

MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Thursday, 25 November 2021 at 19:00.**

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
Councillor H H Nghidipaya	:	Member of Council

OFFICIALS:

Mr A Benjamin	:	Chief Executive Officer
Mr C McClune	:	GM: Engineering and Planning Services
Mr H !Naruseb	:	GM: Finance
Mr A Kationdorozi	:	GM: Health Services & SWM (Acting)
Ms M Bahr	:	GM: Corporate Services & HC (Acting)
Mr U Tjiurutue	:	Corporate Officer: Administration
Ms A Kahuika	:	Administration Officer: Administration
Ms I Ortner	:	PA to GM: Corporate Services & HC
Ms S Pogisho	:	Job Attachment Student: Administration

ALSO PRESENT:

Members of the media.

1. SCRIPTURE READING AND OPENING BY PRAYER

The meeting was opened with the National Anthem.

2. ADOPTION OF THE AGENDA OF THE MEETING OF COUNCIL

(C/M 2021/11/25 - A 2/3/5)

On proposal of Councillor W O Groenewald seconded by Councillor M Henrichsen, 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:

Councillor C-W Goldbeck : Alternate Chairperson of MC

3.2 Declaration of interest:

None.

4. **CONFIRMATION OF MINUTES**
(C/M 2021/11/25 - A 2/3/5)

4.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 28 OCTOBER 2021**
(C/M 2021/11/25 - A 2/3/5)

On proposal of Councillor W O Groenewald seconded by Councillor M Henrichsen, it was:

RESOLVED:

CO: A
Acting GM: CS&HC

That the minutes of the Ordinary Council Meeting held on 28 October 2021, be approved with the following amendments:

That item 11.1.6 **REQUEST FOR ASSISTANCE: ACCOMMODATION FOR POLICE OFFICERS DURING THE FESTIVE SEASON**, be amended to read as follows:

RESOLVED:

GM: EDS

- (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, i.e. 1 December 2021 - 15 January 2022, 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 the Ministry of Safety and Security ensure that the 14 Special Field Force members are deployed in Swakopmund full time during the festive season.
- (d) That 3 bungalows be availed to them for accommodation.
- (e) That Council approve assistance towards the Special field Forces for food supplies.
- (f) That the related cost be defrayed from the Accommodation Namibian Police vote: 100510208300 where N\$120 000.00 is available.

That item 11.1.11 PROPOSAL FOR POP-UP RESTAURANT IN DECEMBER 2021, be amended to read as follows:

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.

B L.K.


- (c) That Messrs Wale Tale be informed that a similar event will be hosted on the northern side of the braai area on 28th - 31 December 2021.
- (d) That Messrs Wale Tale be responsible for provision of the proposed luxury ablution facilities at their own costs.

That item 11.1.16 ISSUES REGARDING ERF PRICE / PURCHASE PRICE / CONSTRUCTION COST AND REPAYMENT OF LOAN, be amended to read as follows:

RESOLVED:

CO: H
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 the erf price be reduced from N\$26 000.00 to N\$9 200.00.
- (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.

 L.K.

5. **OFFICIAL ANNOUNCEMENTS, STATEMENTS AND COMMUNICATIONS**
(C/M 2021/11/25 - 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 TO YOU ALL,

WELCOME TO THE FINAL COUNCIL MEETING OF 2021.

IT FEELS LIKE IT WAS JUST YESTERDAY WHEN I STOOD HERE TO PRESENT THE JANUARY ANNOUNCEMENTS. TIME TRULY FLIES. BEFORE COMMENCING WITH THE YEARS ACHIEVEMENTS, I WOULD LIKE TO SHOW SOME APPRECIATION TO EVERYONE THAT MADE IT ALL POSSIBLE.

LADIES AND GENTLEMEN

I REMEMBER LAST YEAR WHEN WE WERE FACED BY THE UNPREDICTABLE CIRCUMSTANCES PROVIDED BY COVID 19. COUNCIL AND STAKEHOLDERS, AGAINST NATIONAL MANDATE, STOOD TOGETHER TO ENDURE AND OVERCOME THOSE CIRCUMSTANCES.

THIS YEAR WE WERE FACED BY CHALLENGES ONCE MORE. THIS TIME, AMONGST OTHERS, DUE TO THE AFTEREFFECTS OF COVID 19. YET AGAIN, BUSINESSES, COMMUNITY MEMBERS, NATIONAL AND REGIONAL GOVERNMENT AND THE MUNICIPALITY, STRATEGIZED TO RISE ABOVE ALL THAT WAS PRESENTED.

DEAR FELLOW COUNCILLORS, CEO, GENERAL MANAGERS, MANAGERS AND STAKEHOLDERS,

I WHOLEHEARTDLY WANT TO SAY THANK YOU FOR YOUR CONTRIBUTION THIS YEAR IN ENSURING THAT SWAKOPMUND ONCE MORE, REMAINS ONE OF THE BEST-RUN LOCAL AUTHORITIES IN NAMIBIA.

WITH PRIDE, WE CAN SAY, THAT WE DID NOT ONLY ACHIEVE EXCELLENCE THIS YEAR BUT THAT THINGS ARE SLOWLY GETTING BACK TO THE WAY WE KNEW IT.

LADIES AND GENTLEMEN

ALLOW ME TO TAKE A TRIP DOWN MEMORY LANE WITH YOU AS I PRESENT A FEW MILESTONES THAT WERE ACHIEVED IN THE YEAR 2021.

THIS YEAR COUNCIL

- HELD GROUND-BREAKING CEREMONY OF THE 8-BLOCK DEVELOPMENT PROJECT
- INAUGURATED THE MATUTURA PARKS
- HELD 1ST HARVEST DAY IN THE URBAN AGRICULTURE PROJECT
- PLACED STREETLIGHTS IN WAGDAAR LOCATED BETWEEN IN EXTENSION 41 AND 42
- ANNOUNCED THAT THE 40/40 HOUSING NEARING COMPLETION
- RECEIVED ROSSING URANIUM DONATION OF A STORAGE CONTAINER
- RECEIVED 50X MAIZE MEAL AND 50X FLOUR BAGS DONATED BY TANGENI SHILONGO DONATED
- APPROVED LAND FOR DIFFERENT UNIVERSITIES
- ATTENDED NUMEROUS LAUNCHES AND EVENTS
- HELD SEVERAL COMMUNITY MEETINGS
- PROVIDED AID TO FIRE VICTIMS
- PROVIDED PATRONSHIP TOWARDS THE MONDESA FOOTBALL CLUB
- AT HEART OF IT ALL, RECEIVED TWO SECOND-HAND AMBULANCES, DONATED TO THE EMERGENCY DIVISION BY THE JAPANESE EMBASSY THROUGH ROTARY CLUB

THIS IN A NUTSHELL IS ONLY FEW OF WHAT THE MUNICIPALITY HAS BEEN DOING IN THIS YEAR.

LADIES AND GENTLEMEN

WHILE I HAVE YOUR KIND ATTENTION, I WOULD LIKE TO INTRODUCE YOU TO MR SHAPWA SHONGOLO AND LORENZO HANSEN. THESE TWO OUTSTANDING GENTLEMEN ARE GOING TO PARTICIPATE IN THE 2021 NEDBANK DESERT DASH EVENT. WHAT'S EVEN MORE EXCITING IS THAT THEY WILL BE REPRESENTING THE SWAKOPMUND MUNICIPALITY.

ON BEHALF OF COUNCIL, MR SHONGOLO AND HANSEN THANK YOU FOR TAKING ON THE TASK TO REPRESENTING NOT ONLY YOURSELVES BUT US. I WISH YOU NOTHING BUT THE BEST IN PUTTING SWAKOPMUND ON THE MAP.

LADIES AND GENTLEMEN

BEFORE I CONCLUDE, ON BEHALF OF COUNCIL, PLEASE HELP ME CELEBRATE AND HONOUR THE FOLLOWING STAFF MEMBERS AS WE PRESENT THEM WITH THEIR LONG SERVICE AWARDS.

10 YEARS SERVICE

- H Kakodhi
- EE Khoaseb
- M Awaseb
- ES Kazondandona
- CM Nambudu
- F Johannes
- TN Kandjimwena
- M Beukes

15 YEARS SERVICE

- K Protasius
- S Hansen

25 YEARS SERVICE

- GV Mbemukenga

LADIES AND GENTLEMEN

THE FESTIVE SEASON IS UPON US. THOUGH IT IS CHEERFUL TIMES, IT ALSO INTROUDCES A LOT OF CRIME AND RECKNLESSNESS.

THE CELEBRATION OF THE BIRTH OF CHRIST IS THERE TO SPREAD LOVE TO ALL AND SHARE APPRECIATION FOR ONE ANOTHER.

I WILL FAIL AS A MAYOR IF I DO NOT PLEA WITH YOU TO TAKE CAUTION DURING THIS TIME. PLEASE DO NOT DRINK AND DRIVE. CONTINUE TO WHERE YOUR MASKS, SANITIZE AND PRACTICE SOCIAL DISTANGIING. THE KEY POINT IS, PUT NOT ONLY YOUR LIFE BUT YOUR NEIGHBOURS LIFE FIRST.

WITH THAT BEING SAID, LADIES AND GENTLMEN THANK YOU FOR YOUR UNDIVIDED ATTENTION.

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.



L.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

11. RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE MEETING HELD ON 11 NOVEMBER 2021

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

(C/M 2021/11/25 - A 2/3/5)

CO: A
Acting GM: CS&HC

RESOLVED:

That the Management Committee resolutions of 28 October 2021 and 11 November 2021, be noted.

11. RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE

11.1 MANAGEMENT COMMITTEE MEETING HELD ON 11 NOVEMBER 2021

11.1.1 FINANCIAL YEAR END - 2020 / 2021

(C/M 2021/11/25 - 3/1/1/1/1)

RESOLVED:

GM: F

(a) That Council approves the additional funds request amounting to N\$21 574 000.00 for the Operational Budget of 2019 / 2020 Financial Year.

(b) That additional funds be funded from the surplus of the Financial Year under review.

11.1.2 RENOVATION OF ABLUTION FACILITIES AT CLEANSING SECTION REST-ROOMS

(C/M 2021/11/25 - Erf 1596)

RESOLVED:

GM: EPS
GM: F

(a) That Council approves additional funds for the completion of the preliminary phase of the construction project at Erf 1596, Swakopmund.

(b) That the General Manager: Finance provides funds amounting to N\$300 000.00 for the completion of the preliminary phase of the construction project at Erf 1596, Swakopmund.

[Handwritten signature]

11.1.3 **SOUTHERN ENERGY COMPANY AND AVIATION FUEL LEASE AGREEMENT**

(C/M 2021/11/25 - 18/1/1/1)

RESOLVED:

GM: F

- (a) That Council repeal points (b) and (d) of its resolution of 29 July 2021.

(b) *That the General Manager: Finance calculates the appropriate amount to be levied in respect of arrear rental for the occupation of the site and royalties since 2010 and that the Lessee be requested to make acceptable arrangements for the payment of the resulting amount.*

(d) *That the company provides Council with the quantities of fuel dispensed from commencement of operations to date.*

- (b) That Messrs Southern Energy Company pays the same lease amounts as currently paid by commercial Hangar Owners.
- (c) That Council accepts the offer of N\$0.036 per litre to be paid by Messrs Southern Energy Company for quantities of fuel dispensed.

11.1.4 **REINSTATEMENT OF OVAHIMBA CULTURAL GROUP AT THE MARTIN LUTHER HISTORICAL SITE**

(C/M 2021/11/25 - 13/3/1/13)

RESOLVED:

GM: EDS

That Council remains with its resolutions taken on 28 January 2021, under item 11.1.1 amended as below:

- (a) *That the Council revokes the utilization of the land of the Ovahimba Cultural Village.*
- (b) *That the General Manager: Economic Development Services plans for the demarcation of land earmarked for the Cultural Center.*
- (c) *That once the area has been demarcated, invitations for expression of interest from different cultural groups / cooperatives / individuals that want to lease a portion in the center, be compiled.*

11.1.5 **SWAKOPMUND COASTLINE PROTECTION IMPLEMENTATION PLAN**

(C/M 2021/11/25 - 16/1/3/2, 14/2/9/5)

RESOLVED:

GM: EPS
GM: F

- (a) That the Swakopmund Coastline Protection Implementation Plan be approved.
- (b) That a short term plan be submitted to Council.
- (c) That the General Manager: Engineering & Planning Services makes sufficient budgetary provisions for the implementation of the plan according to the phases indicated below, subject to review:

Phase	Estimated Budget
Year 1 (2022 -2023)	N\$3 133 000.00
Year 2 (2023-2024)	N\$7 500 000.00
Year 3 (2024-2025)	N\$6 300 000.00
Year 4 (2025-2026)	N\$15 600 000.00
Year 5 (2026-2027)	N\$10 650 000.00

- 11.1.6 **RECTIFICATION OF COUNCIL RESOLUTION: ITEM 11.1.12 OF 25 MARCH 2021**
(C/M 2021/11/25 - M4 E 40)

RESOLVED:

GM: EPS

That the Council resolution of 25 March 2021, under item 11.1.21, be repealed and replaced with the following:

- (a) That the subdivision of Abalone Avenue into Portion A and Remainder be approved.
- (b) That the permanent closure of the street portion between Erven 40 and 41 Myl 4 as a "Street" be approved.
- (c) That the subsequent consolidation of Portion A with Erf 40, Myl 4 be approved.

- 11.1.7 **REQUEST BY WATO PTY (LTD) TO RECONSIDER THE CANCELLATION OF ERF 4108, MONDESA**
(C/M 2021/11/25 - M 4108)

RESOLVED:CO: P
Acting GM: CS&HC

- (a) That Council takes note of the letter dated 03 June 2021 from WATO (Pty) Ltd (on behalf of WATO Investment CC) requesting Council to reconsider the decision passed on 28 January 2021 under item 11.1.22 in terms whereof the transaction for the sale of Erf 4108, Mondesa is cancelled.
- (b) That Council remains with its decision passed on 28 January 2021 under item 11.1.22, in terms whereof the sale of Erf 4108, Mondesa is cancelled:

1. That Messrs WATO Investment CC be reimbursed N\$900.00 due to a calculation error made in the calculation of the 1% Admin Cost to be deducted from the N\$10 000.00 deposit.

- 11.1.8 **APPLICATION FOR AN EXTENSION OF TIME TO SECURE PURCHASE PRICE: DR RAIMO NHH NAANDA**
(C/M 2021/11/25 - E 10038)

RESOLVED:CO: P
Acting GM: CS&HC

- (a) That Council takes note of the e-mail received from Dr Raimo Naanda requesting an extension of time to pay the purchase price of Erf 10038, Swakopmund.
- (b) That the wording of the deed of sale for Erf 10038, Swakopmund be amended to read that the purchase price in the amount of N\$606 970.00 (N\$1 015.00/m² X 598m²) shall be secured within 60 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 should the purchase price referred in (b) above not secured by 10 February 2022, the purchase price shall attract interest at a rate of 7.5% per annum calculated from 13 October 2021 until the date the purchase price is paid and received in full.

11.1.9 REQUEST TO HOST A MAYORAL SPORTS TOURNAMENT

(C/M 2021/11/25 - 5/5/8/2)

CEO
GM: EDS

RESOLVED:

- (a) That Council approves to host an annual Sports Tournament to promote local sport and micro businesses.
- (b) That budgetary provision of N\$20 000.00 be made available through the office of the Mayor.
- (c) That the Mondesa Sport Stadium be utilized for the tournament free of charge.
- (d) That an Organizing Committee be appointed through the office of the Mayor to plan the event annually and to provide feedback reports to Council.

11.1.10 REQUEST FOR APPROVAL TO HOST A MONTHLY MARKET: "LOCAL IS LEKKER" IN SWAKOPMUND

(C/M 2021/11/25 - 14/1/3/1)

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

RESOLVED:

- (a) That permission be granted to Mr & Mrs Lubbe to host a monthly community market at Palm Garden and *Thomas Hamunyela Amphitheatre* between 08am and 8pm monthly, starting 2022, subject to the following conditions:
 - (i) That the following rental be charged:
 - Refundable Deposit = N\$724.00
 - Rental Fees = N\$0.26 per day per m² 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.
- (b) That all applications be made through the Municipality as with the annual Christmas Fair.
- (c) That permission be granted to Mr & Mrs Lubbe to launch the "Local is Lekker" monthly Community Market concept at the Swakopmund Fair scheduled for 17-18 December 2021 at the Palm Garden at no cost.

- (d) That Council assist this community initiative with the following at Council's cost:
- Provision of Wheelie bins and removal of waste for the first 3 months and rental fee for wheelie bins be applied thereafter
 - Avail personnel to assist with setting up, marking of the area
 - Grant permission to hang advertising banners in town
 - Assist with marketing the event on Council's Social Media Sites where applicable
- (e) That Mr & Mrs Lubbe ensures that that there is sufficient power supply for the event, and should additional electricity be required, it be supplied at their own cost.
- (f) That Mr & Mrs Lubbe be responsible for sourcing for additional ablution facilities if required at their own costs.
- (g) That Mr & Mrs Lubbe's proposal to combine the "Local is Lekker" market with the annual Swakopmund Fair in December be approved and that the two parties (i.e. Municipality of Swakopmund and Mr & Mrs Lubbe) organise the event together.

11.1.11 APPLICATION FOR LAND SWAP OF ERF 9806, EXTENSION 39 SWAKOPMUND WITH ERF 9793, EXTENSION 39, SWAKOPMUND
(C/M 2021/11/25 - E 9806, E 9793)

RESOLVED:

CO: P
Acting GM: CS&HC

- (a) That it be noted that the two erven differ in area size and the difference must be paid for at a market value upon completion of both the planning and cadastral statutory procedures:

	Erf #	Size	Owner
1	9806	2 251m ²	Swakopmund Municipality
2	9793	1 835m ²	The Trustees for the Time being of the Erf 462 Tamariskia Endowment Trust
	Difference	416m ²	

- (b) That the applicant undertakes all the planning and cadastral statutory procedures.
- (c) That it be noted that the market value of the land has been determine at N\$850 m², therefore the toal to be paid to Council will be N\$353 600.00.
- (d) That the exchange of Erf 9806, Extension 39 (zoned "Public Open Space") for Erf 9793, Extension 39 (zoned "General Residential") belonging to The Trustees for the Time being of the Erf 462, Tamariskia Endowment Trust; in order to accommodate the parking requirements for the development on Erf 9794, Extension 39 (belonging to Swakop Convenience Centre CC) be approved subject to successful completion of the statutory planning and cadastral procedures.

- (e) That approval for the exchange proposal be given on condition that Swakop Convenience Centre CC acquires ownership of Erf 9793 prior to entering into an exchange agreement with Council.
- (f) That upon acceptance of the Council decision by Swakop Convenience Centre CC, Council's intention to alienate Erf 9806, Extension 39, Swakopmund via an exchange transaction for Erf 9793, Extension 39, Swakopmund be advertised for possible objections as required in terms the Local Authorities Act, Act 23 of 1992 at the cost of the purchaser.
- (f) That the transaction be concluded after approval has been granted by the Ministry of Urban & Rural Development; within 120 days from the last party signing the exchange agreement.
- (g) That the purchaser accepts that no rights will accrue to it from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
- (h) That the erven are exchanged "voetstoots" or "as is" with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the lay-out or situation or subterranean composition of the property or any improvements thereon. The Council also does not warrant that the services installed at the property are suitable for the use intended by the Purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage and water connections are suitable for the intended use of the property.
- (i) That no development or construction will be permitted to commence until the statutory processes have been completed and the erven are transferred.
- (j) That the exchange agreement be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of receipt thereof.
- (k) That the purchaser indemnifies Council against any claims resulting from blasting, should blasting need to be done.
- (l) That Swakop Convenience Centre CC be responsible for all costs for the exchange transaction:
 - (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 any remainder of the deposit in (i) above be refunded to the purchaser on completion of the related statutory processes.



L.K.

11.1.12 **SWAKOPMUND MUNICIPAL SAND AND GRAVEL MINING REGULATIONS**

(C/M 2021/11/25 - 1/1/2/29)

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

RESOLVED:

- (a) That Council approves the draft sand and gravel mining regulations.
- (b) That the Acting General Manager: Corporate Services and Human Capital submits the regulations to the Municipal lawyers for amendment and vetting.
- (c) That the draft regulations be re-submitted to Council before they are submitted to Ministry of Urban and Rural Development and the Attorney General.
- (d) That the regulations be implemented by the following Divisions with various departments:

- Engineering & Planning Services Department (Office of the Environmental Officer).
- Economic Development Department (Emergency & Law Enforcement Division).

11.1.13 **PERMISSION USE MOBILE ADVERTISING TRAILERS**

(C/M 2021/11/25 - 7/2/1)

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

RESOLVED:

- (a) That the Council grants permission to Messrs Hekami Outdoor to place mobile advertisement trailers on site one (1) and two (2), as per the map, on file.
- (b) That site three (3) be declined and the applicant be informed that he will have to apply to TransNamib for the use of this location.
- (c) That permission only be granted to use sites for six (6) month with no option to renew the lease period.
- (d) That Acting General Manager: Corporate Services and Human Capital draft a formal lease agreement for the use of council's land before any advertising be placed.
- (e) That the rental for sites be determined N\$2 300.00 per site per month.
- (f) That Messrs HEKAMI Outdoor be responsible for the maintenance of the mobile trailers.
- (g) The Council reserves the right to cancel the lease agreement at any time during the lease period should Council requirements not be met.
- (h) That the locations for this type of advertising be limited to the approval sites and be made available to other applicants once the lease period has expired.

L.K.

11.1.14 **TRANSFER OF FUNDS: ARCHIVES**

(C/M 2021/11/25 - 3/1/1/1))

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

RESOLVED:

That permission be granted to the General Manager: Finance to transfer N\$360 000.00 from Property / Asset Register Vote No: 150531013000 to the High Density Cabinet Vote: 150531012900 where N\$587 000.00 is available.

11.1.15 **COUNCIL'S OUTSTANDING DEBTS**

(C/M 2021/11/25 - 3/1/1/1, 3/2/7)

RESOLVED:

GM: F

- (a) That it be noted that Councils' outstanding debt as at 20 October 2021 amounted to N\$100 107 389.86.
- (b) That it be noted that the Cabinet Directive states that Council MAY NOT disconnect water supply.
- (c) That it be noted that the Finance Department is currently busy with debt recovery strategies with internal resources as well as through our Debt Collectors.
- (d) That Council announce in the newspapers, social media platforms and NBC that Consumers will be granted grace period to make arrangements for settlement of their outstanding debts with Council, during the period 1 December 2021 until 31 March 2022.
- (e) That Council approves a 10% settlement discount for payment of account balances older than 90 days.

11.1.16 **PLACEMENT OF STORAGE CONTAINERS AT DANIEL KAMHO HAWKERS SITE FOR THE PURPOSE OF STORING CHARCOAL AND WOOD**

(C/M 2021/11/25 - 14/1/3/1)

RESOLVED:

GM: EDS

- (a) That Council approves the placement of 6m x 3m storage containers at Daniel Kamho Hawkers site at the tenants own costs.
- (b) That these storage facilities may not be used for any purposes other than for the storage of goods for sale at market site.
- (c) That the Economic Development Services Department ensures that such storage facilities do not become an eye sore to members of the public and are placed in a manner that does not obstruct the view of motorists utilizing the parking area.
- (d) That Council reserves the right to cancel this approval upon receiving complaints regarding the improper and unbecoming behaviours or business activities at these storage facilities.

L.C.

11.1.17 **APPLICATIONS TO PURCHASE ERF 2623, EXTENSION 8, SWAKOPMUND**

- MR FREDERICK JOHANNES MOUTON
- NAMIBIAN LUBRICATION SYSTEMS CC
- MS MARIETTE MARIA BEUTHIN

(C/M 2021/11/25 - E 2623)

RESOLVED:

CO: P
Acting GM: CS&HC

- (a) That Council approves that an exclusive closed bid be held for the sale of Erf 2623, Swakopmund measuring 1 333m² to the following applicants only at an upset price of N\$500.00/m² (N\$665 000.00) as approved by Council on 25 July 2019, under item 11.1.27:

- Mr Frederick Johannes Mouton
- Namibian Lubrication Systems cc
- Ms Mariette Beuthin

- (b) That the three approved bidders pay a refundable registration fee of N\$5 000.00 to take part in the closed bid sale.

- (c) That the following standard conditions be applicable:

1. That upon allocation of the erf to the successful purchaser, Council's intention to sell the erf be advertised for possible objections as required in terms of the Local Authorities Act, Act 23 of 1992 at the cost of the purchaser.
2. That ministerial approval be applied for the sale of Erf 2623, Swakopmund in terms of the Local Authorities Act, Act 23 of 1992, as amended.
3. That the transaction be concluded within 120 days from the date the last party signed the Deed of Sale and such date be regarded as date of sale.
4. That payment of the purchase price be secured either in cash or formal bank guarantee in favour of the Swakopmund Municipality within 120 days from the last party signed the Deed of Sale.
5. Failure to secure the purchase price within the required period will result in cancellation without the need to place the purchaser on terms.
6. Should the purchase price be secured by a bank guarantee the transfer must be effected on / before the 120th day, else interest will be levied as from the date of the last party signing the deed of sale until the date of registration of transfer at a rate as confirmed with Council's bank on the date of sale.
7. That the purchaser accepts that no rights will accrue to it from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
8. The erf is sold "voetstoots" or "as is" with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the layout or situation or subterranean composition of the property or any improvements thereon. The Council also does not warrant that the services installed at the property are suitable for the use intended by the Purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage and water connections are suitable for the intended use of the property.
9. That where the General Manager: Engineering and Planning Services determines that the purchaser must upgrade or extend the existing services to the erf, the purchaser must do so at its own cost and to the satisfaction of the General Manager: Engineering Services.
10. That no development or construction be permitted to commence until the statutory processes have been completed and the erf is transferred.
11. That the purchaser must construct structural improvements worth at least 4 times the municipal valuation of the property. Structural improvements, for purposes of this condition, shall not include the construction of boundary walls or any changes to the subterranean composition of the property;
12. That the said improvements must be completed within 24 months (2 years) from date of transfer.

13. That the agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of receipt thereof by the purchaser.
14. That the purchaser indemnifies Council against any claims resulting from blasting, should blasting need to be done.

11.1.18 **PROGRAMME FOR ORDINARY MONTHLY MANAGEMENT COMMITTEE AND COUNCIL MEETINGS FOR 2022**
(C/M 2021/11/25 - 5/2/1/1/2)

RESOLVED:

CO: A
Acting GM: CS&HC

- (a) That the programme for the Ordinary Management Committee and Council meetings for the period January 2022 until November 2022 (as per Annexure "A", on file), be approved.
- (b) That the election of office bearers of Council for 2022 be arranged to take place on 29 November 2022 at 09:00.
- (c) That the Acting General Manager: Corporate Services and Human Capital arranges with the local magistrate to chair and facilitate the election of office bearers at the meeting scheduled for 29 November 2022.

11.1.19 • **CANCELLATION OF TRANSACTION ERF 2283, MATUTURA**
• **EVICION OF MR WILLIWARD NARIB AND RINA NARIS FROM ERF 2283, MATUTURA, EXTENSION 10**
(C/M 2021/11/25 - 14/2/1/2)

RESOLVED:

CO: H
Acting GM: CS&HC

- (a) That the Acting General Manager: Corporate Services & Human Capital consults with the attorneys to confirm whether Council can cede its rights to Messrs National Housing Enterprise to take the necessary action.
- (b) That it be recorded that Council does not support evictions of families from their houses.
- (c) That the Acting General Manager: Corporate Services & Human Capital obtains a legal opinion for the transfer of National Housing Enterprise to Council to prevent evictions of families.

11.1.20 **RESALE OF THE PROPERTY ON ERF 7731, SWAKOPMUND, EXTENSION 28**
(C/M 2021/11/25 - 14/2/1/2)

RESOLVED:

CO: H
Acting GM: CS&HC

That Council has no objection to the sale of the Erf by Mr and Ms Klukowski on condition that Messrs National Housing Enterprise has no objection.

11.1.21 **REQUEST TO RE-ADJUST SPECIAL RATES AT THE
SWAKOPMUND MUNICIPAL REST CAMP**
(C/M 2021/11/25 - 14/2/7/1/14)

RESOLVED:

GM: EDS

- (a) That Council extends the approved special rates at Swakopmund Municipal Rest camp (SMRC) from 1 November 2021 to 28 February 2022:

Unit Type	Current Rate	Proposed COVID-19 Rate	% Discount
Fish	N\$ 562.00	N\$ 400.00	28.83%
Gecko	N\$ 652.00	N\$ 450.00	30.98%
Welwitschia	N\$ 681.00	N\$ 450.00	33.92%
Dune	N\$ 903.00	N\$ 550.00	39.09%
Dune A	N\$ 846.00	N\$ 550.00	34.99%
Spitzkoppe	N\$ 947.00	N\$ 600.00	36.64%
Brandberg A	N\$1,058.00	N\$ 750.00	29.11%
Brandberg B	N\$1,225.00	N\$ 800.00	34.69%
Moon Valley	N\$1,336.00	N\$ 900.00	32.63%

- (b) That the following rates be approved as the "new peak-season rates" for the period 15 December 2021 - 5 January 2022 and long weekends between 1 November 2021 to 28 February 2022.

Unit Type	Peak season
Fish	500.00
Gecko	550.00
Welwitschia	550.00
Dune	650.00
Dune A	650.00
Spitzkoppe	700.00
Brandberg A	850.00
Brandberg B	900.00
Moon Valley	1,000.00

- (c) That the above rates be reviewed and re-adjusted pending the revival of the tourism industry.

11.1.22 **FESTIVE SEASON EMERGENCY RESPONSE AND
PREPAREDNESS OF THE NATIONAL SEA RESCUE INSTITUTE
OF NAMIBIA**
(C/M 2021/11/25 - 16/2/10/7/1)

RESOLVED:

GM: EDS

- (a) That Council takes note of the position of Messrs National Sea Rescue Institute of Namibia for being unable to provide active life duties at the beach.
- (b) That the General Manager: Economic Development Services be authorized to approach the Namibian Navy to avail 6 (six) members to render life guard services on the beach from 15 December 2021 until 10 January 2022.

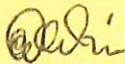
- (c) That Council expenses related to life guard services be defrayed from vote 350010110000 where an amount of N\$100 000.00 is available.

13. DRAFT REGULATIONS AND TARIFFS, IF ANY

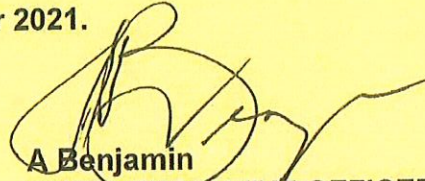
None.

The meeting adjourned: 19:55.

Minutes to be confirmed on: 25 November 2021.



Councillor L N Kativa
MAYOR



A Benjamin
CHIEF EXECUTIVE OFFICER