

**MINUTES**

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Thursday, 28 October 2021 at 19:00.**

**PRESENT:**

Councillor L N Kativa	:	Mayor
Councillor D Am-!Gabeb	:	Deputy Mayor
Councillor W O Groenewald	:	Chairperson of MC
Councillor C-W Goldbeck	:	Alternate Chairperson of MC
Councillor P N Shimhanda	:	Member of Management Committee
Councillor M Henrichsen	:	Alternate Member of MC
Councillor H H Nghidipaya	:	Member of Council

**OFFICIALS:**

Mr A Benjamin	:	Chief Executive Officer
Mr C McClune	:	GM: Engineering and Planning Services
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)
Ms A Gebhardt	:	Manager: Corporate Services (Acting)
Mr U Tjiurutue	:	Corporate Officer: Administration
Ms A Kahuika	:	Administration Officer: Administration

**ALSO PRESENT:**

Local athletes Mr K Stuurman and Mr B Murere also attended the meeting and expressed their appreciation to Council, local businesses and the community of Swakopmund for the support rendered towards their sport career.

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

Councillor D Am-!Gabeb opened the meeting with a prayer.

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

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

**RESOLVED:**

**That the agenda be adopted.**

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



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

#### 3.1 Application for leave of absence:

<i>Councillor B R Goraseb</i>	:	<i>Member of Management Committee</i>
<i>Councillor E Shitana</i>	:	<i>Member of Council</i>
<i>Councillor S Kautondokwa</i>	:	<i>Member of Council</i>

#### 3.2 Declaration of interest:

None.

### 4. CONFIRMATION OF MINUTES (C/M 2021/10/28 - A 2/3/5)

#### 4.1 MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 30 SEPTEMBER 2021

On proposal of Councillor M Henrichsen seconded by Councillor C-W Goldbeck, it was:

#### RESOLVED:

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

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

### 5. OFFICIAL ANNOUNCEMENTS, STATEMENTS AND COMMUNICATIONS (C/M 2021/10/28 - 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 EVENING AND WELCOME TO THE COUNCIL MEETING.

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 OCTOBER.

THE MONTH OF OCTOBER IS KNOWN TO SYMBOLIZE PROSPERITY, PEACE AND FERTILITY. THIS SHOWED THROUGHOUT THE ACTIVITIES THAT COUNCIL WAS APART DURING THE COURSE OF THIS MONTH.

#### **THE LIST OF HIGHLIGHTS ARE AS FOLLOWS:**

IN NO PARTICULAR ORDER, THIS MONTH, COUNCIL HAS:

- DECLARED MONTH OF OCTOBER AS CLEAN UP MONTH
- INAUGURATED THE MATURARA PARKS
- PAID A COURTESY VISIT TO I – CARE
- HELD AN OFFICIAL HANDOVER OF THE GENEROUS DONATION BY TANGENI SHILONGO
- ATTENDED THE PINK PLEASURE TEA PARTY IN DEDICATION TO BREAST CANCER AWARENESS MONTH.
- WELCOMED THE LOCAL AND INTERNATIONAL AUDIENCE OF THE MONDESA FOOTBALL ACADEMY'S INTERNATIONAL YOUTH CUP.
- HAD THE 1<sup>ST</sup> HARVEST DAY IN THE URBAN AGRICULTURE PROJECT,
- HELD MEETINGS WITH COMMUNITY MEMBERS TO HEAR THEIR GRIEVANCES AND PLEAS.
- PARTICIPATED IN TRAINING BY THE NAMIBIA INSTITUTE OF DEMOCRACY
- ATTENDED THE OFFICIAL LAUNCH OF WORLD SKILL AFRICA SWAKOPMUND
- TOOK PART IN A STRATEGIC PLANNING WORKSHOP WHERE COUNCIL BRAINED STORMED THE DEVELOPMENT OF SWAKOPMUND FOR THE NEXT 5 TO 10 YEARS



- ATTENDED THE MISS NAMIBIA DENIM AND DIAMOND GALA DINNER
- PARTICIPATED AT THE GENDER BASED VIOLENCE - ORGANIZED BY ROUND TABLE
- LAST BUT NOT LEAST, JOINED THE SHACK DWELLER FEDERATION FOR THE OFFICIAL GROUNDBREAKING OF 32 HOUSES

BEFORE I START WITH THE RETIREMENT AND LONG SERVICE AWARDS, I WOULD LIKE TO TAKE SOME TIME TO ADDRESS OUR TWO SPECIAL GUESTS TODAY.

THE YOUTH ARE THE LEADERS OF TOMORROW. AS SUCH, COUNCIL HAS FIRMLY SUPPORTED WITH PRIDE THE TALENTED AND SKILLED, AUTHENTIC ENTREPRENEURS: BRADLEY MURERE AND KEANU STUURMAN. I WAS INFORMED THAT MR STUURMAN WOULD LIKE TO EXPRESS A FEW REMARKS TOWARDS THE COUNCIL.

LADIES AND GENTLEMEN, WITHOUT FURTHER A DUE HELP ME WELCOME MR. STUURMAN AND MR MURERE.

[SPEECH BY MR STUURMAN]

LADIES AND GENTLEMEN

AN ORGANISATION IS ONE THAT CONSIST OF A GROUP OF INDIVIDUALS THAT WORK TOGETHER TO OBTAIN THE SAME GOAL. THE SUCCESS THAT IS WEAKNESSED FROM THE MUNICIPALITY COULD NOT HAVE BEEN OBTAINED WITHOUT THE CONTRIBUTION OF THE MUNICIPALITY STAFF.

ON BEHALF OF THE COUNCIL, THE STAFF MUST PLEASE ACCEPT OUR SINCERE GRATITUDE TOWARDS YOUR CONTRIBUTION. WE ARE WHOLEHEARTEDLY THANKFUL FOR ALL YOUR HARD WORK

PLEASE HELP ME CELEBRATE AND HONOUR THE FOLLOWING STAFF MEMBERS AS WE PRESENT THEM WITH THEIR LONG SERVICE AWARDS.

#### **10 YEARS SERVICE**

MS SANDRA BEYER

#### **25 YEARS SERVICE**

MR. ALFRED NDIWETEKO

SECONDLY, I WOULD ALSO LIKE TO HONOUR MR. ULRICH KAMBONGARERA FOR THE MANY YEARS HE HAS COMMITTED TO THE MUNICIPALITY. THE COUNCIL WISHES YOU ALL THE BEST IN YOUR RETIREMENT.

LADIES AND GENTLEMEN

IN CONCLUSION, WE ARE GETTING CLOSE TO THE FESTIVE SEASON. THOUGH THE CLEANING MONTH IS COMING TO A CLOSE, I ENCOURAGE YOU TO KEEP CLEANING OUR TOWN, CONTINUE WEARING THE MASKS, SANITIZING AND PRACTICE SOCIAL DISTANCING. LASTLY WELCOME THE FESTIVE SEASON WITH COURTESY GESTURES AROUND THE COMMUNITY.

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

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

None.

#### **7. PETITIONS**

None.





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 14, 21 AND 28 OCTOBER 2021

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

RESOLVED:

CO: A  
Acting GM: CS&HC

That the Management Committee resolutions of 28 September 2021 and 14 October 2021, be noted.

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11. RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE

11.1 MANAGEMENT COMMITTEE MEETINGS HELD ON 14, 21 AND 28 OCTOBER 2021

11.1.1 EXTENSION OF THE SWAKOPMUND TOWN AND TOWNLAND BOUNDARIES

(C/M 2021/10/28 - 16/1/4/1/8)

RESOLVED:

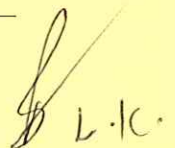
GM: EPS

(a) That Council reaffirms its Resolution (C/M 2014/05/27 -G 2/1) under Item Number 11.1.1.

(b) That the General Manager: Engineering & Planning Services informs and consults with the affected stakeholders on the proposed Swakopmund Zoning Scheme (Town and Townlands) boundaries and Area of Jurisdiction extension, namely; the Ministry of Environment, Tourism and Forestry, Ministry of Works and Transport and Ministry of Fisheries and Marine Resources.

(c) That upon consultation with the affected stakeholders, the General Manager: Engineering & Planning Services resubmits its request for the Zoning Scheme (Town and Townlands) boundaries and Area of Jurisdiction extension to the Minister of Urban and Rural Development.

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11.1.2 **RESUBMITTED: WAIVING OF OCCUPATIONAL RENT REQUIREMENT**

(C/M 2021/10/28 - Erf 5002, Swk)

**RESOLVED:**

CO: P  
Acting GM: CS&HC

- (a) That Council takes note that transfer of ownership of Erf 5002, Swakopmund to Ane's Guest House CC was registered in the Deeds Office on 28 September 2021 in terms of Council's resolution passed on 25 February 2021.
- (b) That Council waives the requirement for payment of occupational rent as per point (a) (i) of Council's resolution passed on 25 February 2021 as the purchaser paid rates and taxes based on the land and improvement value of the erf.
- (c) That the penalty interest applicable from 22 January 2020 until date of transfer of 28 September 2021 calculated at a rate of 10.25% be levied to Ane's Guest House CC (N\$129 779.66).

11.1.3 **ERF 7159, MONDESA**

**• FUTURE SALE**

(C/M 2021/10/28 - M 7159)

**RESOLVED:**

CO: P  
Acting GM: CS&HC

- (a) That Erf 7159, Mondesa be added to the list of erven available in Extension 26 for sale by close bid as approved by Council on 30 January 2019 under item 11.1.12 (a).
- (b) That the upset price be determined at N\$137.50/m<sup>2</sup> i.e. 2 812m<sup>2</sup> x N\$137.50 = N\$386 650.00.

11.1.4 **RESUBMITTED: GHETTO ASSISTANCE CENTRE (PTY) LTD - APPLICATION FOR RECONSIDERATION OF CANCELLATION OF THE JV**

(C/M 2021/10/28 - 16/1/4/2/1/14)

**RESOLVED:**

CO: P  
Acting GM: CS&HC

- (a) That Council takes note of the letter dated 13 September 2021 received from Ghetto Assistance Centre (Pty) Ltd requesting Council to:
  - (i) Rescind its decision passed on 30 August 2021 under item 11.1.17 point (c) in terms whereof the joint venture agreement with Ghetto Assistance Centre (Pty) Ltd is cancelled; and
  - (ii) To grant them an extension of time of 40 days to comply with clause 3 of the joint venture agreement.
- (b) That Ghetto Assistance Centre (Pty) Ltd be informed that Council discussed their request, but decided to remain with its decision passed on 30 August 2021 under item 11.1.17.



11.1.5 NATIONAL UNITY DEMOCRATIC ORGANISATION (NUDO):  
REQUEST FOR AN EXTENSION OF TIME TO PAY THE  
PURCHASE PRICE

(C/M 2021/10/28 - E 6945, E 6950)

RESOLVED:

CO: P  
Acting GM: CS&HC

- (a) That Council takes note of the letter from National Unity Democratic Organisation requesting for an extension time to perform.
- (b) That the wording of the deeds of sale for National Unity Democratic Organization and Popular Democratic Movement be amended to read that the purchase price must be secured within 120 days from last party signing the deed of sale, instead of 120 days from the date approval is granted by the Ministry of Urban and Rural Development.
- (c) That the Property Policy with regard to the sale of land to organisations registered with the Electoral Commission be amended as per point (b) above.

11.1.6 REQUEST FOR ASSISTANCE: ACCOMMODATION FOR POLICE  
OFFICERS DURING THE FESTIVE SEASON

(C/M 2021/10/28 - 3/15/1/5/2)

RESOLVED:

GM: EDS  
CEO

- (a) That Council approves accommodation of members of the Namibian Special Police Force at the Swakopmund Rest Camp to assist with crime prevention during the festive season from 1 December 2021 to 15 January 2021, on condition that they only operate in Swakopmund.
- (b) That the Namibian Special Police Force be requested to assist with the safety and security at the Swakopmund Fair from 17-18 December 2021.
- (c) That 3 bungalows at the Swakopmund Restcamp be reserved for 14 Special Force members.
- (d) That the Ministry of Safety and Security ensure that the Special Field Force are deployed in Swakopmund full time during the festive season.
- (e) That the related cost be defrayed from the Accommodation Namibian Police vote: 100510208300 where N\$120 000.00 is available.



11.1.7 REVISITING THE CONSTRUCTION OF THE EMERGENCY SHELTER AND MATUTURA TOWN HALL

(C/M 2021/10/28 - M 6788, T 610)

GM: EDS  
GM: EPS

RESOLVED:

- (a) That Council renovates the structures on Erf 610, Tamariskia formerly known as the Erongo House of Safety and converting it into an emergency shelter in order to reduce costs.
- (b) That Council rescinds point (b) of its resolution taken on 28 February 2019 which offers Erf 610, Tamariskia to the Namibian Police.
- (c) That the Engineering and Planning Services Department compiles a new bill of quantity to determine the costs of renovating Erf 610, Tamariskia.
- (d) That the facility be allocated to a Trust in cooperation with the Constituency Councillor.
- (e) That the funds be transferred accordingly.

11.1.8 MS SESILIA KAMATI: ERROR ON THE MASTER WAITING LIST

(C/M 2021/10/28 - 14/2/1/2)

CO: H  
Acting GM: CS&HC

RESOLVED:

- (a) That Council takes note of the proof that Ms Sesilia Kamati registered on 13 November 2017 but her name was somehow omitted when the Master Waiting List was compiled.
- (b) That Council approves that Ms Sesilia Kamati's name be added to the Master Waiting List.
- (c) That once Ms Sesilia Kamati is confirmed on the Master Waiting List, she be assisted with a house in Credit-Link Category.
- (d) That the matter be submitted to the Ministry of Urban and Rural Development for approval.

11.1.9 ELECTION OF OFFICE BEARERS: 2021

(C/M 2021/10/28 - 5/2/1/1/1)

CO: A  
Acting GM: CS&HC

RESOLVED:

- (a) That the election of office bearers of Council for 2021 be arranged to take place on Tuesday, 30 November 2021 at 09:00.
- (b) That the Acting General Manager: Corporate Services and HC arranges with the local magistrate to chair and facilitate the election of officer bearers at the meeting scheduled for 30 November 2021.



11.1.10 **MESSRS SPECIALIZED ELITE CYCLE SHOP CC: APPLICATION TO LEASE PREMISES TO BUILD A BIKE PARK**  
(C/M 2021/10/28 - 13/3/1/5)

**RESOLVED:**

CO: P  
Acting GM: CS&HC

- (a) That Council takes note of the application of Messrs Specialized Elite Cycle Shop CC.
- (b) That Messrs Specialized Elite Cycle Shop CC be informed that Council cannot permit the exclusive use of the site or enter into a formal agreement for the site due to the vast area involved.
- (c) That the applicant be informed that they may use the land at their own risk without preventing access to it by the general public since it remains Townlands.

11.1.11 **PROPOSAL FOR POP-UP RESTAURANT IN DECEMBER 2021**  
(C/M 2021/10/28 - 14/2/4/1)

**RESOLVED:**

GM: EDS  
GM: EPS

- (a) That Council grants permission to Messrs Wale Tale to set up a pop-up restaurant at Erf 410, Mile 4 on from 04 December 2021 - 09 January 2022 subject to the following conditions:
  - (i) That the following rental be charged:
    - Refundable Deposit = N\$724.00
    - Rental Fees x 37 days = N\$11403.40 (i.e. N\$268 X 37 plus 15% VAT)
  - (ii) That the operation hours of the event be from 11H00 till 21H00 daily
  - (iii) 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.
  - (iv) 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.
  - (v) 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.
  - (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.
  - (viii) That the applicant informs adjoining residential property owners and public at large of the event for this period.





- (ix) That applicant submits a fire layout plan for the approval by General Manager: Economic Development Services before the event
  - (x) That the applicant applies for the temporary liquor license with the relevant authority.
  - (xi) That the applicant make provision for security and crowd controlling measures
  - (xii) That no off-road driving on the beach area will be allowed except for those vehicles meant to load and off-load materials or waste at the event.
  - (xiii) That the applicant provides own fresh water tank for the event.
  - (xiv) That all materials / structures to be used is of a semi-permanent nature and neutral colour
  - (xv) That the approval be given as a test case and be reconsidered for future applications.
- (b) That the proposed temporary structure for the pop-up restaurant be submitted to the General Manager: Engineering and Planning Services for review before installation.
- (c) That Messrs Wale Tale be informed that a similar event will be hosted on the northern side of the braai area on 28<sup>th</sup> - 31 December 2021.
- (d) That Messrs Wale Tale be responsible for provision of the proposed luxury ablution facilities at their own costs.

#### 11.1.12 UPDATED DELEGATED SIGNATORIES OF COUNCIL'S CURRENT ACCOUNTS

(C/M 2021/10/28 - 3/13/1/1)

#### RESOLVED:

GM: F  
CEO  
M: HC  
Acting GM: CS&HC

That the delegated powers of signatories be updated accordingly for the below listed to authorise payments on behalf of Council:

NO.	JOB TITLE
1.	Chief Executive Officer
2.	General Manager: Finance
3.	General Manager: Corporate Services & HC
4.	Manager: Finance
5.	Manager: Human Capital



11.1.13 APPLICATION FOR THE RELAXATION OF THE ON-SITE PARKING ON ERF 3289, MONDESA (EXTENSION 7)  
(C/M 2021/10/28 - M 3289)

RESOLVED:

GM: EPS

- (a) That the application to relax on-site parking on Erf 3289, Mondesa, Extension 7 from 62 to 52 parkings, be turned down.
- (b) That the applicant takes note that it is his responsibility to provide parking for the proposed development, preferably on-site as per the requirements of the Swakopmund Zoning Scheme.
- (c) That the applicant scales down the development to a size that would be able to accommodate the required number of on-site parking bays or at own cost find a suitable alternative site where parking provision would be adequate and in accordance with the Swakopmund Zoning Scheme provisions.
- (d) That the applicant adheres to the conditions as set out under Council Resolution C/M 2020/08/31-M3289, item 11.1.23 (c) and (d).
- (e) That no building plans shall be approved if parking provision is insufficient and betterment fee is not paid.

11.1.14 CANCELLATION OF ERF 406, MILE 4 - TRECON DEVELOPMENT (PTY)(LTD)  
(C/M 2021/10/28 - M4 E 406; M4 E 365 19.03.09.406)

RESOLVED:

CO: P  
Acting GM: CS&HC

- (a) That Council confirms its decision passed on 29 April 2021 under item 11.1.16 point (d) and cancel the sale of Erf 406, Mile 4 allocated to Trecon Development (Pty) Ltd.
- (b) That the Finance Department recovers the outstanding rates and taxes from Trecon Development (Pty) Ltd.
- (c) That Erf 406, Mile 4 be sold at a closed bid sale together with Erf 365, Mile 4 as resolved by Council on 29 April 2021.
- (d) That Erf 406, Mile 4 be offered for sale at an upset price of N\$4 203 000.00 (N\$1 000.00m<sup>2</sup>).



11.1.15 **NAMIBIA DESERT GIANT GROUP PTY LTD - OBJECTION AGAINST UPSET PRICE DETERMINED FOR ERF 365, MILE 4**  
(C/M 2021/10/28 - M4 E 365)

**RESOLVED:**

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

- (a) That Council takes note of the response dated 15 September 2021 received from Namibia Desert Giant Group (Pty) Ltd in response to Council's decision passed on 30 August 2021 under item 11.1.26.
- (b) That Council remains with its decisions passed on 30 August 2021 under item 11.1.26 and on 29 April 2021 under item 11.1.16 that the erf transaction is cancelled and Erf 365, Mile 4 be sold by closed bid sale.

For ease of reference, Council's decision passed on 30 August 2021 under item 11.1.26 is quoted below:

*That Council remains with its decision passed on 29 April 2021 under item 11.1.16.*

The decision passed on 29 April 2021 under item 11.1.16 is quoted below:

- (a) *That Council confirms its decision passed on 29 October 2020 under item 11.1.3 point (a) and cancel the sale of Erf 365, Mile 4 allocated to Namibia Desert Giant Group (Pty) Ltd.*
- (b) *That the Finance Department recovers the outstanding rates and taxes from Desert Giant Group (Pty) Ltd.*
- (c) *That Erf 365, Mile 4 be sold in future at an upset price of N\$3 500 000.00.*
- (d) *That should the purchaser (Trecon Development (Pty) Ltd) of Erf 406, Mile 4 not perform by 30 September 2021 the transaction be submitted to Council for consideration of the cancellation and be sold together with Erf 365, Mile 4 at a closed bid sale.*

11.1.16 **ISSUES REGARDING ERF PRICE / PURCHASE PRICE / CONSTRUCTION COST AND REPAYMENT OF LOAN**  
(C/M 2021/10/28 - 14/2/1/1)

**RESOLVED:**

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

- (a) That Council takes note of the complaints, requests and proposals of the Build Together Committee members and beneficiaries raised at the meeting held on 29 September 2021.
- (b) That Council reduces the loan amount varying from N\$122 843.22 to N\$152 292.31 to N\$80 000.00 as the ceiling price as approved by Central Government on 05 July 2016, for beneficiaries with a maximum monthly income of N\$6 000.00.
- (c) That the Council resolution of 29 October 2020, under item 11.1.16, be repealed.
- (d) That the General Manager: Engineering and Planning Services provides a design, specifications and quotations for a house valued at N\$80 000.00.



- (e) That it be noted that the cost of services was N\$120 000.00 i.e. N\$65 000.00 = 50% subsidy, thus Council does not reduce the erf price.
- (f) That the representatives of the beneficiaries be advised to visit the Housing Section to obtain more information in respect of the allocation of erven process until occupying of the house.
- (g) That Council takes note that the loan agreements for the first 30 houses (Phase 1) are ready for signing and that the beneficiaries were informed.
- (h) That once a resolution is taken in terms of the loan amount and erf price the 79 beneficiaries be contacted to inform them accordingly.
- (i) That Council consider approving the initiative of the employers who offer to assist the beneficiaries in constructing their houses, subject that the parties enter into an agreement, and submit a copy thereof to Council.
- (j) That this Council resolution be submitted to the line ministry for approval.
- (k) That the erf price be reduced from N\$26 000.00 to N\$9 200.00.

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11.1.17 APPLICATION FOR SHOW HOUSES

(C/M 2021/10/28 - 14/2/1/1, 14/2/1/2)

RESOLVED:

CO: H  
Acting GM: CS&HC

- (a) That Council approves the sale of Erven 1114, 1115 and 1116, Extension 6, Matutura to assist Ms Erna Gom-Khaises, Ms Rebecca Uchams and Ms Eva Domingo.
- (b) That the market value of these houses be determined and the matter be submitted to Council for approval.

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11.1.18 PROGRESS REPORT: SOCIAL HOUSES

(C/M 2021/10/28 - 14/2/1/2)

RESOLVED:

CO: H  
Acting GM: CS&HC

- (a) That the Council takes note of the progress report in respect of the next 48 Social Houses.
- (b) That all 48 beneficiaries be invited to be addressed by the Mayor, once the preliminary processes are finalized.
- (c) That a ceiling price be determined for Social Houses.





11.1.19 PROCUREMENT PROCESS OF IT CONSULTANT AND FUNDS  
(C/M 2021/10/28 - D 12/1)

RESOLVED:

GM: F  
Acting GM: CS&HC

- (a) That the General Manager: Finance makes the necessary funds available for the procurement of the services of a IT Consulting firm for the purpose of completing its IT needs assessment, the bidding process to obtain a successful candidate, and certifying that the installation of new equipment, software and systems have been completed according to the required specifications and is operating satisfactorily.
- (b) That the General Manager: Finance provides proof of the availability of funds for the procurement of an IT Consultant over the full period of the envisaged contract term i.e. 12 months.
- (c) That Messrs MTC be engaged to assist in this process in terms of the Memorandum of Understanding.

11.1.20 PRIVATE SECURITY GUARD HOUSE AND PORTABLE TOILET: MARSHALL STREET, SWAKOPMUND  
(C/M 2021/10/28 - E 1547)

RESOLVED:

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

That the Management Committee resolution of 11 May 2021 under item 8.2 be repealed and replaced with following:

- (a) That the guardhouse be moved to the pavement in front of Erf 1547.
- (b) That the rental be dealt with in accordance with the Engineering Pavement Lease Policy.
- (c) That no overnighting on the premises be allowed, except for the purposes of security / safe guarding.
- (d) That the lessee is responsible for the aesthetic appearance and proper maintenance of the mobile guard house / toilet.
- (e) That the area be restored to its original state upon expiry / termination of the lease period.





11.1.21 **PARATUS TELECOMMUNICATION (PTY) LTD: APPLICATION TO LEASE A PORTION OF LAND LOCATED IN SWAKOPMUND PROPER**

(C/M 2021/10/28 - 13/3/17)

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

**RESOLVED:**

- (a) That a portion of land located on the northern side of Erf 979, Swakopmund, measuring approximately 4 700m<sup>2</sup> be leased to Paratus (Pty) Ltd as a landing site and earth array for their fibre optic cable.
- (b) That Paratus (Pty) Ltd adheres to the following requirements:
  - Consent letter from the neighbours
  - Environmental Impact Assessment (EIA)
- (c) That the following standard lease conditions be applicable to the leasing of the lease portion in (a) above:
  - (i) Lease period of 5 years; commencing the month following approval being granted by the Ministry of Urban and Rural Development to proceed with the lease.
  - (ii) That building plans of all proposed buildings must be submitted to the Engineering Services and Town Planning 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\$ 39.64/m<sup>2</sup> per month with an annual escalation of 7 % every July (first being 1 July 2022).
  - (v) that all costs for the lease transaction be for the lessee's account, inclusive of, but not limited to the cost of advertising Council's intention to lease in terms of the Local Authorities Act, Act 23 of 1992, as amended and the cost of compiling a lease agreement.
  - (vi) 1 month's rental amount be levied as a refundable deposit (exclusive of 15% VAT), of which costs such as rental in arrears at the expiry of the lease period be recovered, the balance be refunded to the lessee.
  - (vii) 3 months' termination period for both parties as a standard condition, which period can be longer or shorter depending on the lease period.
  - (viii) no subletting without Council's approval.
  - (ix) the lease agreement is not transferable and will not form part of an estate.
  - (x) in cases where the lessee is a legal entity, for example such as a close corporation, company or trust, Council be informed of any change in membership or shareholding.
- (d) That the General Manager: Engineering & Planning Services Department provides a lay-out plan for the exact location and plan handle for access / egress to and from the lease portion of land.
- (e) That Messrs Paratus (Pty) Ltd installs their own electrical meter and be responsible for any expenses and costs generated thereof.

  
L.J.C.



- (f) 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.
- (h) That Council's standard lease conditions be made applicable to the transaction.
- (i) That all costs relating to the lease, including, but not limited to advertising costs, be for the account of the lessee.
- (j) That the following conditions be applicable in addition to point (c):
  - (i) *That Council will not reimburse Paratus (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 Paratus (Pty) Ltd and shall be repaired at their cost and on demand.*
  - (iii) *That Paratus (Pty) Ltd be responsible for the proper maintenance of the equipment, failure to maintain the lease site and equipment on a structural and aesthetic level satisfactory to the GM: Engineering Services and Planning will result in the cancellation of the lease and the removal of the lease equipment at the cost of the lessee.*
  - (iv) *That the area be properly fenced in and signs warning the public of safety risks be displayed.*
- (k) That, alternatively, Council offers the portion of land to Paratus (Pty) Ltd for sale on the same terms and conditions approved by Council on 26 March 2020 under item 11.1.17 due to the high rental tariff and the permanent structure required for the landing of the fibre optic cable.

11.1.22 REQUEST FOR A FINANCIAL SPONSORSHIP TO HOST THE SWAKOPMUND JAZZ UP FESTIVAL AT THE AMPHITHEATRE AND THE WOERMANN HAUS

(C/M 2021/10/28 - 13/3/1/3)

RESOLVED:

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

- (a) That permission be granted to the organizers to host the Swakopmund Jazz Up Festival from 12-20 November 2021 in Swakopmund.
- (b) That Council does not contribute funds towards the event.
- (c) That Council sponsor the venues free of charge and that permission be granted to the organizers to use Room D25 and D26 and the courtyard of the at the Woermann Huas from 12-20 November 2021 and at the Thomas Hamunyela Amphitheatre on 20 November 2021 subject to the following conditions:

- (i) *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.*

- (ii) *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 (an indemnity form will be issued for signing).*
  - (iii) *That the applicant ensures that there is security during the events i.e. Woermann Haus and Thomas Hamunyela Amphitheatre.*
  - (iv) *That the applicant ensures that all health protocols related to COVID-19 pandemic, are adhered to.*
  - (v) *The lessee is responsible for keeping the area clean at all times.*
  - (vi) *The area must be restored to its original condition and to the satisfaction of the Swakopmund Municipality after the function.*
  - (vii) *Sound must be restricted to the immediate surrounding area. On receipt of any complaints due to noise or misbehavior, the use of the area will be cancelled immediately.*
  - (viii) *If required, the lessee is responsible to provide and arrange for public ablution facilities on site at their own cost.*
  - (ix) *If required, the lessee is responsible to request for refuse bins as well as the removal afterwards.*
  - (x) *No one is allowed to stay on the property overnight.*
  - (xi) *Council reserves the right to cancel the use of the area should Council need the area for it's own purposes.*
  - (xii) *It is the responsibility of the lessee to make prior arrangements with Erongo RED for an electricity connection at their cost.*
  - (xiii) *No open fires are allowed and adequate fire extinguishers must be at hand.*
- (d) **That the organisers be responsible for the payment of the following:**
- Refundable Deposit = N\$ 724.00 - Amphitheatre
  - Refundable Deposit = N\$ 357.50 - Woermann Haus
- (e) **That the organisers liaise with the Youth Development Officer with regards to the music development classes for the youth.**
- (f) **That the organisers provide a complete layout of the event and the stalls for Council's consideration.**
- (g) **That the Fire Brigade Section and the Health Services be responsible for cleaning (spraying of water) and sanitizing the Amphitheatre three days before the event.**
- (h) **That Council donates, *in kind*, 10 x of water bottle cases towards the lecture lessons of the musician during the festival.**
- (i) **That no alcohol be sold at the Thomas Hamunyela Amphitheatre.**





11.1.23 REQUEST FOR SPONSORSHIP: GRANITE VETERANS SPORTS CLUB

(C/M 2021/10/28 - 3/15/1/6/1)

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

RESOLVED:

- (a) That the request for sponsorship from the Granite Veteran Sports Club for their annual Soccer and Netball Tournament from 30-31 October 2021, Mondesa Sport Stadium, in Swakopmund be noted.
- (b) That Council sponsor the use of the venue (Mondesa Sport Stadium) for the weekend to the value of N\$1 574.55.
- (c) That Granite Veteran Sports Club be responsible for paying the refundable deposit of N\$692.00 for the venue.
- (d) That the organisers ensures that the facilities including the parking areas are cleaned and restored to its original conditions to within 48 hours after the event the satisfaction of the Swakopmund Municipality.
- (e) That Council be indemnified against any claims that may arise from using the stadium.
- (f) That organisers be responsible for the provision of additional public ablution facilities on site, if required.
- (g) That Council reserves the right to cancel the use of the stadium should Council need them for its own purposes.
- (h) That the organisers make prior arrangements with Erongo RED for electricity connection at their own cost, should it be required.
- (i) That organisers submit proof that the following arrangements have been made:
  - Emergency Services
  - Traffic Control and Parking
  - Waste removal
  - Security Services
  - Liquor license (if required)
- (j) That the funds be recovered the Corporate Services Publicity Vote: 150515533000 where N\$25 8153.73 is available.

11.1.24 REQUEST FOR SPONSORSHIP: SWAKOPMUND FOOD FESTIVAL

(C/M 2021/10/28 - 3/15/1/6/1)

CO: MC  
Acting GM: CS&HC

RESOLVED:

- (a) That Council makes a financial contribution of N\$10 000.00 towards the hosting of the two South African Chefs at the Swakopmund Food Festival that is scheduled from 16-18 December 2021 in Swakopmund.



- (b) That the funds be defrayed from the Corporate Services Publicity Vote: 150515533000 where N\$25 8153.73 is available.

11.1.25 CONTINUATION PROJECT - TRAILER MOUNTED SELF-PRIMING PUMP

(C/M 2021/10/28 - 16/2/4/1)

RESOLVED:

GM: F  
GM: EPS

That approval be granted to the General Manager: Finance to transfer the Vote: 750031012500 (Trailer Mounted Self-Priming Pump) with the amount of N\$800 000.00 as a continuation project in respect of the 2021/2022 Financial Year, in order to pay the supplier for the delivery of the Trailer Mounted Self-Priming Pump.

11.1.26 REQUESTS FOR PROVISION OF FUNDS FOR THE IT SUPPORT SERVICES CONTRACTS EXTENSION

(C/M 2021/10/28 - D 12/1)

RESOLVED:

GM: F  
CEO  
GM: CSHC

- (a) That the General Manager: Finance makes available N\$15 312 400.03 (VAT Inclusive) for extension of the IT Support Services contract and provides proof of the availability of funds.
- (b) That Council grants permission for the extension of the Current IT Support Services Contract INCLUSIVE of the SOLAR financial management System in terms of the provision of the Public Procurement Act, 2015 for a period of 6 months, while completing the ICT needs assessment and subsequently call for bids for an IT Support Service provider.
- (c) That the IPSAS Reporting Standards be implemented separately from SOLAR.
- (d) That Council requests for an extension from the office the Auditor General for the full implementation of IPSAS Reporting Standards until such time that the IT needs assessment has been completed, (highlighting that Council has an IPSAS compliant system) and a service provider has been appointed for the new period.



11.1.27 **RESUBMITTED: AMENDMENT TO LEASE CONDITIONS:  
MR QUINTON LIEBENBERG**

(C/M 2021/10/28 - 19.03.08; 13/3/12; E1/3)

**RESOLVED:**

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

(a) That the Council takes note of the various issues raised by Mr Q Liebenberg of The Lighthouse Group in his letters dated 10 February 2021 and 28 September 2021 in respect of the renewal of the lease period for the Strand Café.

(b) That the following be approved:

(i) First Option to Renew the Lease Upon Expiry of the Lease Period

*Taking into account the huge financial investment made in expanding, renovating and maintaining the building and the limited lease period of 9 years 11 months to recoup the investment, Council allows a first option to renew the lease period for a further 9 years 11 months upon expiry of the current lease on 31 January 2029.*

(ii) Amended Rental Amount (Reduction)

*That Council provides a 15% discount on the rental amount as from 1 November 2021 in view of the investment which will become Council's asset upon termination of the lease.*

(iii) Value of the Building being Donated to Council

*This point relates to the rental and is covered under point (b) (ii) above.*

(iv) Rental Relief for Covid-19 Period

*That Council waives the rental for the period that the venue was closed ie 14 months and that Finance Department determines the relief that can be granted to all similar lessees.*

(v) Permitted Trading Hours

*That the lessee be allowed to trade until 02:00 in terms of their liquor licence.*

*Point (d) (iii) of Council's resolution passed on 28 November 2019 under item 11.1.28 be changed:*

(d) That the lease be subject to the standard conditions and the following:

(iii) That the lessee not operates later than 22:00

(c) That Mr Quinton Liebenberg t/a The Lighthouse Group t/a Strand Café be requested to accept the above conditions in addition to those approved by Council on 28 November 2018 under item 11.1.28; whereafter the statutory process for the renewal be commenced with.





11.1.28 ERONGO RED: TRANSFER OF ERVEN 4423 AND 4470, MONDESA

(C/M 2021/10/28 - 5/6/3, E 4423, M & E 4

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

RESOLVED:

- (a) That the following erven (not forming part of the Asset Transfer Agreement) be alienated to Erongo RED as indicated below:

Erf 4423, Ext 12	:	be donated as the erf was purchased and serviced by Elize Investments (Pty) Ltd who transferred to the erf to Council free of charge and at their cost.
Erf 4470, Ext 12	:	be sold at a purchase price of $120\text{m}^2 \times \text{N\$}200.00/\text{m}^2 = \text{N\$}24\,000.00$ .


- (b) That all costs for the transactions be for the account of Erongo RED.
- (c) That Council applies for approval from the Ministry of Urban & Rural Development in terms of Section 30 (1) (t) of the Local Authorities Act 23 of 1992, as amended to proceed with the alienation process.
- (d) That Erongo RED be requested to fence and maintain the substations.

13. DRAFT REGULATIONS AND TARIFFS, IF ANY

None.

The meeting adjourned: 19:40.

Minutes to be confirmed on: 25 November 2021.

  
Councillor L N Kativa  
MAYOR

  
A Benjamin  
CHIEF EXECUTIVE OFFICER