

MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Thursday, 27 April 2023** at **19:00**.

PRESENT:

Councillor D Am-!Gabeb	:	Deputy Mayor (<i>Vice-Chairperson of Council</i>)
Councillor W O Groenewald	:	Chairperson of MC
Councillor C-W Goldbeck	:	Member of Management Committee
Councillor P Shimhanda	:	Member of Management Committee
Councillor M Henrichsen	:	Member of Council
Councillor S M Kautondokua	:	Member of Council
Councillor E Shitana	:	Member of Council
Councillor H H Nghidipaya	:	Member of Council

OFFICIALS:

Mr A Benjamin	:	Chief Executive Officer
Mr V S Kaulinge	:	GM: Economic Development Services
Mr C McClune	:	GM: Engineering and Planning Services
Mr A Plaatjie	:	GM: Corporate Services & HC (Acting)
Ms G Mukena	:	GM: Finance (Acting)
Mr A Kationdorozi	:	GM: Health Services & SWM (Acting)
Mr U Tjiurutue	:	Corporate Officer: Administration
Ms S Pogisho	:	Administration Clerk

ALSO PRESENT:

Members of the public.

1. **OPENING BY PRAYER**

Councillor S M Kautondokua opened the meeting with prayer.

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

(C/M 2023/04/27 - 5/2/1/1/2)

On proposal of Councillor P Shimhanda seconded by Councillor C-W Goldbeck, it was:

RESOLVED:

- (a) That the agenda be adopted.
- (b) That this item 11.1.37 be withdrawn from the Agenda as it was not finalized by the Management Committee.

GM: F CEO CO: A 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 D Namubes - Approved
Councillor B R Goraseb - Approved

3.2 Declaration of interest:

None.

4. **CONFIRMATION OF MINUTES**

(C/M 2023/04/27 - 5/2/1/1/2)

4.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 23 FEBRUARY 2023**

(C/M 2023/04/27 - 5/2/1/1/2)

On proposal of Councillor P Shimhanda seconded by Councillor S M Kautondokua, it was:

RESOLVED:

CO: A
GM: CS&HC

That the minutes of the Ordinary Council Meeting held on 04 April 2023, be confirmed as correct.

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

None.

6. **PETITIONS**

None.

7. **MOTIONS OF MEMBERS**

None.

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

None.

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

(C/M 2023/04/27 - 5/5/2)

HONOURABLE COUNCILLORS, THE CHIEF EXECUTIVE OFFICER, GENERAL MANAGERS, MANAGERS, OFFICIALS, MEMBERS OF THE COMMUNITY, MEMBERS OF THE MEDIA

LADIES AND GENTLEMEN

GOOD EVENING AND WELCOME TO THE COUNCIL MEETING FOR THE MONTH OF APRIL. THANK YOU FOR JOINING US TONIGHT.

LADIES AND GENTLEMEN

TO START OFF

THE MAYORAL CUP 2023 WAS SUCCESSFULLY HOSTED OVER A PERIOD OF TWO WEEKENDS ON THE 15-16TH APRIL AND 22-23RD APRIL 2023 AT THE MONDESA STADIUM. THE WINNERS FOR THE 2023 WERE THE OB ELEVEN FOOTBALL CLUB.

AS COUNCIL, OUR VISION IS TO SEE A SWAKOPMUND AS THE SPORTS HUB IN NAMIBIA. THUS, WE HAVE BEEN PROMOTING SPORTS TOURISM AS IT UPLIFTS OUR ECONOMY. BUT FURTHERMORE, SPORT ACTIVITIES ALSO CREATE A PLATFORM FOR YOUNG PEOPLE TO PARTICIPATE IN PRODUCTIVE ACTIVITIES, THUS, THROUGH THE MAYORAL CUP, WE ENCOURAGE OUR YOUNGSTERS ESPECIALLY THE BOY CHILD, TO MAKE USE OF THEIR TALENT TO DO SOMETHING FOR THEIR COMMUNITY.

WE HOPE THAT THE NEXT TOURNAMENT WILL BE BIGGER AND BETTER TO ACCOMMODATE MORE SPORTS CODES LIKE NETBALL.

LADIES AND GENTLEMEN

DURING THIS MONTH, COUNCIL ALSO HOSTED THE SIGNING CEREMONY OF OWNERSHIP CERTIFICATES WHERE OVER 800 BENEFICIARIES ARE TO BECOME HOMEOWNERS. NEXT MONTH, WE ARE GOING TO CONTINUE WITH THE PROCESS FOR THE WAGDAAR COMMUNITY MEMBERS.

WE ARE REALLY EXCITED ABOUT THE PROJECT AS MANY OF OUR COMMUNITY MEMBERS CAN NOW BECOME HOMEOWNERS.

ON THAT NOTE, I WISH TO THANK ALL THOSE IN ATTENDANCE AND WISHING US ALL A FRUITFUL DELIBERATION AS WE MOVE FORWARD WITH THE AGENDA. THANK YOU FOR YOUR ATTENTION.

THANK YOU FOR YOUR ATTENTION.

*DAVID AM-IGABEB
DEPUTY MAYOR*

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

10.1 **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY MANAGEMENT COMMITTEE DURING MARCH AND APRIL 2023**

(C/M 2023/04/27 - 5/2/1/1/2)

RESOLVED:

CO: A
GM: CS&HC

That the report to Council on the resolutions taken by Management Committee meeting held on 23 March 2023 and 13 April 2023, be noted.

11. **RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE MEETING HELD DURING APRIL 2023**

11.1 **MANAGEMENT COMMITTEE MEETING HELD ON 13 APRIL 2023**

11.1.1 **APPLICATIONS TO BOND MATUTURA PROPER AND EXTENSION 38**

(C/M 2023/04/27 - 16/1/4/2/1/14)

RESOLVED:

CO: H
GM: CS&HC

- (a) That Council does not permit the developers to bond Council's property allocated to them for servicing.
- (b) That it be noted that the bonding of the land will shift all risk to Council.

11.1.2 **R & R KARTING NAMIBIA CC (2007/1011): RENEWAL OF LEASE AGREEMENT AT CURRENT SITE (AIRPORT)**

(C/M 2023/04/27 - 13/3/1/5)

RESOLVED:

CO: P
GM: EPS
GM: CS&HC

- (a) That the presentation by Mr O Mendes of R & R Karting CC regarding the renewal of his lease term and future relocation of the facility be noted.
- (b) That the lease be extended for 5 years only.
- (c) That an alternative site be identified within (5) five years for R & R Karting CC to move to.

11.1.3 **ERF 9060, EXTENSION 35, SWAKOPMUND TO AFRICAN DEVELOPMENT FOUNDATION - CANCELLATION OF SALE TRANSACTION**

(C/M 2023/04/27 - E 9060)

RESOLVED:

CO: P
GM: CS&HC

- (a) That Council confirms the cancellation of the allocation of Erf 9060, Swakopmund to African Development Foundation due to non-payment of the required purchase price by the final due date of 28 February 2023.
- (b) That development proposals be invited for the sale of Erf 9060, Swakopmund from qualifying entities (voluntary associations, trusts and non-profit companies) at a fixed purchase price of 50% of the development cost, subject to Council's standard conditions:

<i>ERF NO</i>	<i>SIZE M²</i>	<i>DEVELOPMENT COST</i>
<i>Erf 9060, Ext 35, Swk</i>	<i>2 089</i>	<i>N\$292.00 / m²</i>

- (c) That development proposals from religious institutions not be considered due to the size of Erf 9060, Swakopmund.

11.1.4 **APPLICATION BY NAMBAZA INVESTMENTS CC TO PURCHASE ERF 7159, MONDESA**

(C/M 2023/04/27 - M 3289 & M 7159)

RESOLVED:

CO: P
GM: CS&HC

That Council repeals its decision of 24 November 2022, item 11.1.36 and replace it with the following decision:

- (a) That Council approves the sale of Erf 7159, Extension 26, Mondesa measuring 2 812m² to Nambaza Investments CC (represented by Mr Abisai Konstantinus) for them to develop residential houses and to construct an electrical substation that will provide electrical power on Erf 7159, Mondesa and Erf 3289, Mondesa.
- (b) That valuations be obtained from two valuers to determine the average market purchase price for Erf 7159, Mondesa; whereafter Council's standard conditions of sale also be submitted.
- (c) That the requirements regarding the alienation of immovable property as prescribed in the Local Authorities Act, Act 23 of 1992, (as amended), and the Urban & Regional Planning Act (Act 5 of 2018) respectively, be dealt with successfully.

11.1.5 **REQUEST FOR THE RESIDENTS IN KURZE STREET TO CONTRIBUTE TO THE UPGRADING COST**

(C/M 2023/04/27 - 16/1/6/1)

RESOLVED:

GM: EPS

That residents along Kurze Street be informed to reimburse Council for the interlocks used for the road upgrading.

11.1.6 **BENCHMARKING REPORT - OPERATIONS OF MUNICIPAL AMBULANCES**

(C/M 2023/04/27 - 15/3/2)

RESOLVED:

GM: EDS
M: HC
GM: CS&HC

- (a) That Council takes note of the benchmarking report from the Economic Development Services Department on their visit to the City of Windhoek on 14 March 2023.
- (b) That Council provides ambulance services to the community of Swakopmund and that the Economic Development Services Department be authorized to:
 - (i) *Provide training in basic life support (BLS), advanced life support (ALS), or intermediate life support (ILS) to all its firefighters through an accredited institution/ body as a matter of urgency.*
 - (ii) *Recruit interns and contract employees with valid Basic Life Support (BLS), Advance Life Support (ALS) or Intermediate Life*

Support (ILS) credentials to operate ambulance functions according to the current shift system.

- (iii) *Increase the Fire Brigade levies on all (5) five for residential and (15) for business consumer accounts as of July 1, 2023, to finance the provision of ambulance services.*
 - (iv) *Request for a subsidy from the Central Government under sections 12 and 13 of the Local Authorities Fire Brigade Act (Act No. 5 of 2006).*
- (c) **That Council enters into a Memorandum of Understanding with the Ministry of Health and Social Services for Council to provide ambulance services during emergencies and when the government ambulance is unavailable.**

11.1.7 **INVITATION: THE SWAKOPMUNDER KARNEVALSVEREIN (KÜSKA)**

(C/M 2023/04/27 - 7/2/3)

During the discussion of this item Councillor M Henrichsen declared his interest and left the Chambers.

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

RESOLVED:

- (a) **That Council approves the setup of signboards and a banner between the palm trees at the corner of Daniel Tjongarero and Tobias Hainyeko for the duration of the event.**
- (b) **That the General Manager: Health and Solid Waste Management assigns 10 refuse bins to be placed at different areas where the event will be held.**
- (c) **That the Swakopmund Municipality participates in the float procession at the Swakopmunder Karnevalsverein (Küska) on 1 July 2023.**
- (d) **That the Crane truck, Isuzu 250 - N 8773 S or another similar truck be used during the float procession and that ten (10) municipal volunteers participate and be provided with refreshments not exceeding N\$4 500.00.**
- (e) **That the cost of refreshments and decoration of the truck (according to the theme) be defrayed from the Corporate Service's Publicity Vote: 150515533000 where N\$237 140.13 is available.**
- (f) **That the organisers of the Swakopmunder Karnevalsverein (Küska) be informed to avoid offensive pictures during the event.**

11.1.8 **PARKING METER REGULATIONS FOR SWAKOPMUND**

(C/M 2023/04/27 - 1/1/2/28)

Legal Officer
GM: EDS
GM: CS&HC

RESOLVED:

- (a) That Council approves the Parking Meter Regulations.
- (b) That the Parking Meter Regulations be submitted to the Ministry of Justice for publication in the Government Gazette.

11.1.9 **UNSOLICITED APPLICATIONS FOR LARGE PORTIONS OF LAND**

(C/M 2023/04/27 - 16/1/4/2/1/14)

CO: P
GM: CS&HC

RESOLVED:

That Council again issues the press release regarding unsolicited applications for large portions of land for township development in terms of Council's decision passed on 30 August 2021 under item 11.1.15.

11.1.10 **40/40 HOUSING PROJECT (CREDIT-LINK) AND REQUEST TO WAIVE PRE-EMPTIVE RIGHT OVER ERF 1426, MATUTURA, EXTENSION 7**

(C/M 2023/04/27 - E 1426 M)

CO: H
GM: CS&HC

RESOLVED:

- (a) That Council waives the pre-emptive right registered over Erf 1426, Matutura and allow Mr Shikongo to sell Erf 1426, Matutura, Extension 7 to a third party who meets the following criteria in order for him to become debt-free:
- That the third party should be a first-time homeowner
 - Earns an income set for a specific project.
 - That the third party applied for housing applications and that the name appears on the Master Waiting List.
- (b) That Mr Shikongo be informed that he no longer qualifies for allocation of an erf under the low-cost housing projects, as he is no longer a first-time property owner.

11.1.11 **PRO-ED AKADEMIE RIVERSIDE PREMISES: CORRECTION OF ERF NUMBERS**

(C/M 2023/04/27 - E 4235, E 4236, E 4237 3/1/1/2)

CO: P
GM: CS&HC

RESOLVED:

That the Council resolution of 31 August 2022 under item 11.1.33 be amended to read:

That Council approves the exemption of Riverside Private School for Erven 4235, 4236 and 4237 from the payment of assessment rates for the year 2022 / 2023.

11.1.12 **REQUEST FOR SPONSORSHIP: REITER VEREIN SWAKOPMUND**
(C/M 2023/04/27 - 3/15/1/6/1)

CO: MC
GM: F
GM: CS&HC

RESOLVED:

That Council condones the sponsorship of N\$9 000.00 towards the 6 (six) individual competitions of Reiter Verein Swakopmund for the Dressage and Show jumping tournament held from 24-26 March 2023 in Swakopmund.

11.1.13 **APPLICATION TO RENT ONE PARKING SPACE ON ERF 3664, SWAKOPMUND (NEXT TO THE PALM TREE AT CORNER)**
(C/M 2023/04/27 - E 3664)

CO: P
GM: CS&HC

RESOLVED:

- (a) That Council approves the application by M Hartmann Investments 87 CC/2018/06280 to lease a parking bay for the purpose of an information store only, located in the northwestern corner on Erf 3664, Swakopmund.
- (b) That permission be granted to the applicant to construct / erect a wooden structure similar to Swakop Info on the parking area (measuring 19.8m²) located next to a palm tree planted on the bordering parking bay, subject to:
- (i) *Detailed building plans be submitted to the Engineering & Planning Services Department for consideration.*
 - (ii) *That the store does not interfere with the traffic and pedestrian flow on the streets and pavements bordering on the west and north.*
 - (iii) *That store frontage facing west / north, the structure be set back in terms of Council's standard building lines.*
 - (iv) *That the structure / use does not include and or encroach on the palm tree area.*
 - (v) *That the structure complies with health requirements such as the provision of potable water on site and public ablution in close proximity.*
- (c) That the lease period for M Hartmann Investments 87 CC/2018/06280 be 5 years which commence the month following the date of approval being granted by the Ministry of Urban and Rural Development subsequent to the required statutory publication process in terms of the Local Authorities Act 23 of 1992, as amended (see point (f) below).
- (d) That the rental amount be N\$ 39.91 x 19.8m² = N\$ 790.20 + (15% VAT) N\$118.53 = N\$ 908.73 with an annual escalation of 7% starting from 1 July 2023 in order to have a standard tariff for pavement areas.
- (e) That the lease be subject to the following standard conditions:
- (i) *That no sub-letting be allowed.*
 - (ii) *That Council reserves the right to cancel the lease if valid objections are received from the public during the subsistence of*

- the lease.*
- (iii) *That the applicant shall indemnify Council and keep Council indemnified during the full period of this agreement against possible claims, which may arise from the use of the leased area.*
 - (iv) *That the lease is terminable by either party given or receiving 3 months notice.*
 - (v) *That the business does not operate after 22:00 daily.*
 - (vi) *That a deposit equal to 1 month's rental be paid.*
 - (v) *That all costs involved be for the lessee's account. Should they cease operating they must inform Council in writing and reinstate the area to its original condition at their own cost.*
 - (vi) *The lease agreement is not transferable and may not form part of an estate.*
 - (vii) *That Council be informed of any change in membership or shareholding depending on the entity to be established.*
- (f) That the lease be advertised in terms of Section 63 (2) of the Local Authorities Act 23 of 1992.
- (g) That the General Manager: Engineering & Planning Services determines the value of a refundable deposit payable by the lessee based on an estimate of rehabilitation costs should the lessee not rehabilitate the area on the expiry / cancellation of the lease period.
- (h) That similar applications be considered based on the merit thereof.

11.1.14 **ENDORSEMENT OF NEW COMMITTEES MEMBERS IN THE VARIOUS EXTENSIONS OF DRC**

(C/M 2023/04/27 - 14/2/1/2)

RESOLVED:

CO: H
GM: CS&HC

- (a) That Council takes note of the removal of the following committee members of Seaside:
- (i) *Ulrich Ganuseb*
 - (ii) *Annamarie Ganuses*
 - (iii) *Festus B Shiona*
- And replacing them with new members namely:
- (i) *Nadia Bikeur*
 - (ii) *Norman Gariseb*
 - (iii) *Censley Naruseb*
- (b) That Council takes note of the removal of the following committee members of DRC Proper:
- (i) *Ndeipanda Shimwefeni*
 - (ii) *Mukuti Sondaha*
 - (iii) *Sakeus Atilifa*
 - (iv) *Seibes Selma Maria*
 - (v) *Muhure Liyerenge*
 - (vi) *Wilstine Tsuses*
 - (vii) *Naobeb Arnoldus*
 - (viii) *Peelanga Gabriel*

And replacing them with two members:

- (i) *Alleta Shaningwa*
- (ii) *Aphonsina Makuti*

(c) That Council takes note of the removal of the following committee members of Movement of Housing:

- (i) *Erna Gom-Khaises*
- (ii) *Rebecca Uchams*

And approve the additional members of the committee:

- (i) *Selma Goamas*
- (ii) *Miriam Dzimbanete*
- (iii) *Florence Uiras Goamus*
- (iv) *Mercia Ochurus*
- (v) *Rolinda Gases*
- (vi) *Celome Timothy*

11.1.15 **LOANS FOR BUILD TOGETHER PHASE 3 (80 HOUSES**

(C/M 2023/04/27 - 14/2/1/1)

<p>CO: H GM: EPS GM: CS&HC</p>
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RESOLVED:

- (a) That the offer submitted by NIMT and Shack Dwellers Federation to the Engineering and Planning Services Department not be accepted.
- (b) That Council approves that loans be issued to beneficiaries to construct their own houses.
- (c) That the contractors be vetted by the Engineering and Planning Services Department for eligibility prior to the start of construction.
- (d) That all beneficiaries sign preliminary agreements before signing Loan Agreement.
- (e) That the loan amount of both the L-Shape and Container type of houses remain N\$80 000.
- (f) That the loans be issued in 4 payments based on construction progress.

11.1.16 **ANALYSIS OF 40/40 HOUSING CONSTRUCTION PROJECT**

(C/M 2023/04/27 - 14/2/1/2)

<p>CO: H GM: CS&HC</p>

RESOLVED:

- (a) That Council allows contractors to compete amongst themselves for the twelve (12) erven as awarded beneficiaries erven will be given preferent right to choose their own preferred contractors.
- (b) That Council allocates the following 12 vacant erven to beneficiaries who previously took too long and whose transactions were cancelled, to obtain their home loan

approvals within 120 days before allocating the erven to the new beneficiaries on the Master Waiting List:

1. 1048
2. 1053
3. 1106
4. 1109
5. 1110
6. 1287
7. 1309
8. 1310
9. 1312
10. 1336
11. 1358- Ms L Frans
12. 1399- Mr P Banks (Property with a foundation)

- (c) That at least 1 erf be allocated to a pensioner with a qualifying co- applicant.
- (d) That a list of qualified beneficiaries with bank pre-approvals be submitted to Council in a separate submission for transparency.
- (e) That the developers who completed their quota of erven be excluded.

11.1.17 **LEASE OF A CONSTRUCTION SITE BY CHINA GEZHOUBA INVESTMENT GROUP (NAMIBIA) PTY LTD: DONATION TO COUNCIL**

(C/M 2023/04/27 - 13/3/1/5)

CO: P
GM: EPS
GM: CS&HC

RESOLVED:

- (a) That Council takes note that the lease agreement with China Gezhouba Investments Group (Namibia) (Proprietary) Limited will terminate on 31 July 2023.
- (b) That Council takes note of the offer from China Gezhouba Investments Group (Namibia) (Proprietary) Limited to donate the improvements.
- (c) That Council does not accept the donation by China Gezhouba Investments Group (Namibia) (Proprietary) Limited.
- (d) That the lessee be advised to rehabilitate the site in terms of the agreement.

11.1.18 **REQUEST FOR REDUCED MONTHLY ACCOMMODATION RATE FOR MEDICAL INTERNS**

(C/M 2023/04/27 - 14/2/7/1/2)

RESOLVED:

CEO

That Council does not approve the request by the medical interns from the Ministry of Health and Social Services at a flat rate of N\$2 500.00 per month.

11.1.19 **MOMPORISA TRADING ENTERPRISES (PTY) LTD -
ALTERNATIVE TOWNSHIP FOR DEVELOPMENT**
(C/M 2023/04/27 - 16/1/4/2/1/14)

CO: P
GM: CS&HC

RESOLVED:

- (a) That Momporisa Trading Enterprises (Pty) Ltd be informed that Council takes note of their request submitted under cover of a letter dated 13 February 2023 for an alternative township for development, but that no alternative townships are available for exchange.
- (b) That it be noted that currently there is no written agreement signed between Council and Momporisa Trading Enterprises (Pty) Ltd; the agreement will only be signed once the informal households are relocated as resolved by Council on 27 January 2022 under item 11.1.44.

11.1.20 **COASTLINE DEVELOPMENT PROPOSAL**
(C/M 2023/04/27 - 16/2/10/1)

RESOLVED:

GM: EPS

- (a) That Council in principle, support the proposal to develop the Swakopmund coastline and enter into a Memorandum of Understanding (MOU) with Messrs Thede and Stephan Schnepel under the title of Project Management Development Swakopmund Coastline - Pier 23 on condition that no financial contribution is required from Council and that the developers obtain no rights, intellectual or otherwise, to the property or the improvements.
- (b) That the following activities be part of the MOU between Council and Messrs Thede and Stephan Schnepel:
- *Planning and development of a 15m wide promenade (walkway) between the Aquarium building and Platz Am Meer constructed from inter alia cobblestones made from locally sourced granite.*
 - *Planning and construction of breakwater piers on the coastline between the Aquarium building and Platz Am Meer subject to obtaining the necessary permissions and approvals from the relevant statutory bodies.*

11.1.21 **APPLICATION FOR RELAXATION OF STREET BUILDING LINES
FROM FIVE METRE TO ZERO METRE ON ERF 1441, MONDESA**
(C/M 2023/04/27 - M 1441)

RESOLVED:

GM: EPS

- (a) That the applicant demolishes the unapproved structure due to the danger that it poses.
- (b) That the applicant be informed of their rights to appeal the Council decision to the Minister of Urban and Rural Development with valid reasons within twenty-eight (28) days from the date of the decision in terms of Clause 8.7 of the Swakopmund Zoning Scheme.

11.1.22 **REZONING OF ERF 1308, SWAKOPMUND FROM LOCAL AUTHORITY TO GENERAL BUSINESS**
(C/M 2023/04/27 - E 1308)

RESOLVED:

GM: EPS

- (a) That the rezoning of Erf 1308, Swakopmund Proper from Local Authority to General Business be approved.
- (b) That an eight (8) metre right of way servitude be surveyed and registered against Erf 1308, Swakopmund in favour of Erven 948 and 257, Swakopmund to include the full extent of the ramp located on Erf 1308, Swakopmund.
- (c) That the emergency exit located along Erf 948, Swakopmund be maintained.
- (d) That any additional floor area to current development to be proposed in future be subject to parking provisions in accordance with the Swakopmund Zoning Scheme stipulations.

11.1.23 **SPECIAL CONSENT FOR A PRIVATE OPEN SPACE FOR THE PURPOSE OF STAR GAZING ACTIVITIES AS WELL AS THE CONSTRUCTION OF THREE (3) STAFF QUARTERS ON PORTION 111 (A PORTION OF PORTION 71) OF FARM 163, SWAKOPMUND**
(C/M 2023/04/27 - PTN 111)

RESOLVED:

GM: EPS

- (a) That the Council Resolution Number (C/M 2022/03/31- PTN 111), under Item Number 11.1.15 of the March 2022 Council Agenda be revoked and be replaced with this Council Decision.
- (b) That special consent to use a portion of the Portion 111, Swakopmund for a “*Private Open Space*” for the purpose of star gazing activities, ten (10) tented accommodation chalets as well as the construction of three (3) staff quarters on Portion 111 (a Portion of Portion 71) of Farm 163, Swakopmund be granted instead of consent to operate a tourist establishment and tourist facility, subject to the following conditions:
 - (i) *That the owner provides plans indicating the layout of the proposed tented accommodation chalets as to be specified in (b) above to the satisfaction of the General Manager: Engineering and Planning Services.*
 - (ii) *That activities are limited to not more than 10% of the size of the portion to be utilised for the proposed developments. If the applicant would like to extend the activities within their allowable size as stated, it is still subjected to the existing consent process that allows them to construct additional dwellings.*
 - (iii) *That Council reserves the right to cancel a consent use should there be valid complaints.*
 - (iv) *That the applicant registers with the Health Services Department and that the standard Health Regulations will apply.*
 - (v) *That the applicant must operate within the Swakopmund Zoning Scheme provisions.*
 - (vi) *That consent is not transferable.*

11.1.24 **REZONING OF ERF 5849, SWAKOPMUND, EXTENSION 18 FROM "GENERAL BUSINESS" WITH A BULK OF 2 TO "SINGLE RESIDENTIAL" WITH A DENSITY OF 1: 300M² AND SUBSEQUENT SUBDIVISION OF ERF 5849, SWAKOPMUND EXTENSION 18 INTO NINE (9) PORTIONS AND REMAINDER**

(C/M 2023/04/27 - E 5849)

RESOLVED:

GM: EPS

- (a) That the Erf 5849, Swakopmund, Extension 18 be rezoned from "General Business" with a bulk of 2 to "Single Residential" with a density of 1:300m² instead of one per erf initially requested by the applicant.
- (b) That the Erf 5849, Swakopmund, Extension 18 be subdivided into nine (9) portions and Remainder (street) as per subdivision plan submitted by the applicant.
- (c) That the following conditions be registered against the newly created portions:
 - (i) *That the Erf shall be used or occupied for the purposes which are in accordance with, and the use or occupation of the Erf shall at all times be subject to, the provisions of the Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018).*
 - (ii) *The building value of the main building, excluding the outbuilding to be erected on the Erf shall be at least four times the municipal valuation of the Erf.*
- (d) That no betterment fee is payable.
- (e) That the subdivision of Erf 5849, Swakopmund be subject to an endowment fee in terms of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018) as well as the Municipality of Swakopmund Property Policy.
- (f) That no building plans shall be approved until proof of payment of the endowment fee and completion of services for the newly created portion has been received by Council.
- (g) That an Environmental Clearance Certificate be obtained before submission of the rezoning application to the Urban and Regional Planning Board is made.
- (h) That the construction and installation of bulk supply pipelines such as water, sewer, electrical and other infrastructure to the newly created portions be to the account of the applicant to the satisfaction of the General Manager: Engineering and Planning Services.
- (i) That the applicant submits service designs for approval of the General Manager: Engineering and Planning Services.
- (j) That the applicant be informed of Council's decision and that they may appeal to the Minister against Council's Resolution in terms of Section 110 of the Urban and Regional Planning Act, 2018 (Act No 5 of 2018), within 21 days of receipt of notice of this Resolution, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.

11.1.25 **REZONING OF ERF 5848, SWAKOPMUND EXTENSION 18 FROM "GENERAL BUSINESS" WITH A BULK OF 2 TO "SINGLE RESIDENTIAL" WITH A DENSITY OF 1: 300M² AND SUBSEQUENT SUBDIVISION OF ERF 5848, SWAKOPMUND EXTENSION 18 INTO SEVEN (7) PORTIONS AND REMAINDER**

(C/M 2023/04/27 - E 5848)

RESOLVED:

GM: EPS

- (a) That the Erf 5848, Swakopmund, Extension 18 be rezoned from "General Business" with a bulk of 2 to "Single Residential" with a density of 1:300m² instead of one per erf initially requested by the applicant.
- (b) That the Erf 5848, Swakopmund, Extension 18 be subdivided into seven (7) portions and Remainder (street) as per subdivision plan submitted by the applicant.
- (c) That the following conditions be registered against the newly created portions:
 - (i) *That the Erf shall be used or occupied for the purposes which are in accordance with, and the use or occupation of the Erf shall at all times be subject to, the provisions of the Swakopmund Zoning Scheme prepared and approved in terms of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018),*
 - (ii) *The building value of the main building, excluding the outbuilding to be erected on the Erf shall be at least four times the municipal valuation of the Erf.*
- (d) That no betterment fee payable.
- (e) That the subdivision of Erf 5848, Swakopmund be subject to an endowment fee in terms of the Urban and Regional Planning Act, 2018 (Act No.5 of 2018) as well as the Municipality of Swakopmund Property Policy.
- (f) That the applicant be responsible for all costs involved for the construction and installation of services.
- (g) That the design of services be submitted for the approval by the General Manager: Engineering and Planning Services.
- (h) That the installation be done to the satisfaction of the General Manager: Engineering and Planning Services.
- (i) That no building plans shall be approved until proof of payment of the endowment fee has been received by Council.
- (j) That the applicant be informed of Council's decision and that they may appeal to the Minister against Council's Resolution in terms of Section 110 of the Urban and Regional Planning Act, 2018 (Act No 5 of 2018), within 21 days of receipt of notice of this Resolution, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.

11.1.26 **REPORT ON STAKEHOLDER ENGAGEMENT: PARENTS' CONFERENCE**

(C/M 2023/04/27 - 5/5/1, 51/1)

RESOLVED:

CEO

- (a) That Council takes note of the Parents' Conference Report.
- (b) That a follow-up Parents Conference be held in 2024.

11.1.27 **REQUEST FOR ADDITIONAL FUNDS FOR PLACEMENT, MAINTENANCE AND SERVICING OF MOBILE TOILETS**

(C/M 2023/04/27 - 14/2/8/2, 3/1/1/1/1)

RESOLVED:

GM: HSSWM
GM: F
GM: EPS

- (a) That the Council approves the request for additional funds of N\$800 000.00 for the Health Services Department & Solid Waste Management.
- (b) That the General Manager: Finance secures funds amounting to N\$800 000.00 for the placement, maintenance, and servicing of the mobile toilets to Vote: 450015560500, (Rental of mobile toilets).
- (c) That the General Manager: Engineering Planning Services applies for fundings from Ministry of Urban and Rural Development for this project.

11.1.28 **REQUEST FOR TRANSFER OF FUNDS FROM THE MID-BLOCK SEWERS REPLACEMENT, PHASE 4 PROJECT TO THE UPGRADE OF GROOTFONTEIN ROAD AND ONDJAMBA AVENUE ROAD CONSTRUCTION PROJECT**

(C/M 2023/04/27 - 3/1/1/1/1)

RESOLVED:

GM: EPS
GM: F

- (a) That the General Manager: Finance be granted permission to transfer the amount of N\$1 500 000.00 available for the year 2022 / 2023 on capital Vote: 750031007700 [Mid-Block Sewers Replacement Phase 4] to Vote: 650031021500 [Upgrade of Grootfontein Road from Regenstein to Ondjamba Avenue].
- (b) That the General Manager: Finance be granted permission to transfer the amount of 1 500 000.00 on capital Vote: 750031007700 [Mid-Block Sewers Replacement Phase 4] to Vote: 650031021600 [Ondjamba Avenue - Phase 1].
- (c) That the General Manager: Engineering Services and Planning applies for funding from the Ministry of Urban and Rural Development for this project.

11.1.29 TRANSFER OF FUNDS: FIREFIGHTING EQUIPMENT

(C/M 2023/04/27 - 15/4/1, 3/1/1/1/1)

GM: EDS
GM: F**RESOLVED:**

That approval be granted to the General Manager: Finance to transfer N\$2 006 872.42. (Vote: 350031016700) from 2021/2022 to the 2022 / 2023 financial year to enable the Economic Development Services Department to purchase the firefighting equipment.

11.1.30 CANCELLATION OF LEASING THE MUNICIPAL CAFETERIA BY MESSRS GCR ONE TRADING CC

(C/M 2023/04/27 - 13/3/1/10)

CO: P
CO: A
GM: CS&HC**RESOLVED:**

That redundant cafeteria equipment be sold by way of public auction at a price to be determined by the Chairperson of the Management Committee and Chief Executive Officer.

11.1.31 APPLICATION BY MR HANS TATE-ATI NDEVAETELA TO WAIVE THE PRE-EMPTIVE RIGHT OVER ERF 2016, MATUTURA, EXTENSION 10

(C/M 2023/04/27 - E 2016 M)

CO: H
GM: CS&HC**RESOLVED:**

- (a) That Council waives the 10-year restriction over, Erf 2016, Matutura and permits Mr Ndevaetela to sell Erf 2016 to a third party, that meets the following criteria:
1. *He or she must be on the Master Waiting List*
 2. *Must reside in Swakopmund.*
 3. *Must be a first-time homeowner.*
 4. *Must earn at least N\$6 000.00 or more.*
- (b) That Ministerial approval be obtained to allow Mr Ndevaetela to sell Erf 2016, Matutura to a third party who meets the criteria in (a) above.
- (c) That Mr Ndevaetela be informed that he no longer qualifies for allocation of an erf under the low-cost housing projects, as he is no longer a first-time property owner .

11.1.32 PROPOSAL TO HOST QUARTERLY PUBLIC MEETINGS

(C/M 2023/04/27 - 5/2/1/2/3)

CO: MC
CEO
ALL GMS
GM: CS&HC**RESOLVED:**

- (a) That Council promotes community involvement and public participations with various targeted community groups by hosting sessions of public meetings quarterly on an annual basis.

- (b) That the following scheduled quarterly meeting dates pertaining to public meetings for 2023 be approved as follows:

<i>DATE</i>	<i>TARGET AUDIENCE</i>	<i>VENUE</i>	<i>TIME</i>
<i>Sunday, 16 April 2023</i>	<i>Residents of DRC (proper)</i>	<i>Multi-Purpose Hall</i>	<i>15H00</i>
<i>Sunday, 14 May 2023</i>	<i>Residents of Wagdaar</i>	<i>Erf 10907</i>	<i>15H00</i>
<i>Sunday, 11 June 2023</i>	<i>Residents of Mondesa</i>	<i>Multi-purpose Hall</i>	<i>15H00</i>
<i>Wednesday, 19 July 2023</i>	<i>Business Breakfast meeting</i>	<i>TBA</i>	<i>08H00</i>
<i>Sunday, 20 August 2023</i>	<i>Residents of Vineta, Ocean View, Mile 4</i>	<i>TBA</i>	<i>15H00</i>
<i>Sunday, 17 September 2023</i>	<i>Residents of Matutura</i>	<i>TBA</i>	<i>15H00</i>
<i>Sunday, 15 October 2023</i>	<i>Residents of Kramersdorf</i>	<i>TBA</i>	<i>15H00</i>
<i>Sunday, 12 November 2023</i>	<i>Residents of Tamariskia</i>	<i>Town Hall</i>	<i>15H00</i>

- (c) That the following scheduled quarterly meeting programme pertaining to public meetings for 2024 be approved:

<i>QUARTER</i>	<i>MONTH</i>	<i>MEETING LOCATION</i>
<i>Quarter 1</i>	<i>Jan -Mar</i>	<i>2 meetings/ 2 locations</i>
<i>Quarter 2</i>	<i>Apr- Jun</i>	<i>2 meetings/ 2 locations</i>
<i>Quarter 3</i>	<i>Jul- Sep</i>	<i>2 meetings/ 2 locations</i>
<i>Quarter 4</i>	<i>Oct- Nov</i>	<i>2 meetings/ 2 locations</i>

- (d) That a Councillor be nominated as Chairperson of the Public meetings.
- (e) That the Heads of Departments present on matters to be discussed at these public meetings.
- (f) That the Manager: Emergency & Law Enforcement makes a presentation to the community on fire safety, hazards, tips and emergency procedures.
- (g) That a representative from the Namibian Police be invited to present on community safety, procedures and enforcement of the law for crimes.
- (h) That the Business Breakfast meeting be chaired by the President of Swakopmund Business Chamber.
- (i) That the members of the public be invited via advertisements, letters and notices on various print media, social media and analogue platforms including radio and television.
- (j) That Council's properties such as community halls, sports fields, public open spaces, parks etc. be utilised at no cost for Council's Public meetings.
- (k) That Council's Public Meeting Organising Committee comprising of the following officials to assist with preparations:
1. *Public Relations Officer*
 2. *Corporate Officer: Marketing and Communications*
 3. *Sports and Recreational Officer*
 4. *Environmental Health Practitioner: Waste*
 5. *Chief Fire Brigade*
 6. *Personal Assistant: Mayor*

7. *Occupational Health Practitioner*
8. *Administrative Clerk*
 - *Officials prone to be changed (added or not required) based on the need and logistic required at the various public meeting venues.*

Translators

1. *Ms Panduleni Shiimi* - *Oshiwambo*
2. *Mr Jeffa Uvanga* - *Otjiherero*
3. *Mr Benneth Khaibeb* - *khoekhoegowab*

- (l) That the expenses for the public meetings be defrayed the Publicity Vote: 150515533000 where N\$237 140.13 is available.

11.1.33 **MATSI INVESTMENTS (PTY) LTD: APPLICATION FOR A THIRD EXTENSION OF TIME FOR THE DEVELOPMENT OF EXTENSION 13, MATUTURA**

(C/M 2023/04/27 - 16/1/4/2/1/14, 14/2/1/14)

CO: P
CEO
GM: CS&HC

RESOLVED:

That Matsi Investments (Pty) Ltd be given extension of time not exceeding (5) five months pending the outcome of the consultation with Nedbank by the Chief Executive Officer.

11.1.34 **PROPOSAL TO ESTABLISH A COLLABORATIVE RELATIONSHIP BETWEEN THE SWAKOPMUND MUNICIPALITY AND THE FINISH PROJECT CONSORTIUM.**

(C/M 2023/04/27 - 5/2/4/5)

CO: MC
GM: CS&HC

RESOLVED:

- (a) That Council supports the establishment of a collaborative relationship with the Finnish Project Consortium that will aid development of projects.
- (b) That a letter in support of the proposed research into renewable energy production and use in Namibia to be conducted in Swakopmund and the Erongo region, and that the letter be issued accordingly.

11.1.35 **SWAKOPMUND BRASS BAND - REQUEST FOR TWO BUSINESS STALLS AT THE SME CENTRE**

(C/M 2023/04/27 - M 4352, 14/2/3/3/1)

CO: MC
GM: EDS
GM: CS&HC

RESOLVED:

- (a) That the request from the Swakopmund Brass Band to establish a functional Art Centre in Swakopmund be noted.
- (b) That Council approves Swakopmund Brass Band to lease one business stall at the SME Park, Erf 4352, Mondesa at a fifty percent (50%) rental fee i.e. N\$664.00 (VAT incl) / 2 = N\$332.00 per stall, per month.

(c) That Council's consent is further subject thereto that upon acceptance of the business stall approved by Council: Messrs. Swakopmund Brass Band undertake towards the Municipality of Swakopmund, its Council and/or its officials ("Council"):

(i) *To indemnify and to keep indemnified and hold Council harmless against any losses or damages of whatsoever nature which Council may suffer or any claims or actions which may be instituted against Council by virtue of this resolution taken and consent is given to Messrs. Swakopmund Brass Band and/or the utilization of the stall by Messrs. Swakopmund Brass Band.*

(ii) *To indemnify and keep indemnified and hold Council harmless against any losses or damages of whatsoever nature which Council may suffer or any claims or actions which may be instituted against Council by virtue of any preceding decision, resolution and/or consent given by Council to Messrs. Swakopmund Brass Band to establish an Art Centre and in particular in respect of the decision, resolution and / or consent given in respect of a Business Stall, erf 4347, Mondesa.*

11.1.36 **INVITATION TO PARTICIPATE IN THE "TOWN OF THE YEAR COMPETITION"**

(C/M 2023/04/27 - G 1/1)

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

RESOLVED:

- (a) That Council participates in the "*Town of the Year*" competition which will take place from 26-28 April at the Namibia Tourism Expo, Windhoek Country Club in Windhoek.
- (b) That permission be granted to the Public Relations Officer, the Local Economic Development Officer and the Marketing and Communications Officer to represent Swakopmund at the "*Town of the Year*" Competition at the Namibia Tourism Expo to promote Swakopmund.
- (c) That subsistence and travel allowance be defrayed from the Conference and Expenses votes of the relevant departments and that special leave be granted to the staff members during this period. Staff members are to make use of Council's Combi as means of transport.
- (d) That the relevant Heads of department collaborate and avail funds to purchase the branding material and décor of the stand.
- (e) That the various radio services and the print media (newspapers) be approached to advertise and attract more voters to participate in the voting activations.
- (f) That the Local Tourism Operators in Swakopmund be approached to avail prizes that can be won at the exhibitors stand by voters.

- (g) That the funds will be defrayed from the Corporate Services Publicity Vote: 150515533000 where N\$237 140.13 is available and from the Conference and Expenses votes of the relevant departments.

11.1.37 **DRAFT CAPITAL AND OPERATIONAL BUDGETS FOR 2023 / 2024 FINANCIAL YEAR**

(C/M 2023/04/27 - 3/1/1/1/1, 3/1/1/2/1)

GM: F CEO ALL GMS

RESOLVED:

That this item be withdrawn from the Agenda as it was not finalised by the Management Committee.

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

None.

The meeting adjourned: **20:10.**

Minutes to be confirmed on: **29 May 2023.**

**Councillor D Am-!Gabeb
DEPUTY MAYOR**

**Mr A Benjamin
CHIEF EXECUTIVE OFFICER**