation (NAMDAF) be branded with the following wording: "Sponsored by the Swakopmund Municipality".

11.1.39 REQUEST FOR PERMISSION FOR SWAKOPMUND MUNICIPALITY TO PARTICIPATE IN THE LOCAL AUTHORITIES SPORT TOURNAMENT (WALVIS BAY)

(C/M 2022/07/28

J10/1)

RESOLVED:

Chairperson: Sport Club

All GMs

- (a) That permission be granted to members of the Swakopmund Municipal Sport & Social Club to participate in the SAIMSA sanctioned Local Authorities Tournament.
- (b) That Council, in principle, grants approval for special leave as per conditions of Employment to the staff members (Club Members) to participate in SAIMSA sanctioned Local Authorities Tournament, subject to the prior approved of leave by the respective Head of Departments.
- (c) That a Councillor accompanies the group to the Games.

TLK

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

None.

The meeting adjourned: 20:11

Minutes to be confirmed on: 31 August 2022.

L N Kativa MAYOR

ACTING CHIEF EXECUTIVE OFFICER