

## MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Tuesday, 04 April 2023** at **19:00**.

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### **PRESENT:**

Councillor D Namubes	:	Mayor ( <i>Chairperson of Council</i> )
Councillor D Am-!Gabeb	:	Deputy Mayor ( <i>Vice-Chairperson of Council</i> )
Councillor W O Groenewald	:	Chairperson of MC
Councillor CW Goldbeck	:	Member of Management Committee
Councillor P Shimhanda	:	Member of Management Committee
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 H Naruseb	:	GM: Finance
Ms L Mutenda	:	GM: Health Services & SWM
Mr A Plaatjie	:	GM: Corporate Services & HC (Acting)
Mr U Tjiurutue	:	Corporate Officer: Administration
Ms A A Kahuika	:	Administration Officer
Ms L Mupupa	:	Public Relations Officer

### **ALSO PRESENT:**

Members of the public and the media.

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#### 1. **OPENING BY PRAYER**

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

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

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

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

#### **RESOLVED:**

**That the agenda be adopted.**

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

3.1 Application for leave of absence:

Councillor B R Goraseb - Approved  
Councillor M Henrichsen - Approved

3.2 Declaration of interest:

None.

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4. **CONFIRMATION OF MINUTES**

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

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

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

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

**RESOLVED:**

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

**That the minutes of the Ordinary Council Meeting held on 23 February 2023, be confirmed as correct.**

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

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

*HONOURABLE COUNCILLORS, THE ACTING CHIEF EXECUTIVE OFFICER, MR. CLARENCE MCCLUNE, GENERAL MANAGERS, MANAGERS, OFFICIALS, REVEREND VENTER, MEMBERS OF THE COMMUNITY, MEMBERS OF THE MEDIA LADIES AND GENTLEMEN*

*GOOD EVENING AND WELCOME TO THE COUNCIL MEETING.*

*I WOULD LIKE TO MAKE USE OF THIS OPPORTUNITY TO WELCOME OUR VISITORS FROM THE RUNDU TOWN COUNCIL. THANK YOU VERY MUCH FOR ATTENDING THIS MEETING WITH US.*

*LADIES AND GENTLEMEN*

*DURING THIS MONTH, COUNCIL HAD THE FOLLOWING ACTIVITIES:*

- 1. ANALYSIS REVIEW FOR THE MANAGEMENT*
- 2. PARENTS CONFERENCE TO ENGAGE DIFFERENT STAKEHOLDERS ON THE IMPORTANCE OF INVOLVEMENT IN THE EDUCATION OF OUR CHILDREN.*
- 3. WE DONATED TOILET PAPER AND BATH SOAP TO THE STATE HOSPITAL TO ASSIST LESS FORTUNATE PATIENTS.*
- 4. WE CELEBRATED THE RANDOM ACTS OF KINDNESS WHERE WE DONATED BEDDINGS TO THE STATE HOSPITAL AND TREATED THE NURSES TO A MASSAGE.*

*ESTEEMED COUNCILLORS, LADIES AND GENTLEMEN*

*WE WILL BE SIGNING A MEMORANDUM OF UNDERSTANDING WITH THE RUNDU TOWN COUNCIL. THROUGH THIS, THE PARTIES WISH TO STRENGTHEN, PROMOTE AND FOSTER THE FRIENDLY RELATIONSHIP WHICH EXISTS BETWEEN THE LOCAL AUTHORITIES AND RESIDENTS OF SWAKOPMUND AND RUNDU TO STRENGTHEN THE SWAKOPMUND AND RUNDU RELATIONSHIP BY MEANS OF CO-OPERATION.*

I WISH TO MAKE USE OF THIS OPPORTUNITY TO EXPRESS GRATITUDE TO THE RUNDU TOWN COUNCIL TO HAVE SHOWN INTEREST IN THE WORK THAT WE ARE DOING.

LADIES AND GENTLEMEN

WE WILL NOW MOVE ON WITH OUR DELIBERATIONS, AFTER WHICH THERE WILL BE A SIGNING CEREMONY.

THANK YOU FOR YOUR ATTENTION.

DAVID AM-IGABEB  
DEPUTY MAYOR

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

None.

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7. **PETITIONS**

None.

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8. **MOTIONS OF MEMBERS**

None.

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

None.

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

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

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

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

**RESOLVED:**

**That the report to Council on the resolutions taken by Management Committee meeting held on 09 March 2023, be noted.**

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

11.1 **MANAGEMENT COMMITTEE MEETING HELD ON 09 MARCH 2023 AND 23 MARCH 2023**

11.1.1 **NAMIBIA TRAINING FOUNDATION: APPLICATION FOR EXTENSION OF TIME TO PAY THE PURCHASE PRICE**

(C/M 2023/04/04 - T 1239)

**RESOLVED:**

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

- (a) That Council takes note that the deed of sale entered into by and between Council and Namibia Training Foundation lapsed on 07 February 2021.
- (b) That Council takes note of the reason for Namibia Training Foundation experienced delays of 3 members of the entity resigning and having to be replaced with 3 new members.
- (c) That Namibia Training Foundation provides the identity of the three members who resign from the entity and the names of the new members as was requested in Council's letter dated 21 December 2022. Council considers the reviving of the deed of sale.
- (d) That it be noted that the amendment of the membership is a long process, therefore it is proposed to grant Namibia Training Foundation an extension of time until 31 June 2023 to secure the purchase price and transfer of ownership.
- (e) That Council stays the purchase price in the amount of N\$333 724.28 which was the compounded amount on 07 February 2021 (date of lapsing of the 12 months payment period).
- (f) That Namibia Training Foundation only commence with the development of Erf 1241, Tamariskia once ownership of Erf 1239, Tamariskia is registered in their name.

11.1.2 **AMENDMENT OF RESOLUTION, ITEM 11.1.26: EXTENSION 25: FUTURE SALE OF 4 ERVEN ZONED "GENERAL BUSINESS"**

(C/M 2023/04/04 - E 6946, E 6947, E 6948, E 6949)

**RESOLVED:**

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

That point (d) (ii) of Council's resolution passed on 26 January 2023 under Item 11.1.26 be amended as follows:

**Current wording:**

(ii) *The bidders must provide a service account in the name of the bidder showing residence in Swakopmund for the past 5 years in any of the following extensions:*

1. *Extension 34, Swk*
2. *Extension 35, Swk*

3. *Extension 25, Swk*
4. *Extension 26, Swk*
5. *Extension 7, Mondesa*
6. *Extension 10, Mondesa*

**Proposed wording:**

It is proposed that point (d) (ii) be amended to read as follows:

(ii) *The bidders must provide a service account in the name of the bidder showing domestic residence in Swakopmund for the past 5 years in any of the following extensions:*

1. *Mondesa*
2. *Matutura*
3. *Extensions 24, 25, 26, 27, 28, 29, 30, 31, 37 and 38, Swakopmund (located in Mondesa)*

### 11.1.3 **REQUEST FOR CONTINUATION OF SPECIAL RATES AT THE SWAKOPMUND MUNICIPAL REST CAMP**

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

**RESOLVED:**

GM: EDS  
GM: F

- (a) That Council approves special rates for the Swakopmund Municipal Rest Camp (SMRC) from 1 March 2023 to 30 June 2023:

<i>Unit Type</i>	<i>Normal Rate</i>	<i>Current Special Rate</i>	<i>Proposed Special Rate</i>	<i>% Discount</i>
<i>Fish</i>	<i>N\$ 562.00</i>	<i>N\$ 500.00</i>	<i>N\$ 550.00</i>	<i>2.13%</i>
<i>Gecko</i>	<i>N\$ 652.00</i>	<i>N\$ 550.00</i>	<i>N\$ 600.00</i>	<i>7.97%</i>
<i>Welwitschia</i>	<i>N\$ 681.00</i>	<i>N\$ 550.00</i>	<i>N\$ 600.00</i>	<i>11.89%</i>
<i>Dune</i>	<i>N\$ 903.00</i>	<i>N\$ 650.00</i>	<i>N\$ 700.00</i>	<i>22.48%</i>
<i>Dune A</i>	<i>N\$ 846.00</i>	<i>N\$ 650.00</i>	<i>N\$ 700.00</i>	<i>17.25%</i>
<i>Spitzkoppe</i>	<i>N\$ 947.00</i>	<i>N\$ 750.00</i>	<i>N\$ 800.00</i>	<i>15.52%</i>
<i>Brandberg A</i>	<i>N\$ 1 058.00</i>	<i>N\$ 900.00</i>	<i>N\$ 950.00</i>	<i>10.20%</i>
<i>Brandberg B</i>	<i>N\$ 1 225.00</i>	<i>N\$ 950.00</i>	<i>N\$ 1000.00</i>	<i>18.36%</i>
<i>Moon Valley</i>	<i>N\$ 1,336.00</i>	<i>N\$1050.00</i>	<i>N\$ 1100.00</i>	<i>17.66%</i>

- (b) That the following rates be approved as the peak season rates for the period of 6 April 2023 to 10 April 2023:

<i>Unit Type</i>	<i>Normal Rate</i>	<i>Current Covid Special Rate</i>	<i>Proposed Peak Season Discount Rate</i>
<i>Fish</i>	<i>N\$ 562.00</i>	<i>550.00</i>	<i>600.00</i>
<i>Gecko</i>	<i>N\$ 652.00</i>	<i>600.00</i>	<i>650.00</i>
<i>Welwitschia</i>	<i>N\$ 681.00</i>	<i>600.00</i>	<i>650.00</i>
<i>Dune</i>	<i>N\$ 903.00</i>	<i>700.00</i>	<i>750.00</i>
<i>Dune A</i>	<i>N\$ 846.00</i>	<i>700.00</i>	<i>750.00</i>
<i>Spitzkoppe</i>	<i>N\$ 947.00</i>	<i>750.00</i>	<i>800.00</i>
<i>Brandberg A</i>	<i>N\$ 1 058.00</i>	<i>900.00</i>	<i>1 000.00</i>
<i>Brandberg B</i>	<i>N\$ 1 225.00</i>	<i>950.00</i>	<i>1 050.00</i>
<i>Moon Valley</i>	<i>N\$ 1 336.00</i>	<i>1,050.00</i>	<i>1 150.00</i>

11.1.4 **REDUCED WATER CONSUMPTION TARIFFS FOR OLD AGE HOMES: MINISTRY OF HEALTH AND SOCIAL SERVICES**  
(C/M 2023/04/04 - 3/11/1/2/1/6)

**RESOLVED:**

GM: F

- (a) That Council approves the below Special Staggered Water Tariffs for the Old Age Homes of Ministry of Health and Social Services:

<i>Staggered water tariffs Swakopmund and Smallholdings per m<sup>3</sup></i>		<b>CURRENT TARIFFS</b>	<b>PROPOSED TARIFFS</b>
(i)	9 m <sup>3</sup> to 30 m <sup>3</sup>	18.39	16.00
(ii)	31 m <sup>3</sup> to 60 m <sup>3</sup>	23.18	20.00
(iii)	More than 60 m <sup>3</sup>	35.84	30.00

- (b) That the abovementioned Tariffs be gazetted and implemented once proclaimed.
- (c) That all old age homes be treated equally, e.g. Lions and Welwitschia old age homes.

11.1.5 **SALE OF ERVEN 1439 AND 1440, EXTENSION 7, MATUTURA: 02 DECEMBER 2022**  
(C/M 2023/04/04 - E 231 M, E 233 M)

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

- (a) That the following purchasers of the following erven be granted 120 days to secure the purchase prices from date of being requested to sign the deeds of sale:

<b>ERF NUMBER</b>	<b>PURCHASER</b>
1439, Ext 7	Tautona Holdings (Pty) Ltd
1440, Ext 7	Karl Usiel Awarab

- (b) That an addendum to the deed of sale be signed for the abovementioned concession of time.

11.1.6 **REDUNDANT ITEM: FINANCE DEPARTMENT**  
(C/M 2023/04/04 - 16/2/6/1)

**RESOLVED:**GM: F  
CO: A  
CEO  
Acting GM: CS&HC

- (a) That the Council approves the writing-off of the Oki Bulk Printer at Finance Department, in terms of Section 30 (t)(iii) of the Local Authorities Act.
- (b) That the Chief Executive Officer and the Chairperson of the Management Committee determines the upset price for the redundant item.

11.1.7 **SEWERUS HARAMBEE INVESTMENT CC: VACANT LAND NEXT TO HENTIES BAY ROAD**

(C/M 2023/04/04 -16/1/4/2/1/5; 16/1/4/2/1/14; M 4095, M 1185)

**RESOLVED:**

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

- (a) That Mr E //Khoaseb of Sewerus Harambee Investment CC be informed that Council takes note of their application dated 10 September 2021 and letter dated 15 February 2022 but remains with its decision passed on 30 August 2021 under item 11.1.15 in terms whereof unsolicited applications are not considered.
- (b) That once the land in the Northern Wedge is serviced, public proposals and or closed bids will be invited.
- (c) That Council takes note that the application by Howard Holdings (Pty) Ltd was referred back by Council on 27 January 2022 under item 11.1.36 and will be resubmitted once requested by Council.
- (d) That Council takes note that in the past the following erven were sold to Mr E //Khoaseb by private treaty:
- (i) Erf 4377, Mondesa
  - (ii) Remainder of Erf 1185, Mondesa
  - (iii) Erf 4095, Mondesa

11.1.8 **REQUEST TO HOST THE MAYORAL CUP 2023**

(C/M 2023/04/04 - 5/5/8/2)

**RESOLVED:**

**CEO**

- (a) That Council approves to host the annual Mayoral Cup 2023 - Soccer Tournament to promote local sport and micro businesses.
- (b) That the Mayoral Cup 2023 - Soccer Tournament be hosted over a period of two weekends; from 15-16 April 2023 and 22-23 April 2023 at the Mondesa Sport stadium, in Swakopmund.
- (c) That the registration fees for the soccer teams be N\$200.00 (per team) and the registration fees for the vendors be N\$100.00 (per day).
- (d) That the funds generated from the registration fees be deposited into the Sundry Vote: 150522072000.
- (e) That the amount of N\$60 000.00 be made available through the office of the Mayor to cover for the expenses that will be incurred for the event.
- (f) That the current Mayoral Cup Organizing Committee remain as it is, and no further appointments be made.
- (g) That the external members serving on the Mayoral Cup

Organising Committee, each be paid an amount of N\$2 000.00, after the event.

- (h) That the staff members serving on the Mayoral Cup Organising Committee be compensated for overtime worked during the event.
- (i) That Mondesa Sport Stadium be utilized for the tournament free of charge.
- (j) That the Municipal ambulance be availed during these weekends, for medical services.

11.1.9 **BUILDING LINES RELAXATION ON ERF 5728, SWAKOPMUND, EXTENSION 18**  
(C/M 2023/04/04 - E 5728)

**RESOLVED:**

GM: EPS

- (a) That the application for “*Special Consent*” to relax the set-back building line for the first floor on Erf 5728, Swakopmund from five (5) metre to three (3) metre on the eastern lateral boundary line be approved.
- (b) That the objectors be informed of their rights to appeal against 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.
- (c) That no sectional title development be registered on single residential zoned property as per Clause 5 A (2.6) of the Swakopmund Zoning Scheme Number 12.

11.1.10 **BUILDING LINES RELAXATION ON ERF 118, ROSSMUND, EXTENSION 1**  
(C/M 2023/04/04 - E 118)

**RESOLVED:**

GM: EPS

- (a) That the application for “*Special Consent*” to relax the building line on Erf 118, Rossmund, Extension 1 from three (3) metres to one and a half (1.5) metres on the lateral boundary line be approved.
- (b) That the application for set back on the first floor from five (5) metres to one and a half (1.5) metres on the lateral boundary line be approved with a condition to redesign the balcony.
- (c) That the objectors be informed of their rights to appeal the Council decision to the Minister of Urban and Rural Development with valid reasons within twenty-eight (28) days from the date of the decision in terms of Clause 8.7 of the Swakopmund Zoning Scheme.

11.1.11 **BURSARY ALLOCATION FOR 2023 / 2024 ACADEMIC YEAR**

(C/M 2023/04/04 - 4/4/3)

**RESOLVED:**

<b>M: HC</b> <i>Acting GM: CS&amp;HC</i>
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- (a) That 2 (two) bursaries be awarded for 2023 / 2024 academic year.
- (b) That the bursaries be awarded for specialization in the field:
- *Business Information Systems (ICT)*
  - *Economics*
- (c) That Council takes note of the fee structure of the Namibia University of Science and Technology for 2023-2024 (on file).

11.1.12 **CAPACITY BUILDING TRAINING FOR THE ERONGO REGIONAL & LOCAL AUTHORITY COUNCILLORS**

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

**RESOLVED:**

<b>CEO</b>
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- (a) That the approval granted for Councillors and the Chief Executive Officer who wish to attend the Workshop, held from 29-30 March 2023 in Windhoek, be condoned.
- (b) That subsistence and traveling allowance at the prescribed tariff be defrayed from the Council's Conference Expenses Vote: 101015505500 where N\$246 357.74 is available.
- (c) That the Council meeting for March 2023 be re-scheduled to a date to be determined by the Chief Executive officer.

11.1.13 **APPLICATION FOR THE REZONING OF ERF 2604, MONDESA FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1:300 TO GENERAL BUSINESS WITH A BULK FACTOR OF 1 AND CONSENT TO COMMENCE WITH DEVELOPMENT WHILE THE REZONING IS IN PROGRESS**

(C/M 2023/04/04 - M 2604)

**RESOLVED:**

<b>GM: EPS</b>
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- (a) That the rezoning of Erf 2604, Mondesa, Extension 3 from "Single Residential" with a density of 1:300 to "General Business" with a bulk of 1 be approved.
- (b) That an Environmental Clearance Certificate be obtained before submission of the rezoning application to the Urban and Regional Planning Board is issued.
- (c) That the consent to develop / construct while the rezoning is in progress be turned down.
- (d) That the applicant provides proof that the rezoning has been approved by the Minister and promulgated before any business registration and / or submission of building plans

to the Engineering and Planning Services Department for approval.

- (e) That the rezoning of Erf 2604, Mondesa, Extension be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid by the applicant before any business registration and / or submission of building plans to the Engineering and Planning Services Department for approval.
- (f) That all the parking be provided on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated.

11.1.14 **UPGRADING AND MAINTENANCE OF ROADS IN SWAKOPMUND FOR 2023/2024 FINANCIAL PERIOD**  
(C/M 2023/04/04 - 16/1/6/1)

**RESOLVED:**

GM: EPS

- (a) That Council takes note of the feedback on the Road Conditions and Maintenance section of the Integrated Infrastructure Master Plan - Road Maintenance.
- (b) That Council approves the main roads that is listed in the table below, as priority roads for upgrading and maintenance for the 2023 / 2024 financial period.

<i>Street Name</i>	<i>Road Classification</i>
<i>Nathanael Maxuilili Street</i>	<i>Arterial</i>
<i>Moses Garoeb Street</i>	<i>Arterial</i>
<i>Tsavorite Street</i>	<i>Collector</i>
<i>Fischreiher Street</i>	<i>Collector</i>

- (c) That Council approves the streets listed in the table below, as priority streets for upgrading and maintenance for the 2023 / 2024 financial period:

<i>Suburb</i>	<i>Street Name</i>	<i>Type of Surface Repair</i>
<i>Tamariskia</i>	<i>1. Baumgarten Street &amp; Smith Street</i>	<i>Slurry Seal</i>
<i>Mondesa</i>	<i>2. Mandume Ya Ndemufayo between Nelson Mandela Avenue and Independence Avenue</i> <i>3. Mondelani Street</i>	<i>Slurry Seal</i>
<i>Kramersdorf</i>	<i>4. Libertina Amathila Street from Moses Garoeb Street to Aukas Street</i>	<i>Slurry Seal</i>
<i>Ocean View</i>	<i>5. Agapantus Street</i>	<i>Slurry Seal</i>
<i>CBD</i>	<i>6. Nathaniel Maxuilili Street from Rhode Allee to Daniel Tjongarero</i> <i>7. Hendrik Witbooi Street from Libertina Amathila Street to Daniel Tjongarero Street</i> <i>8. Tobias Hainyeko Street from Daniel Tjongarero Street to Libertina Amathila Street</i>	<i>Slurry Seal</i>

- (d) That all roads and street identified in points (a) and (b) above, be upgraded together with the affected underground services.
- (e) That the General Manager: Engineering Services and Planning include the cost for Sewer, Water and Stormwater.

11.1.15 **SALE OF AN INSTITUTIONAL LAND TO WEST COAST COMMUNITY SCHOOL: SALE CANCELLATION**

(C/M 2023/04/04

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E 526 M, E 527 M, E 528 M, E 529 M, E 53

**CO: P**

Acting GM: CS&HC

GM: EPS

**RESOLVED:**

- (a) That Council confirms the cancellation of the transaction to West Coast Community School for the following erven:

<b>Erf #</b>	<b>Size</b>	<b>Zoning</b>	<b>50% of Dev Cost</b>	<b>Cost per Erf</b>
526	2 868	Business	120.59	345 852.12
527	1 981	Institutional	120.59	238 888.79
528	2 238	Institutional	120.59	269 880.42
529	3 077	Institutional	120.59	371 055.43
530	3 339	Institutional	120.59	402 650.01
531	4 152	Business	120.59	500 689.68
532	2 798	Business	120.59	337 410.82
632	254.15	POS	120.59	30 647.95
Prt of Parsley Street	3 107.81	Street	120.59	374 770.81
Clove Street	1 099.11	Street	120.59	132 541.67
				<b>3 004 387.70</b>

- (b) That the rezonings, closures and consolidations of the following be resubmitted to Management Committee for consideration:

- (i) That point (k) of Council's decision passed on 22 November 2018 under item 11.1.39 be amended to read that the zoning of Erven 526, 531 and 532, Extension 2 remains "general business".
- (ii) That point (l) of Council's decision passed on 22 November 2018 under item 11.1.39 be amended to approve the following consolidations:
1. consolidate Erf 526 with Clove Street
  2. consolidate Erf 527, 528, 529, 530, Parsley Street and Erf 632
- (iii) That all costs incurred for the above town planning processes be recorded in order to determine relevant upset prices (the development cost for Extension 2 was calculated at N\$241.18/m<sup>2</sup>).

11.1.16 **SCIENTIFIC SOCIETY SWAKOPMUND**

(C/M 2023/04/04

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E 10028, 13/3/1/6)

During the discussion of this item Councillor W O Groenewald and Councillor H H Nghidipaya declared their interest and left the chambers.

**RESOLVED:**

<b>CO: P</b> <i>Acting GM: CS&amp;HC</i>
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That Messrs KingLaw be informed as follows in reply to their e-mail dated 13 February 2023:

- (a) That Council does not approved the alternative proposals from Mr G van der Merwe on behalf of the sublessee, Ms U Meyer and remains with point (b) of its decision passed on 27 October 2022 under item 11.1.20:

*(b) That Council through its legal representative issues a notice to Ms H Meyer to vacate the museum café and outside seating area.*

- (b) That Council declines the offer of acquiring the movables offered by Ms U Meyer.

- (c) That the Scientific Society Swakopmund be responsible for payment of all service charges related to Erf 10028, Swakopmund, except for assessment rates for which exemption they can annually apply on / before 31 May in terms of the Local Authorities Act 23 of 1992.

- (d) That it be pointed out that in terms of point (d) of Council's decision passed on 27 October 2022 approval was granted to the Scientific Society Swakopmund to sublease the café area, as follows:

*(d) That with reference to point (a) of Council's resolution passed on 26 March 2020 under item 11.1.18, permission be granted to the Scientific Society Swakopmund to sub-lease the café area, on market related commercial terms.*

- (e) That the lease area of the outside seating area on Council's pavement be included in the lease agreement for the lease of Erf 10028, Swakopmund at no extra cost. Currently the outside seating area is demarcated as follows:

- 5m onto the western portion of the pavement and
- 3m onto the northern boundary, in total measuring 69.50m<sup>2</sup> (4 tables).

And that point (e) of Council's resolution passed on 27 October 2022 under item 11.1.20 be repealed:

*(e) That the Scientific Society Swakopmund be advised to re-apply for the outside seating located on Council's pavement area once the need therefore arises.*

- (f) That as a standard lease condition, it is required that Scientific Society Swakopmund pays a deposit equal to the annual rental. For ease of reference, Council on 26 March 2020 approved the annual rental at N\$500.00 as per point (c) (v) of item 11.1.18 quoted below:

*(v) That Erf 10028, Swakopmund (2 660m<sup>2</sup>) be leased at a nominal fee of N\$500.00 per annum.*

- (g) That a a standard lease condition, the rental is subject to a 7% annual escalation the first being 1 July 2024.

11.1.17 **QUINTESSENTIAL TRADING & CONSULTANCY (PTY) LTD:  
AMENDMENT OF CLAUSE 6.2.3**

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

**RESOLVED:**

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

- (a) That Council approves the application by Quintessential Trading & Consulting (Pty) Ltd to amend clause 6.2.3 in order to enable the transfer of the Single Residential Disposal Erven to Quintessential Trading & Consultancy (Pty) Ltd without the need to first construct dwelling houses thereon; but prior to transfer to third parties, dwelling houses must be constructed as per clause 5.6.2 of the development agreement.
- (b) That the concession in (a) above be subject to the condition that Quintessential Trading & Consultancy (Pty) Ltd provides the following prior to transfer of the respective erven to them:
- (i) *The house plans to the maximum value of N\$800 000.00; as well as.*
  - (ii) *Deeds of sale with third parties stipulating the value of the erf and that of the house (maximum value of N\$800 000.00 exclusive of the site value) separately.*
  - (iii) *A verified calculation expressing the cost of installing services per metre square.*
- (c) That an addendum to the development agreement be compiled to reflect the above amendment.
- (d) That it be noted that Council's claims for performance by Quintessential Trading & Consultancy (Pty) Ltd are covered in terms of clauses 5.8.5.2 and 8.2.

11.1.18 **WOERMANN HAUS: FUTURE**

(C/M 2023/04/04 - E 1308)

**RESOLVED:**

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

- (a) That an application be submitted to the Ministry of Works, Transport & Communication requesting the waiver of the use restriction registered in Government Grant 1304/1975 in terms whereof the buildings on Erf 1308, Swakopmund must be exclusively used as public library auxiliary use.
- (b) That the application for the waiving of the restrictive condition be based thereon that the property is not used to its full potential as a public library, that the monthly rental income does not justify maintenance expenses and sale for commercial purposes will stimulate the local economy and create employment.
- (c) That due to the high costs (upset price of N\$17 900 000.00) for the sale of Erf 1308, Swakopmund, approval be sought from the Ministry of Urban & Rural Development to proceed

with the closed bid sale of Erf 1308, Swakopmund in terms of Council's decisions listed below; and the name of the successful purchaser be forwarded to the Ministry of Urban & Rural Development after the public closed bid sale:

- (i) 30 June under item 11.1.3
- (ii) 24 November 2022 under item 11.1.39

(d) That point (j) (v) of Council's decision be amended as per point (c) above:

(j) *That the following standard conditions of sale be applicable:*

(v) *That proposals be invited in terms of section 63 of the Local Authorities Act, whereafter Council applies for approval from the Ministry of Urban and Rural Development in terms of section 30 (1) (t) to proceed with the transaction.*

(e) That the sale of Erf 1308, Swakopmund be commenced with once approvals in points (a) and (b) above are obtained as the purchaser might incur costs for the sale and approvals might not be favorable.

(f) That the Directorate of Education, Arts and Culture; Division: Adult Education and Lifelong Learning be issued with a notice to vacate the premises once approval is granted to waive the restrictive title condition.

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

None.

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The meeting adjourned: **19:30.**

Minutes to be confirmed on: **27 April 2023.**

**D Namubes  
MAYOR**

**A Benjamin  
CHIEF EXECUTIVE OFFICER**