

**MINUTES**

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Monday, 30 September 2021** at **09:00**.

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**PRESENT:**

Councillor L N Kativa	:	Mayor
Councillor D Am-!Gabeb	:	Deputy Mayor
Councillor W O Groenewald	:	Chairperson of MC
Councillor P N Shimhanda	:	Member of Management Committee
Councillor B R Goraseb	:	Member of Management Committee
Councillor M Henrichsen	:	Alternate Member of MC
Councillor E Shitana	:	Member of Council
Councillor S Kautondokwa	:	Member of Council

**OFFICIALS:**

Mr C McClune	:	Acting Chief Executive Officer
Mr V S Kaulinge	:	GM: Economic Development Services
Mr H !Naruseb	:	GM: Finance
Ms L N Mutenda	:	GM: Health Services & SWM (Acting)
Mr A Plaatjie	:	GM: Corporate Services & HC (Acting)

**ALSO PRESENT:**

None.

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

The meeting was opened with the singing of the National Anthem.

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

On proposal of Councillor P N Shimhanda seconded by Councillor E Shitana, it was:

**RESOLVED:**

**That the agenda be adopted.**

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<b>CO: A</b> <i>Acting GM: CS&amp;HC</i>
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3. **APPLICATIONS FOR LEAVE OF ABSENCE AND DECLARATION OF INTEREST BY MEMBERS OF COUNCIL**

3.1 Application for leave of absence:

Councillor C-W Goldbeck : Alternate Chairperson of MC  
Councillor H H Nghidipaya : Member of Council

3.2 Declaration of interest:

None.

4. **CONFIRMATION OF MINUTES**

(C/M 2021/09/30 - A 2/3/5)

4.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 30 AUGUST 2021**

On proposal of Councillor M Henrichsen seconded by Councillor P N Shimhanda, it was:

**RESOLVED:**

CO: A  
Acting GM: CS&HC

That the minutes of the Ordinary Council Meeting held on 30 August 2021, be confirmed as correct.

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

(C/M 2021/09/30 - A 2/3/5)

*Honourable Councilors, The Chief Executive Officer, Mr. Alfeus Benjamin, General Managers, Managers, Officials, Municipality Staff Members, Members of The Media, Ladies and Gentlemen, All Protocol Observed*

*Good Morning and Welcome to The Council Meeting and Announcements.*

*Before I Start with The Announcements, I Would Like to Take Few Minutes to Honour and Celebrate the Following Staff Members for Their Long Service to The Municipality of Swakopmund.*

***Ladies and Gentlemen***

*Dedicated, Persistent, Efficient, Industrious Are All Adjectives That Can Be Used to Describe These Staff Members. They Have Earned Recognition Today for Their Hard Work and Loyalty to The Municipality for Years Ranging from 10 To 30.*

*On Behalf of the Council, Members of The Staff Please Accept Our Sincere Gratitude Towards Your Contribution.*

*There Is an Irish Proverb That Says, "In Our Togetherness, Castles Are Built" We Wish to Continue Many More Years with You in Efforts to Keep Carrying Out Our Municipal Vision.*

***Ladies and Gentlemen***

*Please Help Me Celebrate and Honour the Following Staff Members as We Present Them with Their Long Service Awards.*

***10 Years Service***

*Mr. Axel Madume  
Mr. Sebron Shikesho*



**20 Years Service**

Mr. Petrus Ndiweteko

**30 Years Service**

Ms Marinda Bahr  
Mr Erastus Kashona

**Honourable Councilors, Ladies and Gentlemen**

Please Allow Me to Present to You the Brief Highlights On the Events and Activities That Took Place During the Month of September.

**In Relation to The Public**

In No Order:

- A Notice to The Public Was Released from The Mayoral Office to Discourage the Theft of Prepaid Stand Batteries Located in DRC.
- The Month of October Was Declared Clean Up Month Encouraging Businesses, Schools, And Civic Organisations to Clean Their Parameters, And as A Result Swakopmund.
- Lastly, Dog and Cat Dipping and Injection Services Were Provided by The Municipality to The Public.

**In Relation to Housing**

- It Is My Pleasure to Announce That the Community of Wagdaar Is to Receive Streetlights. They Will Be Located Between Extension 41 And 42
- The Shack Dwellers Federation, Who Operates On Its Own in Managing Their Resources and Funds. Has Commenced with Excavation Work, After They Successfully Applied for Land to The Council.
- Lastly in Housing Highlights, The Social Housing Project Is Part of 40/40 Initiative Which Address Housing Needs for Residents of The DRC Informal Settlement. I Glad to Announce That 40 Houses Are Nearing Completion.

**In Relation to Events and Meetings**


The Office of the Mayor Participated in:

- Community Meetings with Various Public Members Who Required Assistance from Council
- Addressing The Audiences of Heritage Week and Domestic Tourism Campaign
- Attended The Inauguration of BIPA Walvis Bay and The Namibia/Botswana Joint Permanent Commission
- Hosted A Courtesy Visit from The Deputy Mayor of Katima Mulilo and Her Delegation

**In Relation to Donations and Handovers**

- The Council Donated Mattress and Beds Through the Governor's Office to Pensioners Who Were Apart of the Fire Victims.
- It My Honor to Additionally Announce That We Received Storage Containers from Rossing Uranium to Facilitate Donation Parcels.
- Inspired by That Generous Donation by Rossing Tangeni Shilongo Namibia Donated 50x Maize Meal and 50x Flour Packages to The Office. The Official Handover Ceremony Will Be Held Next Week, 5<sup>th</sup> Of October 2021
- At The Heart of It All, It Is My Profound Honor to Announce That the Japanese Embassy, Through The Rotary Club Donated Two Ambulances to The Municipality. Making Us the Second Municipality, Behind Windhoek to Own Our Own Ambulances. I Am Positive That This Donation Will Add Value to The Work of the Emergency Division of the Council and Improve Our Capacity to Respond to Emergencies.

Ladies and Gentlemen





*In Conclusion, I Would Like to Thank Each and Every One Who Had a Hand in Organizing and Assisting with The Success of This Month's Events and Activities. This Month Has Been Filled with A Lot of Impactful Initiatives.*

*I Would Also Like to Take Some Time to Remind and Encourage You to Keep Complying with The Covid Regulations. Wear Your Masks, Sanitize Your Hands.*

*That Is All We Had for Today, Thank You for Your Undivided Attention.*

**Honourable Councilors, Ladies and Gentlemen**

*We Will Now Continue with Our Deliberations.  
Thank You.*

*Louisa Kativa  
Mayor*

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

None.

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7. **PETITIONS**

None.

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8. **MOTIONS OF MEMBERS**

None.

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

None.

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

11. **RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE MEETINGS HELD ON 16 AND 28 SEPTEMBER 2021**

10. **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY PREVIOUS MANAGEMENT COMMITTEE MEETINGS HELD DURING AUGUST AND SEPTEMBER 2021**

**RESOLVED:**

**CO: A**  
**Acting GM: CS&HC**

**That the Management Committee resolutions of 19 August 2021 and 16 September 2021 be noted.**



11. RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE

11.1 MANAGEMENT COMMITTEE MEETINGS HELD ON 19 AUGUST 2021, 16 AND 28 SEPTEMBER 2021

11.1.1 SALE OF ERF 7041, MONDESA TO UHLI NECESSITY WELLNESS TRUST: CANCELLATION OF SALE  
(C/M 2021/09/30 - M 7041)

RESOLVED:

CO: P  
Acting GM: CS&HC

That Messrs Uhli Necessity Wellness Trust be given an extension of time until 31 December 2021.

11.1.2 EXTENSION OF AGREEMENT WITH COUNCIL ON THE ENTREPRENEURS PROGRAMME WITH THE DOME  
(C/M 2021/09/30 - 14/1/1/2)

RESOLVED:

GM: EDS

- (a) That the proposal by Messrs the Dome Swakopmund to extend the financial commitment into the Entrepreneurship Factory be noted.
- (b) That the Dome Swakopmund be advised that the Council will assess the progress and impact made upon completion of the "Be Your Own Boss" Entrepreneurship training programme to determine future investment.
- (c) That the Dome submits update progress report on "Be Your Own Boss" entrepreneurs and Para Olympic athlete.
- (d) That the Dome Swakopmund be advised to engage other stakeholders to get more partners on board and secure more sponsorship toward the Entrepreneurship Factory.

11.1.3 SWAKOP FOOD FESTIVAL FOR DECEMBER 2021  
(C/M 2021/09/30 - 14/2/2/1/3, 14/1/3/1)

RESOLVED:

GM: EDS

- (a) That permission be granted to Ms Dalene Stephanus to host a mid-annual Swakopmund Food Festival on 28<sup>th</sup>-29<sup>th</sup> December 2021 at the Thomas Hamunyela Amphitheatre between 08am and 8pm subject to the following conditions:

(i) *That the following rental be charged:*

- Refundable Deposit = N\$724.00
- Rental Fees x 3 day = N\$3 240.61 (i.e. N\$939.38 X 3 plus 15% VAT)

(ii) *That noise be restricted to the immediate surrounding area (i.e. 85 Decibels) and upon any complaints of noise pollution or misbehaviour, the approval be terminated.*

(iii) *That the applicant indemnifies Council against all and any claims in respect of damage to property and / or bodily injury to / loss of*





*life of people that may arise from the utilization of the property.*

- (iv) *That the applicant ensures that there is security during the event, and that the site is restored to its original state after use.*
- (v) *That the applicant restores the area to its normal state after the event.*
- (vi) *That the applicant ensures that all health protocols related to COVID-19 pandemic, are adhered to.*
- (vii) *That the applicant must indicate whether refuse bins will be required and has to pay for the lease thereof as well as the removal afterwards (N\$32.00) per bin and N\$786.00 per truck load for the removal {15% VAT excluded}) as per approved budget.*
- (b) **That Messrs Nedbank Swakopmund Food Festival ensures that there is sufficient power supply for the event, and should additional electricity be required, it be supplied at their own cost.**
- (c) **That Messrs Nedbank Swakopmund Food Festival be responsible for sourcing for additional ablution facilities if required at their own costs.**
- (d) **That Council grant permission to Messrs Nedbank Swakopmund Food Festival to host a beach bar at the Ok Parking, Northern Beach Area on 28<sup>th</sup>-31<sup>st</sup> December 2021 subject to the following conditions:**
  - (i) *That the following rental be charged:*
    - *Refundable Deposit = N\$724.00*
    - *Rental Fees x 4 day = N\$4 321.15 (i.e. N\$939.38 X 3 plus 15% VAT)*
  - (ii) *That noise be restricted to the immediate surrounding area (i.e. 85 Decibels) and upon any complaints of noise pollution or misbehaviour, the approval be terminated.*
  - (iii) *That the applicant indemnifies Council against all and any claims in respect of damage to property and / or bodily injury to / loss of life of people that may arise from the utilization of the property.*
  - (iv) *That the applicant ensures that there is security during the event, to the satisfaction of the General Manager: Economic Development Services, and that the site is restored to its original state after use.*
  - (v) *That the applicant ensures that all health protocols related to COVID-19 pandemic, are adhered to.*
  - (vi) *That the applicant must indicate whether refuse bins will be required and has to pay for the lease thereof as well as the removal afterwards (N\$32.00) per bin and N\$786.00 per truck load for the removal {15% VAT excluded}) as per approved budget.*
  - (vii) *That the adjoining residential units be informed of the event for this period.*
  - (viii) *That the approval be given as a test case and be reconsidered in future.*



11.1.4 **MESSRS PCGN SWAKOP URANIUM: AMENDMENT OF COUNCIL'S RESOLUTION PASSED ON 30 AUGUST 2021, ITEM 11.1.19 POINT (B)**

(C/M 2021/09/30 - 14/2/1/2, 16/1/4/2/1/14)

**RESOLVED:**

CO: P  
Acting GM: CS&HC

That Council amends its resolution of 30 August 2021 under item 11.1.19 (b) to read as follows:

- (a) *That the remainder of the erven be offered to PCGN Swakop Uranium for the construction of houses for their employees.*

11.1.5 **REQUEST FOR UPGRADING OF ROADS AND STREETS**

(C/M 2021/09/30 - 16/1/6/1)

**RESOLVED:**

GM: EPS  
GM: F

- (a) That Council takes note that proposals have been received by the public to contribute to a portion of the costs to upgrade the streets in their neighbourhood.
- (b) That the public, who request for street upgrading, be informed that no budgetary provisions have been made for this Financial Year.
- (c) That the request for the upgrading of Kurze Street be approved.
- (d) That the General Manager: Engineering and Planning Services makes the necessary budgetary provisions for the new financial year and subsequent years.
- (e) That the General Manager: Finance sources funding for the upgrading of Kurze Street.

11.1.6 **REQUEST FOR PERMISSION TO LAUNCH AND HOST MISS PALM BEACH 2022 IN SWAKOPMUND**

(C/M 2021/09/30 - 9/3/1/2)

**RESOLVED:**

GM: EDS

- (a) That Council takes note of the postponement of Miss Palm Beach from 23-26 December 2021 to 28-31 December 2022.
- (b) That permission be granted to Messrs Alpha Events & Marketing CC to launch Miss Palm Beach 2022 on 23-26 December 2021.
- (c) That permission be granted to Messrs Alpha Events & Marketing CC to host the Miss Palm Beach beauty pageant 2022 at the Tennis Court parking area on 28-31 December 2022 between 08 am and 08 pm subject to the following conditions:

- (i) *That the following rental be charged:*

- Refundable Deposit = N\$936.00



- Rental Fees x 4 day = N\$6 240.00 (VAT incl)
  - 10% increase on both deposit and rental fee in case of price escalate
- (ii) That noise be restricted to the immediate surrounding area (i.e. 85 Decibels) and upon any complaints of noise pollution or misbehavior, the approval be terminated.
- (iii) That applicant submits proof before the event commences on 23 December 2021 of having enlisted the services of a security to control visitors when they enter or leave the premises, event management plan & layout.
- (iv) That Messrs Alpha Event & Marketing CC indemnify Council against any claims in respect of damages to property or injury to people, which might arise from the event to the satisfaction of the General Manager: Economic Development Services.
- (v) That the event organizers restore the Tennis Court Parking area to its normal state after the event.
- (vi) That in the event that the COVID-19 pandemic still prevails, the applicant ensure that all health protocols are adhered to.
- (d) That the resolution conditions under (a) (i) to (vi) be applicable to the launch as well.
- (e) That Messrs Alpha Events & Marketing CC be responsible to liaise with Erongo RED for their electricity connection and requirements for the events at their own costs.
- (f) That Messrs Alpha Events & Marketing CC be responsible for sourcing for additional ablution facilities if required at their own costs.
- (g) That Messrs Alpha Events & Marketing CC organizer directly approaches possible stakeholders such as the Namibian Police and Swakopmund Neighborhood Watch, for any required services or assistance during the two events.

11.1.7 **WOERMANN HAUS: RENEWAL OF LEASE AGREEMENTS**  
(C/M 2021/09/30 - 13/3/1/3/1308, E 1308)

**RESOLVED:**

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

- (a) That it be noted that rooms D24 and Room 25 are currently being utilized by Joe Vision Production for filming purposes until 25 September 2021.
- (b) That the General Manager: Corporate Services and Human Capital engages the lessee to determine the period that the business operation was interrupted in order to make a recommendation on the possibility of waiving rental and if so, for what period.
- (c) That permission be granted to Messrs Adel's Creation for a 1-year extension.



- (d) That the General Manager: Corporate Services and Human Capital engages Messrs Adel's Creation to consider alternative rental sites.
- (e) That the Council resolution passed on 29 May 2008 under item 11.1.2 be repealed and that Council invites proposals from the public for the purchase of the entire Woermann Haus building.

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11.1.8 **MESSRS UUNONGO TECHNOLOGIES CC: CONSTRUCTION OF LOW COST HOUSES IN THE MATUTURA AREA BY SMALL CONTRACTORS**

(C/M 2021/09/30 - 14/2/1/2)

**RESOLVED:**

CO: H  
Acting GM: CS&HC

That Council remains with its decisions passed on 23 May 2019, under item 11.1.3 point(h) and 01 July 2021 item under 11.1.7, point (b).

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11.1.9 **TRANSFER OF RIGHTS: HANGAR 52**

(C/M 2021/09/30 - Hangar 52)

**RESOLVED:**

CO: P  
Acting GM: CS&HC

- (a) That Council approves the transfer of the rights of Hangar 52 from Safari Projects CC to Wirlu Investments 104 (Pty) Ltd subject to the standard lease conditions for hangars at the aerodrome.
- (b) That the approval be subject to Safari Projects CC's lease accounts are up to date.

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11.1.10 **TRANSFER OF RIGHTS: HANGAR 8**

(C/M 2021/09/30 - Hangar 8)

**RESOLVED:**

CO: P  
Acting GM: CS&HC

- (a) That Council approves the transfer of the rights of Hangar 8 from Strauss Group Construction CC to Mr Gerhardus Daniel Jakobus Van Zyl subject to the standard lease conditions for hangars at the aerodrome.
- (b) That the approval be subject to Strauss Group Construction CC's lease accounts are up to date.





11.1.11 REQUEST FOR PARTNERSHIP BETWEEN THE MUNICIPALITY OF SWAKOPMUND AND IMPACT TANK

(C/M 2021/09/30 - 14/2/10/2)

RESOLVED:

GM: EDS

- (a) That Council supports the partnership between Messrs Impact Tank and the Municipality of Swakopmund by providing training venue and disseminates information to local youth.
- (b) That the request for winning prizes in the form of money be turned down due to financial constraints.
- (c) That Council avail the Rest Camp Conference Room for Messrs Impact Tank training for 20 local unemployed youth for a period of three months, 3 days a week.
- (d) That the Conference room expenses approximately ±N\$21 600.00 (i.e. 600 per day times, 3 days a week for 3 months) be defrayed from the Publicity Vote 450015533000 where N\$60 500.00 is available.
- (e) That the applicant be informed to maintain the facility at all times and restores it to its original state after every meeting.
- (f) That Messrs Impact Tank indemnifies Council against all and any claims in respect of damage to property and / or bodily injury to / loss of life of people that may arise from the utilization of the property.

11.1.12 REQUEST FOR COLLABORATION AND ASSISTANCE WITH FUNDING TOWARDS THE 2021 NAMIBIAN HERITAGE WEEK

(C/M 2021/09/30 - 3/15/1/5/3)

RESOLVED:

CO: MC  
Acting GM: CS&HC

- (a) That Council takes note of the request from the Scientific Society Swakopmund for financial assistance towards the hosting of the 2021 Namibian Heritage Week scheduled to take place from 20-26 September 2021 at the Swakopmund Museum, in Swakopmund.
- (b) That Council donates N\$10 000.00 towards the production and editing of the videos of the event.
- (c) That the funds be defrayed from the Corporate Services Publicity Vote: 150515533000.
- (d) That the videos and pictures of the event be posted on Council's social media platforms and website.



11.1.13 APPLICATION FOR URBAN AGRICULTURAL LAND

(C/M 2021/09/30 - 17/5/3)

GM: HSSWM  
GM: EPSRESOLVED:

- (a) That Council takes note of the need for Urban Agricultural Land.
- (b) That the applicants be informed that Council intends to install services to Portions 79 to 110 (portions of Portion 71) and once the services are completed, they will be invited to participate in the bidding process which will be open for all community members.
- (c) That the Engineering and Planning Services Department provides a timeline for the servicing of the smallholdings.
- (d) That the applicants be requested to provide the minimum services required for their projects.
- (e) That the General Manager: Health Services and Solid Waste Management be requested to make an allotment plot available to Messrs Etemo Gardens.

11.1.14 REQUEST TO REDIRECT FUNDS FOR THE NORTHERN BEACH DEVELOPMENT

(C/M 2021/09/30 - 14/2/4/1)

GM: EPS  
GM: FRESOLVED:

- (a) That once the Coastline Vulnerability Study is completed 1 November 2021, a presentation is made to Council to provide the finding of the report.
- (b) That the matter be submitted to Council after the presentation outlining the most critical work that requires attention with the available funds.
- (c) That N\$237 565.57 be transferred from the Vote: 400031002300 Mole - Breakwater Protection and Jetty to the Vote: 400031002500 New Public Toilets at Klip Jetty
- (d) That a new Vote be created by the Finance Department for the Coastline Vulnerability Assessment and N\$136 022.00 are transferred from the Vote: Vote: 400031002300 Mole - Breakwater Protection and Jetty.
- (e) That the remainder of the funds in the Mole - Breakwater Protection and Jetty Vote be utilized for maintenance work at the Mole Head.





11.1.15 BUSINESS REGISTRATION, LICENCING POLICY AND PROCEDURE

(C/M 2021/09/30 - 17/P)

RESOLVED:

GM: HSSWM

- (a) That Council approves the Business Registration, Licensing Policy and Procedures
- (b) That the Business Registration, Licensing Policy and Procedures be reviewed when necessary.

11.1.16 NON-COMPLIANT ACTIVITIES ON ERF 2561, SWAKOPMUND: MECHANICAL WORKSHOP

(C/M 2021/09/30 - E 2561)

RESOLVED:

GM: EPS

- (a) That legal action be instituted against the non-compliance activities on Erf 2561, Swakopmund.
- (b) That Council's legal practitioner be instructed to eliminate the said nuisance on Erf 2561, Swakopmund.
- (c) That all costs thereof be for the account of the owner of Erf 2561, Swakopmund.
- (d) That the General Manager: Engineering and Planning Services Department, be appointed to adduce to the affidavit on behalf of the Council to institute and prosecute the application.
- (e) That similarly, the Court Order empowers the Municipality of Swakopmund officials to enter the property for inspections and / or for the restoration of the property to compliance with the Zoning Scheme, the Building Regulations and the Health Regulations.
- (f) That the court order is effective as soon as the appointment of the legal practitioner is done.

11.1.17 REGISTRATION OF A RIGHT-OF-WAY SERVITUDE OVER ERF 113, SWAKOPMUND IN FAVOUR OF ERF 31, VINETA PROPER

(C/M 2021/09/30 - V 31, V 113)

RESOLVED:

GM: EPS

- (a) That the request for Erf 31, Vineta Proper to obtain access from Vrede Rede Avenue through Erf 113 Vineta Proper be approved.
- (b) That a four (4) metre wide right-of-way servitude be surveyed and registered over Erf 113, Vineta Proper in favour of Erf 31, Vineta Proper.
- (c) That all the costs involved be for the applicant's account.





11.1.18 **PROPOSED PARTNERSHIP: ESTABLISHMENT OF A SWAKOPMUND FISHING ASSOCIATION AND A FISH MARKET**  
(C/M 2021/09/30 - 16/1/3/2)

**RESOLVED:**

GM: EDS

- (a) That Council approves the proposal submitted by Benguela Current Convention (BCC) to enter into a partnership with the Swakopmund Municipal Council.
- (b) That a Memorandum of Understanding is developed between the Benguela Current Convention (BCC) and the Swakopmund Municipal Council.
- (c) That Council approves the Marine Project Proposal from the Benguela Current Convention (BCC).
- (d) That it be investigated whether the proposed Fish Market can be accommodated at Erf 138.
- (e) That the General Manager: Engineering & Planning Services identify other projects in line with the objectives of BCC that need financial support.
- (f) That the General Manager: Engineering & Planning Services with the assistance from the General Manager Economic Development Services set up an internal task team that will work closely with the Benguela Current Convention (BCC) to implement the project successfully.

11.1.19 **REPAIR WORKS AT A DWELLING ON ERF 759, MONDESA**  
(C/M 2021/09/30 - M 759)

**RESOLVED:**

GM: EPS

- (a) That approval be granted for the repair works to be done at Erf 759 in Mondesa which includes underpinning of the garage foundation (Option A) and construction of a new garage floor which amounts to N\$ 52 376.27 (excl. VAT).
- (b) That the total cost be defrayed from the following vote:

Description Of Funding	Amount (N\$)
600014001000-Building & Structures (Civil)	N\$239 954.83

11.1.20 **REQUEST FOR THE UTILIZATION OF MONDESA SPORT FIELD**  
(C/M 2021/09/30 - 14/2/21/1, 14/2/21/3)

**RESOLVED:**

GM: EDS

- (a) That permission be granted to Messrs Rotary Club to utilize the Mondesa Sport Field free of charge for the fundraising tournament during November / December 2021 on the following conditions:
  - (i) The club pays a refundable deposit N\$1 145.00 and
  - (ii) The club uses their own volunteers to keep the facility clean



during the tournament.

- (b) That Council be indemnified against any claims that may arise from using the stadium.
- (c) That Council reserves the right to cancel the use of the stadium should Council need the stadium for its own purposes.
- (d) That the Rotary Club makes prior arrangements with Erongo-RED for an electricity connection at own cost should it be required.
- (e) That the stadium be restored to its original condition and to the satisfaction of the Swakopmund Municipality after the event.
- (f) That all remaining expenses be defrayed from the Publicity vote 450015533000 where an amount of N\$60 500.00 is available.

11.1.21 REQUEST FOR EXTENSION OF TIME TO SECURE THE PURCHASE PRICE FOR ERF 1960, MONDESA - THE TRUSTEE FOR THE TIME BEING OF THE AIDS CARE TRUST OF NAMIBIA  
(C/M 2021/09/30 - M 1960)

RESOLVED:

CO: P  
Acting GM: CS&HC

- (a) That Council takes note of the application for an extension of time by Aids Care Trust Namibia for the period of 3 months.
- (b) That Council takes note that Aids Care Trust Namibia did not secure the purchase price by due date of 06 August 2021.
- (c) That due to the large scale and costly development of Erf 1960, Mondesa the following be approved:
  - (i) *That Aids Care Trust of Namibia be granted additional time until 06 December 2021 (3 months from 06 August 2021) to secure the purchase price and 15% for Erf 1960, Mondesa, on condition that:*
    1. *The services account be paid up to date by Friday, 29 October 2021.*
    2. *That the purchase price attracts interest at a rate of 7.5% per annum from 06 August 2021 until date of receipt of the full purchase price and 15% VAT in cash, or until date of registration of transfer in the case a bank guarantee is provided.*
  - (ii) *That the transaction be cancelled if the purchase price is not secured by 06 December 2021 in which case the other three proposals received during 2019 be analysed for possible allocation.*
- (d) That an addendum to the deed of sale be compiled reflecting the extended time granted.



11.1.22 **MESSRS DEMSHI - REQUEST TO LEASE LAND FOR  
INSTALLATION OF TELECOMMUNICATION TOWERS**

(C/M 2021/09/30

- 13/3/1/7, M 4653, E 5031, E 1248 M, E 7238 M)

**RESOLVED:**

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

- (a) That the following portions of land measuring as indicated in the table below, zoned "*Public Open Space*" be leased to Messrs Demshi Investment Holdings (Pty) Ltd:

Location	Erf Number	Erf Size	BTS Size
DRC	8664	1 739	100 m
Tamariskia	1248	26 135	100 m
Mondesa	4653	...	100 m
Ocean View	5031	3 999	100 m
Tulinawa	7238	1520	100 m

- (b) That Messrs Demshi Investment Holdings (Pty) Ltd be granted permission to sublease space on all towers indicated in the table above.
- (c) That Messrs Demshi Investment Holdings (Pty) Ltd adheres to the following requirements:
- *Consent letter from the neighbours*
  - *Environmental Impact Assessment (EIA)*
  - *That only camouflaged towers may be used*
- (d) That the following standard lease conditions be applicable to the leasing of the lease portion in (a) above.
- (i) *Lease period of 5 years.*
  - (ii) *That building plans of all proposed buildings must be submitted to the Engineering and Planning Services Department.*
  - (iii) *That the portion of land is leased on the explicit condition that the lessee indemnifies Council against any claim for damages resulting from its occupation by the lessee.*
  - (iv) *That the lease be at the current tariff of N\$ 39.64m<sup>2</sup> per month with an annual escalation of 7% every July (first being 1 July 2022).*
- (e) That permission is granted to Messrs *Demshi Investment Holdings (Pty) Ltd* to sublease the sites applied for as it forms part of their business model.
- (f) That the Engineering & Planning Services Department provides a lay-out plan for the exact location on the identified erf to be used for the tower.
- (g) That Messrs Demshi Investment Holdings (Pty) Ltd installs their own electrical meter so that any expenses and costs generated be allocated to Messrs Demshi Investment Holdings (Pty) Ltd.
- (h) That the proposed lease of the site be dealt with in terms of section 63 of the Local Authorities Act 23 of 1992, as amended.
- (i) That Council's standard lease conditions be made applicable to the lease.



- (i) That all costs relating to the lease, including, but not limited to advertising costs, be for the account of the lessee.
- (k) That the following conditions be made applicable in addition to points (c) to (i) above to the lease:
- (i) *That Council will not reimburse Messrs Demshi Investment Holdings (Pty) Ltd for any costs relating to the installation or removal of its properties or any other expense incurred during or after the termination of the lease agreement.*
  - (ii) *That any damages that may be caused to the lease site be for the account of Messrs Demshi Investment Holdings (Pty) Ltd and shall be repaired at their cost and on demand.*
  - (iii) *That Messrs Demshi Investment Holdings (Pty) Ltd be responsible for the proper maintenance of the equipment, failure to maintain the water tower and equipment on a structural and aesthetic level satisfactory to the GM: Engineering and Planning Services will result in the cancellation of the lease and the removal of the lease equipment at the cost of the lessee.*

11.1.23 **REQUEST FOR ASSISTANCE: APPROVAL OF BUILDING PLANS, WLOTZKASBAKEN**

(C/M 2021/09/30 - 5/2/4/2)

**RESOLVED:**

GM: EPS

- (a) That the Municipality of Swakopmund acknowledges the request of the Erongo Regional Council in letter dated 13 July 2021.
- (b) That the Swakopmund Municipal Council takes note and condones the arrangements as indicated in letter forwarded to the Erongo Regional Council on the 13 August 2021.
- (c) That the Municipality of Swakopmund is exempt from all liability relating to the request and any assistance rendered.
- (d) That the Municipality of Swakopmund reserves the right to review any assistance rendered in terms of this request.

11.1.24 **DONATION OF TWO (2) FIRE TRUCKS FROM THE ROTARIAN IN JAPAN**

(C/M 2021/09/30 - 15/3/2)

**RESOLVED:**

GM: EDS  
CEO

- (a) That Council accepts the donation of the following two (2) Fire Trucks and extends their sincere gratitude towards the Embassy of Japan and the Rotary Club in Swakopmund:

No	Description	Model	Make	Chassis Number	Mileage
1	Pumper Unit	2003	Mitsubishi Canter	FE73EB502040	9 174 km



2	Truck with Portable Pump	2003	Nissan Atlas	H4F23007264	9 016 km
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- (b) That the Chief Executive Officer on behalf of Council provides the necessary information require to the Embassy in writing.

11.1.25 SUBDIVISION OF THE REMAINDER OF ERF 5360 SWAKOPMUND, EXTENSION 15 INTO PORTION A, B AND REMAINDER

(C/M 2021/09/30 - E 5360)

RESOLVED:

GM: EPS

- (a) That the subdivision of the Remainder of Erf 5360, Swakopmund into Portion A measuring 971.228m<sup>2</sup>, B measuring 28.772m<sup>2</sup> and the Remainder be approved;
- (b) That any costs pertaining to the provision of additional services be for the account of the applicant, seeing that Council will not charge the endowment fee.

11.1.26 ERF 4812, SWAKOPMUND: APPLICATION TO WAIVE PRE-EMPTIVE RIGHT

(C/M 2021/09/30 - E 4812)

RESOLVED:

CO: P  
Acting GM: CS&HC

That Council accepts the merit motivation for the closing of business operations in Swakopmund and waives the pre-emptive right registered over Erf 4812, Swakopmund and permits Messrs KS Properties Namibia (Pty) Ltd to sell their undivided erf to a third party.

11.1.27 MUNICIPAL CAFETERIA: SEAROCK INVESTMENTS CC - THE WAY FORWARD

(C/M 2021/09/30 - 13/3/1/10)

RESOLVED:

CO: P  
Acting GM: CS&HC

- (a) That Council takes note of the letter received on 11 August 2021 from Messrs Searock Investments CC.
- (b) That Council takes note that Messrs Searock Investments CC is in arrears with their rental payments in the amount of N\$20 700.00.
- (c) That Messrs Searock Investments CC be informed of the following:
- (i) *That Council cannot make it mandatory to make use of their catering services by Council and third parties, as Council is subject to the stipulations of the Public Procurement Act 15 of 2015 and third parties pay rental tariffs to make use of Council's facilities and are therefore at liberty to make use of caterers of their choice.*



- (ii) *That Council writes-off the rental for the 8 months as set-out above, as Searock Investments CC could not reasonably have been expected to operate whilst the municipality was closed for lockdowns and operated on skeleton staff.*
- (iii) *The total value of the waived rental amount is 8 x N\$1 320.19 = N\$10 561.52 (which amount includes 15% VAT); leaving a balance of N\$10 138.48.*
- (d) That Council waives the monthly rental of the municipal cafeteria during December in future as Council is in recess and most employees are on leave.
- (e) That an addendum to the lease agreement be compiled reflecting the amendment under point (d) above.
- (f) That Messrs Searock Investments CC makes arrangements with the Finance Department to settle the arrears rental account less the deduction as per point (d) (ii) above.

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11.1.28 SWAKOPMUND MUNICIPAL REST CAMP: BUSINESS CASE  
(C/M 2021/09/30 - Erf 2747S)

RESOLVED:

GM: EDS

That the General Manager: Economic Development Services requests expression of interest for a Public Private Partnership

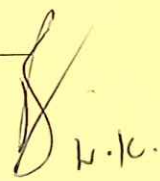
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11.1.29 ① TRANSFER 1037, EXT 6, MATUTURA BACK TO COUNCIL  
② TRANSFER 1038, EXTENSION 6, MATUTURA BACK TO BENEFICIARIES  
(C/M 2021/09/30 - 14/2/1/2)

RESOLVED:

CO: P  
Acting GM: CS&HC

- (a) That the Council considers approving the transfer of Erf 1037, Extension 6, Matutura back to Council at the cost of Messrs Kenneth Investment CC.
- (b) That Erf 1038, Extension 6, Matutura to be transferred to Mr Andreas Elias Nangonya and Ms Alina Nepatunga Nangonya at the cost of Messrs Kenneth Investment CC.
- (c) That it be noted that the Deed of Donation for Erf 1038 Annexure "B" (on file) for Mr Andreas Elias Nangonya and Ms Alina Nepatungu Nangonya was signed by all parties on 14 May 2021.
- (d) That Messrs Koep and Partners be instructed to transfer Erf 1038, Extension 6, Matutura to Mr and Ms Nangonya.



- 11.1.30 **PROPOSED SUBDIVISION OF PORTIONS 121 (A PORTION OF PORTION 32) AND 167 OF THE FARM NO 163, SWAKOPMUND-RUDI BRAND FAMILY TRUST (PTN 121 of Farm 163)**  
(C/M 2021/09/30 - 19/03/01, PTN 121 of F 163)

**RESOLVED:**

GM: EPS

- (a) That Council takes note of the letter by Messrs Malherbe Associates and Messrs Van Rensburg.
- (b) That the applicant be informed that the subdivision of Portion 121 cannot be approved, in terms of the Property Policy and the Swakopmund Structure Plan 2020-2040 which set the minimum size for Agricultural Estate zone at 10 hectares and Portion 121 is 11.2951 hectares in extent.
- (c) That the applicant be informed that the subdivision of Portion 167 may only be considered upon approval of the Swakopmund Structure Plan 2020-2040 by the Minister of Urban and Rural Development, subject to application as it falls within the 3.5 hectares zone.

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- 11.1.31 **MESSRS WELWITCHIA HEALTH TRAINING CENTRE - HEIGHT RESTRICTION**  
(C/M 2021/09/30 - E 3342)

**RESOLVED:**

GM: EPS

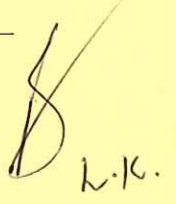
- (a) That Council takes note of the request by Messrs Welwitchia Health Training Centre, to retain the height restriction of 40m as per their letter dated 24 August 2021.
- (b) That Council does not approve a height restriction of 40m for the development of a tertiary institution on Erf 3342, Extension 9, but rather approves a height restriction of 20m. This height restriction to include architectural features as well.

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- 11.1.32 **PROPOSED SUBDIVISION OF PORTIONS 121 (A PORTION OF PORTION 32) AND 167 OF THE FARM NO 163, SWAKOPMUND-RUDI BRAND FAMILY TRUST**  
(C/M 2021/09/30 - PTN 121 Of Farm 163)

**RESOLVED:**

GM: EPS

That it be recorded that this item is a duplicate of item 11.1.30.





11.1.33 **POWERCOM (PTY) LTD: APPLICATION FOR TWO SITES FOR  
BASE TRANSCEIVER STATIONS**

(C/M 2021/09/30 - 13/3/17; M 1824, M 4326)

**RESOLVED:**

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

- (a) That portions of land in the table below be leased to Messrs PowerCom (Pty) Ltd:

Erf Number and Size (m <sup>2</sup> )	Location	Zone	BTS Size	Tower Type and Length
Re4326 (14327m <sup>2</sup> )	Mondesa	Local Business	100 m <sup>2</sup>	Camouflage Tree - 25 m
2265 (4354 m <sup>2</sup> )	Mondesa Ext 4	Public Open Space	100 m <sup>2</sup>	Camouflage Tree - 25 m
1180 (1549 m <sup>2</sup> )	Mondesa Ext 3	Public Open Space	100 m <sup>2</sup>	Camouflage Tree - 25 m

- (c) That Messrs PowerCom (Pty) Ltd adheres to the following requirements:
- Camouflage tree with a maximum height of 25m
  - Consent letter from the neighbours
  - Environmental Impact Assessment (EIA)
- (d) That the following standard lease conditions be applicable to the leasing of the lease portion in (a) above.
- Lease period of 5 years.
  - That building plans of all proposed buildings must be submitted to the Engineering Services Department.
  - That the portion of land is leased on the explicit condition that the lessee indemnifies Council against any claim for damages resulting from its occupation by the lessee.
  - That the lease be at the current tariff of N\$39.64/m<sup>2</sup> per month with an annual escalation of 10% every July (first being 1 July 2022).
- (e) That permission is granted to PowerCom (Pty) Ltd to sublease the sites applied for as it forms part of their business model.
- (f) That the General Manager: Engineering & Planning Services provides a lay-out plan for the exact location on the identified erf to be used for the tower.
- (g) That Messrs PowerCom (Pty) Ltd installs their own electrical meter so that any expenses and costs generated be allocated to Messrs PowerCom (Pty) Ltd.
- (h) That the proposed lease of the site be dealt with in terms of section 63 of the Local Authorities Act 23 of 1992, as amended.
- (i) That Council's standard lease conditions be made applicable to the lease.
- (j) That all costs relating to the lease, including, but not limited to advertising costs, be for the account of the lessee.





(k) That the following conditions be made applicable in addition to points (c) to (i) above to the lease:

- (i) That Council will not reimburse PowerCom (Pty) Ltd for any costs relating to the installation or removal of its properties or any other expense incurred during or after the termination of the lease agreement.
- (ii) That any damages that may be caused to the lease site be for the account of PowerCom (Pty) Ltd and shall be repaired at their cost and on demand.
- (iii) That PowerCom (Pty) Ltd be responsible for the proper maintenance of the equipment, failure to maintain the water tower and equipment on a structural and aesthetic level satisfactory to the GM: Engineering and Planning Services will result in the cancellation of the lease and the removal of the lease equipment at the cost of the lessee.

#### 11.1.34 BEACH RENTAL PROPOSAL

(C/M 2021/09/30 - 14/1/3/1)

##### RESOLVED:

GM: EDS

- (a) That permission not be granted to Messrs Eco-Gliding to rent an open space at the Mole beach area to set up 10x *cabana* beach beds of 140 cm x 190 cm x 1.6 height and Palm Beach Area to set up 20 x Cabana beach beds of dimensions 140 cm x 190 cm x 1.6m h and 50 single beach beds with umbrellas dimensions 90x190cm plus other beach related goods.
- (b) That Council does not give permission to Messrs Eco-Gliding Tours application to restrict access to the Palm Beach Area and charge an entrance fee.
- (c) That Messrs Eco - Gliding Tours be informed that their proposal must be resubmitted and will be considered after the northern part of the Mole Beach has been upgraded.

#### 11.1.35 ROSSMUND ESTATE: COMPLAINTS

(C/M 2021/09/30 - 16/1/4/2/1/10)

##### RESOLVED:

CO: P  
Acting GM: CS&HC

- (a) That the letters from Mr Sedlacek be noted.
- (b) That Council informs the complainant as follows:
  - (i) *The issues raised are best dealt with between the Trust / seller / developer and the purchaser since they are mostly of a contractual nature.*
  - (ii) *The issues in regard to Council land and the sewage line, will be investigated by the General Manager: Engineering and Planning Services and report to the Management Committee.*



11.1.36 REQUEST FOR SPONSORSHIP TO PARTICIPATE IN THE 2021 NEDBANK DESERT DASH

(C/M 2021/09/30 - 3/15/1/6/1)

RESOLVED:

CO: MC  
Acting GM: CS&HC

- (a) That Council approves the sponsorship request of Mr Shongolo's team to participate and represent the Swakopmund Municipality at the Nedbank Desert Dash that will be hosted from 10-11 December 2021.
- (b) That the sponsorship be towards the branded cycling gear / kit, bike services and accommodation for the team to the value of N\$14 963.00.
- (c) That the funds be defrayed from the Corporate Services Publicity Vote 150515533000 where N\$290 341.34 is available.

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13. DRAFT REGULATIONS AND TARIFFS, IF ANY

None.

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The meeting adjourned: 09:50.

Minutes to be confirmed on: 22 October 2021.

  
Councillor L N Kativa  
MAYOR

  
A Benjamin  
CHIEF EXECUTIVE OFFICER