

MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Thursday, 31 August 2023 at 19:00.**

PRESENT:

Councillor D Am- !Gabeb	:	Deputy Mayor
Councillor B R Goraseb	:	Alternate-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 H H Nghidipaya	:	Member of Council
Councillor E Shitana	:	Member of Council

OFFICIALS:

Mr A Benjamin	:	Chief Executive Officer
Mr M Haingura	:	GM: Corporate Services & HC
Mr V S Kaulinge	:	GM: Economic Development Services
Mr C McCLune	:	GM: Engineering & Planning Services
Mr A Kationdorozi	:	Acting GM: Health Services & SWM
Ms G Mukena	:	Acting GM: Finance
Ms A Kahuika	:	Administration Officer
Ms D Hannes	:	Personal Assistant: Mayor
Mr U S Tjiurutue	:	Corporate Officer: Administration

ALSO PRESENT:

Seven (7) Members of the public and one members of the Media.

1. **OPENING BY PRAYER**

Pastor Francois Koch opened the meeting with prayer.

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

(C/M 2023/08/31 - 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.

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 W O Groenewald - Approved

3.2 Declaration of interest:

- Councillor H H Nghidipaya - Item 11.1.3

4. **CONFIRMATION OF MINUTES**

(C/M 2023/08/31 - 5/2/1/1/2)

4.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 27 JULY 2023**

(C/M 2023/08/31 - 5/2/1/1/2)

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

RESOLVED:

CO: A GM: CS&HC

That the minutes of the Ordinary Council Meeting held on 27 July 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 2023/08/31 - 5/5/2)

HONOURABLE COUNCILORS, MR. ALFEUS BENJAMIN, CHIEF EXECUTIVE OFFICER, GENERAL MANAGERS, MANAGERS, AND OFFICIALS OF COUNCIL, ESTEEMED MEMBERS OF THE COMMUNITY, MEMBERS OF THE MEDIA, LADIES AND GENTLEMEN

GOOD EVENING ONCE AGAIN AND WELCOME TO THE AUGUST COUNCIL MEETING.

WE ARE IMMENSELY GRATEFUL THAT YOU TOOK TIME TO JOIN US TONIGHT. THANK YOU VERY MUCH. WITHOUT WASTING TIME, PLEASE ALLOW ME TO SHARE WITH YOU THE FOLLOWING HIGHLIGHTS FOR THE MONTH OF AUGUST:

DURING THE MONTH OF AUGUST, COUNCIL HAD THE FOLLOWING ENGAGEMENTS:

1. WE ATTENDED THE ERONGO TOURISM AND BUSINESS EXPO WHICH WAS HELD IN WALVISBAY.
2. ON THE 12TH OF AUGUST, WOMEN JOINED OUR MAYOR AND THE RESIDENTS OF SWAKOPMUND TO CELEBRATE WOMEN'S MONTH AT THE LEADING LADIES CONFERENCE. THIS FUNDRAISING EVENT WAS ABLE TO GENERATE DONATIONS TO THE VALUE OF N\$48 700.00
3. FURTHERMORE, THE ERONGO RED AND THE MUNICIPALITY OF SWAKOPMUND HELD A CEREMONIAL EVENT FOR THE ELECTRIFICATION OF THE DRC. WE ARE INVITING THE COMMUNITY OF DRC TO PLEASE CONNECT THEIR ELECTRICITY IN ORDER TO HAVE ACCESS TO ENERGY. THIS IS INDEED A MILESTONE FOR OUR TOWN AND THE RESIDENTS OF DRC.
4. ADDITIONALLY, WE ALSO CELEBRATED THE REOPENING OF THE KAVITA PARK SITUATED IN TOWN CONSISTING OF ARTS AND CRAFTS ON 18 AUGUST 2023.
5. DURING THE MENTIONED PERIOD, COUNCIL WAS ALSO INVITED TO THE FRITZE AND QUELLE 65TH ANNIVERSARY.
6. ON 20 AUGUST, WE HELD OUR PUBLIC MEETING IN TOWN FOR THE VINETA, OCEAN VIEW, VOGELSTRAND AND MILE 4 RESIDENTS
7. AND EARLIER THIS MORNING, WE ATTENDED THE TIDRET SOLAR AWARENESS WEEK IN MONDESA.

LADIES AND GENTLEMEN, HONOURABLE COUNCILLORS, NOW FOR THE ANNOUNCEMENTS FOR NEXT MONTH;

TOMORROW MORNING, WE WILL BE HAVING UOR SECOND ANNUAL MATUTURA CULTURAL FESTIVAL. THIS IS A UNIQUE OPPORTUNITY TO CELEBRATE THE DIVERSE CULTURES OF OUR TOWN.

FURTHERMORE, OUR NEXT PUBLIC MEETING WILL BE ON 17 SEPTEMBER 2023 FOR THE MATUTURA RESIDENTS. I WOULD LIKE TO INVITE THE COMMUNITY OF MATUTURA TO PLEASE ATTEND THIS MEETING.

WITH THAT SAID, THANK YOU FOR YOUR UNDIVIDED ATTENTION AND LET US NOW PROCEED WITH THE AGENDA.

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 AUGUST 2023**

(C/M 2023/08/31 - 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 10 August 2023, be noted.

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

11.1 **MANAGEMENT COMMITTEE MEETINGS HELD ON 10 AND 22 AUGUST 2023**

11.1.1 **PRESENTATION: CONCEPT DESIGN: RENOVATION OF THE SEATING CUBICLES AT THE MOLE**

(C/M 2023/08/31 - 14/2/4/3)

RESOLVED:

GM: EPS

- (a) That Council approves the Design Concept for the Renovations of the Seating Cubicles and the Tower Option 1, located at the Mole as presented by Karen Miller Architects.
 - (b) That Karen Miller Architects be requested to increase the number of seating cubicles as well as the abulution facilities.
 - (c) That the General Manager: Engineering & Planning Services obtain approvals from the Aesthetics Committee and the Built Heritage Council on the approved design concept.
 - (d) That once approvals are received from the Aesthetics Committee and the Built Heritage Council, the Swakopmund Municipal Council be updated on the approvals and Capital Budget be requested for the execution of the project.
 - (e) That the General Manager: Engineering & Planning Services submits an updated report to Council for consideration.
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11.1.2 **BRANDING PROPOSAL FROM POWERCOM (PTY) LTD:
SWAKOPMUND MUNICIPAL WATER RESERVOIR**

(C/M 2023/08/31 - 13/3/1/7)

GM: EPS
CO: P
GM: CS&HC

RESOLVED:

- (a) That Council approves the agreement with PowerCom (PTY) Ltd for the branding one of the three Municipal water reservoir near the Swakopmund Municipal Airdrome.
- (b) That permission be granted to PowerCom (PTY) Ltd to brand the large water reservoir, marked as A on the map. (Annexure B) on file.
- (c) That PowerCom (PTY) Ltd brand the water reservoir at their own costs and that local painters be used (where possible).
- (d) That the agreement be for a period of three (3) years, commencing November 2023 until November 2026.
- (e) That PowerCom (PTY) Ltd be permitted to paint the reservoir in the colour, emblem, and slogan of PowerCom, based on a design approved by the General Manager: Corporate Services & Human Capital by using a type of primer, paint or other preparatory or coating material and application method approved by the General Manager: Engineering & Planning Services and on condition the final product is to the satisfaction of the General Manager: Engineering & Planning Services.
- (f) That PowerCom (PTY) Ltd shall maintain the painted surface regularly to the satisfaction of the General Manager: Engineering & Planning Services.
- (g) That Council shall not be liable for any damage or cost of repairs should Council need to effect any improvements, extensions or repairs to the reservoir and that damage the painted surface as a result thereof.
- (h) That PowerCom (Pty) Ltd commits to an annual donation of N\$5 000.00 towards the Swakopmund Street Fair for a period of three (3) years, commencing November 2023.
- (i) That advertising fees be charged in terms of Councils fees structure.
- (j) That Powercom (Pty)Ltd be responsible to rehabilitate the site to its original state.

11.1.3 **SALE OF ERF 4770 (A PORTION OF ERF 4326), MONDESA TO
HAFENI TOURISM GROUP (PTY) LTD: REVIEW OF PURCHASE
PRICE**

(C/M 2023/08/31 - M 4770)

CO: H
GM: F
GM: CS&HC

During the discussion of this item Councillor H declared interest on the matter and left the Chambers.

RESOLVED:

That Council approves the following amendment to its decision passed on 28 June 2018 under item 11.1.16:

- (i) *That due to the time which elapsed since the approval for the purchase price Council must consider the new valuation obtained from the Trust & Estate Company in the amount of N\$700.00/m²; that Council has the prerogative to decide the following:*

The Council takes option 1 and remain with the purchase price approved on 28 June 2018 in the amount of N\$325.00/m² (N\$975 000.00); Since the delay was not caused by Council.

- (ii) *That Council amends the date of sale approved under point (e)(v) to read the date of the last party signing the deed of sale.*

11.1.4 **REQUEST FOR EXTENSION OF TIME AND REDUCTION OF PURCHASE PRICES: MR N RAMAKHUTLA**
(C/M 2023/08/31 - M 4338, 4339)

CO: P
GM: CS&HC

RESOLVED:

- (a) That Council takes note of the application by Mr Norman Ramakhutla for the extension of time and reduction of the purchase prices for Erven 4338 and 4339, Mondesa.
- (b) That Council remains with the purchase prices approved for Erven 4338 and 4339, Mondesa on 26 January 2023 under item 11.1.29 in the amount of N\$898 875.00 plus 15 % VAT of N\$1 033 706.25.
- (c) That Council provides Mr Norman Ramakhutla 60 days to comply, failing which the erven be offered at a closed bid sale at an upset price based on a valuation to be obtained.

11.1.5 **UPDATE OF THE 40/40 (CREDIT-LINK) PROJECT RESOLUTION PASSED ON 27 APRIL 2023 UNDER ITEM 11.1.16.**
(C/M 2023/08/31 - 14/2/1/2)

CO: P
GM: CS&HC

RESOLVED:

That point (b) of Council's resolution passed on 27 April 2023 under item 11.1.16 be amended to request beneficiaries to provide their pre-approval within 45 days.

11.1.6 **PENSIONERS (SENIOR CITIZENS) OUTSTANDING DEBTS**
(C/M 2023/08/31 - 3/11/1/2/1/6)

GM: F

- (a) That Council approves the writing off irrecoverable debts as provided for in Council's Bad Debt (Impairment) Policy.
- (b) That Council adopts a due diligence approach and consider the merit of each case.

- (c) That prepaid water meter be installed as a precautionary measure to avoid recurring default payment.

11.1.7 **PURCHASE OF A PORTION OF ERF 113, VINETA FOR CONSOLIDATION WITH ERF 31, VINETA**
(C/M 2023/08/31 - V 31, V 113)

RESOLVED:

CO: P
GM: CS&HC

- (a) That the property not be sold until the expiry of the lease period.
- (b) That Council determines the future needs of the property before considering any option of selling the property.

11.1.8 **TUTORIFIC ACADEMY CC: APPLICATION FOR INSTITUTIONAL LAND**
(C/M 2023/08/31 - 16/1/4/2/1/15)

RESOLVED:

CO: P
GM: CS&HC

- (a) That Council **considers** the application by Tutorific Academy CC for an erf zoned “*Institutional*” at the full cost for installation of services.
- (b) That a suitable erf zoned “*Institutional*” be identified within the Mass Housing townships measuring approximately 1 000m², a purchase price be determined as per as per Annexure “D” (on file) and the informal households be relocated from the erf.
- (c) That (a) and (b) be subject to Tutorific Academy CC submitting proof of financial ability to acquire and develop an erf measuring approximately 1 000m² based on the full costs of installation of services relevant to the specific township (Annexure “D”) on file.
- (d) That once the information in (c) is provided, the application be resubmitted to Council for approval of a specific erf, purchase price and standard conditions of sale.
- (e) That Tutorific Academy CC be advised to change from CC to a trust fund or Section 21 company not for gain.

11.1.9 **AVAILING FUNDS TO UPGRADE ELECTRICITY DISTRIBUTION AT TENNIS COURT PARKING AREA**
(C/M 2023/08/31 - 14/2/2/1/7, 5/6/3)

RESOLVED:

GM: EDS

- (a) That Council approves funding commitment of N\$140 000 .00 for the upgrade and supply of electricity at the Tennis Court Parking Area to enable to accommodate additional mobile kiosks and events in the future.

- (b) That the General Manager: Finance source and avail the funds for the upgrade and supply of electricity at Tennis Court Parking area.

11.1.10 **TRANSFER OF FUNDS (ECONOMIC DEVELOPMENT SERVICES DEPARTMENT) - CAPITAL BUDGET 2021/2022**

(C/M 2023/08/31 - 3/1/1/1/1)

GM: F
GM: EDS

RESOLVED:

- (a) That the following capital project mentioned hereunder be transferred to the 2023/2024 financial year:

<i>Project Description</i>	<i>Estimated amount (N\$) to be carried over 2023 / 2024</i>	<i>Vote Number</i>
<i>Supply and installation of kerbs and interlocks at new parks on Erven 9226 and 509 Tamariskia, Ext. (E 9226 & T 509)</i>	<i>N\$433 988.00</i>	<i>400531019100</i>
<i>Dustbins</i>	<i>N\$35 000.00</i>	<i>850031023300</i>
<i>Fire Rescue (Emergency) Equipment</i>	<i>N\$1500 000.00</i>	<i>350031018400</i>
<i>Heavy-duty tumble dryer for Fire Brigade</i>	<i>N\$100 000.00</i>	<i>350031018500</i>

- (b) That permission be granted to the General Manager: Finance to transfer these votes with the required amounts to the 2023/2024 financial year.

11.1.11 **APPROVAL OF THE FILE PLAN (FILING SYSTEM)**

(C/M 2023/08/31 - 8/5/1)

CO: A
GM: CS&HC

RESOLVED:

- (a) That Council takes note of the approved File Plan (Filing System).
- (b) That it be noted that the filing system will be implemented from 01 September 2023.

11.1.12 **REQUEST FOR ACCOMMODATION FOR TJIPANGANDJARA FILM CREW AT THE MUNICIPAL REST CAMP**

(C/M 2023/08/31 - 14/2/7/1/4, 5/6/14/2))

RESOLVED:

GM: EPS

- (a) That Council supports the request for accommodation from King Media in the amount of N\$3 788.00 to accommodate the film crew of the movie "Tjipangadjar" at the Municipal Rest Camp free of charge which premieres at the Atlantic Cinema in Swakopmund.
- (b) That council accepts the 8 complimentary tickets valued at N\$1 200.00.

- (c) That the funds be defrayed from Vote: 101015533000 where an amount of N\$39 666.00 is available.

11.1.13 **SUBDIVISION OF ERF 1440, MATUTURA EXTENSION 7 INTO 6 PORTIONS AND REMAINDER AND REZONING OF THE 6 PORTIONS FROM “GENERAL RESIDENTIAL” WITH A DENSITY OF 1:250 TO “SINGLE RESIDENTIAL” WITH A DENSITY OF 1:300**

(C/M 2023/08/31 - E 1440 M, E 1444 M, E 1445 M)

RESOLVED:

GM: EPS

- (a) That the Subdivision of Erf 1440, Matutura, Extension 7 into 6 Portions and Remainder be approved as per the table below:

<i>Ptn numbers</i>	<i>Proposed Sizes (m²)</i>	<i>Zoning</i>
<i>Portion 1</i>	<i>362m²</i>	<i>Single Residential</i>
<i>Portion 2</i>	<i>569m²</i>	<i>Single Residential</i>
<i>Portion 3</i>	<i>576m²</i>	<i>Single Residential</i>
<i>Portion 4</i>	<i>367m²</i>	<i>Single Residential</i>
<i>Portion 5</i>	<i>583m²</i>	<i>Single Residential</i>
<i>Portion 6</i>	<i>372m²</i>	<i>Single Residential</i>
<i>Rem 1440</i>	<i>4197m²</i>	<i>General Residential 2</i>
<i>Total</i>	<i>7 026m²</i>	

- (b) That the first option of the subdivision layout be recommended provided that each erf has street access.
- (c) That the rezoning from “*General Residential 2*” with a density of 1:250 to “*Single Residential*” with a density of 1:300 of 6 Portions of Erf 1440, Matutura, Extension 7 be approved.
- (d) That the rezoning of Erf 1440, Matutura, Extension 7 from “*General Residential 2*” with a density of 1:250 to “*Single Residential*” with a density of 1:300 is not subject to a compensation fee.
- (e) That the subdivision of Erf 1440, Matutura, Extension 7 be subject to a 7.5% subject to a compensation fee with respect to Endowment calculated according to Section 9 (b) of Regulations relating to the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) in conjunction with the Swakopmund Municipality Property Policy.
- (f) That if there be a need for upgrading the municipal services, it be for the account of the applicant, and it must be designed to the satisfaction of the General Manager: Engineering and Planning Services.
- (g) That all the parking be provided on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated.
- (h) That the applicant provides proof that the subdivision and rezoning has been approved by the Minister and

promulgated and provide approved erf diagrams from the Surveyor General's Office before any business registration and/or submission of building plans to the Engineering and Planning Services Department for approval.

- (i) That the title deed conditions registered against Erf 1440, Matutura, Extension 7 be retained for the newly created 6 Portions and Remainder Erf 1440, Matutura, Extension 7 as follows:
- (i) *The erf shall only be used or occupied for 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 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.*
- (j) That Council approves the Township to be established on Erven 1444 and 1445, Matutura Extension 7.
- (k) That Council embarks on the statutory procedures required to have the township established be created and erven rezoned in line with the Urban and Regional Planning Act provision.

11.1.14 **SUBDIVISION OF ERF 5803, SWAKOPMUND, EXTENSION 18, INTO PORTION "A" AND THE REMAINDER**
(C/M 2023/08/31 - E 5803)

RESOLVED:

GM: EPS

- (a) That the subdivision of Erf 5803, Swakopmund, Extension 18 into Portion A and Remainder be approved as per the table below:

PORTION NUMBERS	PROPOSED SIZES	ZONING
<i>Portion A</i>	<i>2895.771m²</i>	<i>General Residential 1</i>
<i>Remainder of Erf 5803</i>	<i>1531.229m²</i>	<i>General Residential 1</i>
<i>Total</i>	<i>4427m²</i>	

- (b) That the subdivision of Erf 5803, Swakopmund Extension 18 be subject to a 7.5% subject to a compensation fee with respect to Endowment calculated according to Section 9 (b) of Regulations relating to the Urban and Regional Planning Act, 2018 (Act No. 5 of 2018) in conjunction with the Swakopmund Municipality Property Policy.
- (c) That the title deed conditions registered against Erf 5803, Swakopmund, Extension 18 be retained and be registered against Portion A as follows:
- (i) *The erf shall only be used or occupied for 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 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.*

11.1.15 **PROPOSAL FOR TWINNING AGREEMENT / MEMORANDUM OF AGREEMENT BETWEEN SWAKOPMUND MUNICIPALITY AND BETHANIE VILLAGE COUNCIL**

(C/M 2023/08/31 - 5/2/4/5)

CEO
CO: MC
GM: CS&HC

RESOLVED:

- (a) That the Office of the Chief Executive Officer liaises with the Bethanie Village Council and schedule a date for a meeting before entering into an agreement or Memorandum of Understanding.
- (b) That the Bethanie Village Council be informed to provide Council with a draft twinning agreement or Memorandum of Understanding for consideration.

11.1.16 **TRANSFER OF FUNDS TO THE NEW FINANCIAL YEAR - MARKETING & COMMUNICATION PROJECTS**

(C/M 2023/08/31 - 3/1/1/1/1)

CO: MC
GM: CS&HC

RESOLVED:

That this item be referred back.

11.1.17 **PROPOSAL TO DEVELOP A SOLAR COMPONENT MANUFACTURE PLANT**

(C/M 2023/08/31 - 16/2/12/1/1)

GM: EPS
CO: P
GM: CS&HC

RESOLVED:

- (a) That Council supports the proposal by Messrs Granville Energy Namibia (Pty) Ltd to establishment of a solar component manufacturing plant within the Swakopmund town boundary.
- (b) That Council, *in principle*, supports the leasing of a 10-hectare size land, next to the HDF-Energy development to Messrs Granville Energy Namibia (Pty) Ltd for a period of 9 years and 11 months, with the option of renewal, for the establishment and operation of a solar component manufacturing plant.
- (c) That the exact size and location of the solar component manufacturing plant, be determined by the General Manager: Engineering and Planning Services.
- (d) That once the size and location of the solar component manufacturing plant are determined by the General Manager: Engineering and Planning Services, that the General Manager: Corporate Services and Human Capital

submits to Council for consideration the full lease price and applicable terms and conditions for the lease.

- (e) That any costs associated with this proposal, such as surveyor costs, municipal services to support the operations, applications for road accesses and electrical supply should be for the account of Messrs Granville Energy Namibia (Pty) Ltd.

11.1.18 **INVITATION TO PARTICIPATE IN A FULLY FUNDED EMERGENCY MANAGEMENT TRAINING PROGRAMME IN ROMANIA**

(C/M 2023/08/31 - 11/2/5/3)

GM: EDS
M: HC
GM: CS&HC

RESOLVED:

- (a) That Council approves the nomination of the Chief Fire Officer to attend the Emergency Management Assistance Training Programmed in Romania from 4-8 September 2023, which will be fully funded by the Government of Romania.
- (b) That special leave be granted to the Chief Fire Officer to attend the Emergency Management Training Programme.
- (c) That the normal out-of-town expenses and travel cost to and from Windhoek of N\$16 020.00 be paid to the Chief Fire Officer.
- (d) That the cost be defrayed from Vote:350015505500 where N\$30 000.00 is available.
- (e) That a report be submitted to the Management Committee after the training.

11.1.19 **OLD AND REDUNDANT ITEMS / EQUIPMENT: ECONOMIC DEVELOPMENT SERVICES - CEMETERIES**

(C/M 2023/08/31 - 3/18/1)

GM: EDS
CO: A
GM: CSHC

RESOLVED:

- (a) The following old and redundant equipment and items be written off and sold at the next public auction:

Quantity	Description
1	Petrol Mower
5	Wheelbarrows
46	Rakes (Plastic)
3	Picks)
18	White chairs
5	Metal Rakes
4	Electrical head Trimmer
5	Pruning Scissor
20	Brooms
3	Dustpan
2	Tables
1	Pruning saw
1	Palm Saw

4	Hose Pipe
1	Ladder
4	Spade
1	Microwave

- (b) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset prices for the above-mentioned redundant equipment' and items.

11.1.20 **HOSTING OF THE 2023 MATUTURA CULTURAL FESTIVAL**
(C/M 2023/08/31 - 9/3/1/2)

RESOLVED:

CEO
All GMs

- (a) That Council approves that the second Matutura Cultural Festival be held on 1 to 2 September 2023 at Erf 2349, Extension 11, Matutura.
- (b) That an Organising Committee comprising of one (1) representative from each department and two (2) representatives from each cultural group under the leadership of the General Manager: Economic Development Services Department be approved.
- (c) That Council approves the utilisation of ± N\$39 905.00 to fund the Matutura Cultural Festival expenses i.e., sound system, eight mobile toilets, lunch packs for NDF Brass Band and schools cultural groups lunch packs, tent as well as t-shirts for the organising committee.
- (d) That the funds be defrayed from Vote: 450015533000 where N\$60 000.00 is available.
- (e) That Council be indemnified against any claims that may arise from participants attending this event.
- (f) That no person be permitted to stay on the property overnight, except for security personnel.
- (g) That ablution facilities be increased proportionally to the size of the audience being expected to attend the event.
- (h) That the security personnel be increased / beefed up for crowd control purposes.

11.1.21 **NAMPOL: REQUEST FOR ACCOMMODATION AND MEALS DURING THE FESTIVE SEASON-2023/2024**

(C/M 2023/08/31 - 14/2/7/1/2, 3/15/1/5/2)

RESOLVED:

CEO
GM: EDS
GM: F

- (a) That the Office of the Mayor solicits donations from our stakeholders to assist with meals provision for the 18 Nampol officers requested to ensure the maintenance of law and order during the festive season.

- (b) That Council approves accommodation (N\$85 203.00) and food parcel (N\$21 454.20) to the amount of N\$106 657.20 for 18 (eighteen) members of the Namibian Special Police Force at the Swakopmund Rest Camp to assist with crime prevention from 15 December 2023 until 08 January 2024, on condition that they only operate in Swakopmund.
- (c) That the food parcel budget remains as a contingency fund that can be utilized should the Office of the Mayor not solicit sufficient donations from our stakeholders.
- (d) That the Namibian Special Police Force be requested to assist with the safety and security at the Swakopmund Fair from 21-23 December 2023.
- (e) That the Ministry of Safety and Security ensure that the Special Field Force are deployed in Swakopmund full time during the dates mentioned in (b).
- (f) That Nampol be requested to submit a report of their activities during the festive period of 15 December 2023 until 08 January 2024 to Council.

11.1.22 **REPRESENTATION OF COUNCIL CHAIRPERSON ON ALAN BOARD**

(C/M 2023/08/31 - 5/6/1; 5/1/1)

RESOLVED:

CEO

That the Mayor, Councillor Dina Namubes be the Council representative on ALAN and that ALAN be informed accordingly.

11.1.23 **WELWITCHIA HEALTH TRAINING CENTRE - EXTENSION OF SUBMISSION PERIOD FOR BUILDING PLANS**

(C/M 2023/08/31 - E 3342)

RESOLVED:

GM: EPS
CO: P
GM: CS& HC

- (a) That Council takes note of the progress made by Messrs Welwitchia Health Training Centre on their envisaged development on Erf 3342.
- (b) That Council grants Messrs Welwitchia Health Training Centre an extension until 31 October 2023 to submit their architectural, structural and building plans, in accordance with Council's Building Regulations and Town Planning requirements to the General Manager: Engineering and Planning Services and that this period includes submissions to Aesthetical Committee.
- (c) That the General Manager: Corporate Services and Human Capital be permitted to amend the relevant clauses and requirements in the Sales Agreement for Erf 3342 between

Council and Messrs Welwitchia Health Training Centre to include the period provided in point (b) above.

11.1.24 **ERF 366, MILE 4 - OCEAN CULTURE INVESTMENTS CC: REQUEST FOR EXTENSION OF TIME TO PAY PURCHASE PRICE**

(C/M 2023/08/31 - E 366 M4)

RESOLVED:

CO: P
GM: CS& HC

- (a) That Council takes note of the letter received from Ocean Culture Investments CC requesting extension of time to secure the balance of the purchase price for Erf 366, Mile 4.
- (b) That the application by Ocean Culture Investments CC to change the name of the purchaser not be approved as the conditions of sale prohibit any change to the name of the purchaser.
- (c) That an extension of time be granted until 30 September 2023 subject to interest being charged at a rate of 8.5% from 22 May 2023 until date of transfer (in the case a bank guarantee is provided); or until date of payment (in the case of a cash payment).
- (d) That Ocean Culture Investments CC signs an addendum to the deed of sale containing the above within 21 days of the Council resolution.
- (e) That should Ocean Culture Investments CC fail to sign the addendum within 21 days and secure the purchase price by the due date, the transaction be cancelled, the deposit forfeited, and the erf be sold to the next successful bidder in line.

11.1.25 **MUPUPA REALTORS CC: AMENDMENT OF CLAUSE 6.5 OF THE DEED OF SALE**

(C/M 2023/08/31 - 16/1/4/2/1/2)

RESOLVED:

CO: P
GM: CS& HC

- (a) That Council takes note of the application dated 01 August 2023 from Mupupa Realtors CC and an addendum to the deed of sale be compiled recording the following concessions:
 - (i) *That Mupupa Realtors CC be granted an extension of time of 2 months from date of this Council resolution to secure funding in terms of clause 5 of the deed of sale.*
 - (ii) *That the extension of time be subject to clause 5.3 in terms whereof interest of 10.75% be levied from 10 August 2023 until date of transfer of ownership of the 50 erven to Mupupa Realtors CC (in case where a bank guarantee is provided), alternatively until date of payment in the case where the funds are held in the trust account of Koep & Partners.*

- (iii) That clauses 3.1.6 and 6.5 be amended to provide for one-, two- and three- bedroom houses at purchase prices of not less than N\$ 150 000, but not more than N\$ 500 000.00 (excluding the cost of the land).
- (iv) That the sizes of the following erven listed in Annexure "A" to the deed of sale be rectified and the total purchase price quoted in clause 5.1 be amended from N\$3 659 940.00 to N\$3 744 400.00 due to the correction of the sizes:

ERF	SQUARE METRE	Price
6855	465 (467)	N\$ 83 700.00
6859	400 (387)	N\$ 72 000.00
6864	400 (369)	N\$ 72 000.00
6867	400 (358)	N\$ 72 000.00
6869	400 (382)	N\$ 72 000.00
Total for 50 Erven		N\$ 3 722 400.00

- (v) That the following standard conditions for the construction of houses be incorporated in the agreement of sale by addendum:
1. The submission by the Developer to the Municipality of conceptual sketch plans of at least three standard types of dwelling houses to be constructed by the Developer at the Single Residential Disposal Erven, and the approval thereof by the Municipality.
 2. The construction of the dwelling houses shall be carried out by the Developer:-
 - 2.1 in accordance with prior approved building plans by the Municipality;
 - 2.2 with due compliance with the Standard Swakopmund Building Regulations and the specifications commonly known as the "SABS/SANS400", and
 - 2.3 to the satisfaction of the General Manager: Engineering Services of the Municipality,

at a sales value per house (exclusive of the site value) which shall be not less than N\$ 150 000.00 and not more than N\$ 500 000.00.

- (b) That point (f) of Council's resolution passed on 24 February 2022 under item 11.1.4 be amended in terms whereof the values of the houses were approved.
- (c) That should Mupupa Realtors CC not secure the purchase price on expiry of the two-month period from the date of approval, the transaction be cancelled, and the erven be sold by closed bid sale.

11.1.26 WRITING OFF: UNDISRUPTED POWER SUPPLY (UPS)

(C/M 2023/08/31 - 16/2/6/1)

CO: A
CEO
GM: CS& HC

RESOLVED:

- (a) That the following redundant items be written off in terms of Section 30(1)(s) of the Local Authorities Act, Act 23 of 1992, as amended:

Quantity	Description	Serial Number
1	80 KVA Undisrupted Power Supply (UPS)	2011061302
64	Batteries	None

- (b) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset price for the above.

11.1.27 **CHINA GEZHOUBA GROUP COMPANY LIMITED:**
REHABILITATION OF LEASE SITE
 (C/M 2023/08/31 - 13/3/1/5)

RESOLVED:

<p style="text-align: center;">CO: P GM: CS& HC</p>

- (a) That it be noted that the land on which the facility is located is planned for other development by Council.
- (b) That the Office of the Governor be advised to relocate the facility to a government owned property / land as no rental fee would be required.
- (c) That China Gezhouba Group Company Limited remains responsible for the rehabilitation of the lease site in terms of clause 14 of the lease agreement.
- (d) That Council takes note of the letter received from the Office of the Governor of the Erongo Region dated 23 July 2023 accepting the donation of the lease site and facilities by China Gezhouba Group Company Limited, and their subsequent application requesting Council to donate the lease site to them.
- (e) That the Office of the Governor of the Erongo Region and China Gezhouba Group Company Limited be informed that China Gezhouba Group Company Limited may not cede the lease site to anyone without Council permission (clause 7) and that since the lease site is part of undivided townlands, it cannot be used for youth development opportunities in terms of Council's Structure Plan.
- (f) That the application for the donation of the lease portion not be approved and the Office of the Governor - Erongo Region be advised to relocate and place the improvements on Portion 59 which belongs to the Government of Namibia as confirmed on 11 October 2018 by the Deeds Office:

GOVERNMENT OF NAMIBIA

Is the owner of

CERTAIN : Erf 59 (a Portion of Portion 5) of the Farm Swakopmund Town and Townlands No 41

SITUATE : IN THE MUNICIPALITY OF SWAKOPMUND
REGISTRATION DIVISION "G" ERONGO REGION

MEASURING : 11,0029 hectares

HELD BY : Deed of Transfer No T 7585/1996

No bond

- (g) That all costs for the above, cancellation and rehabilitation be for China Gezhouba Group Company Limited.
-

11.1.28 **SALE OF ERF 1239, EXTENSION 3, TAMARISKIA TO NAMIBIA TRAINING FOUNDATION: PURCHASE PRICE PAYMENT RECEIVED AND AMENDMENT OF STATUS OF THE PURCHASER**

(C/M 2023/08/31 - T 1239)

CO: P
GM: CS& HC

RESOLVED:

That Council allows Namibia Training Foundation to convert from a non-profit entity to a profit-making entity in terms of Annexure "A" (on file) paragraph 8.1.1 of the deed of sale, in which case:

(i) *The purchase price be N\$333 724.28 as approved by Council on 04 April 2023 under item 11.1.1, point (e);*

(ii) *That the purchaser be held to the approved development of the property in terms of clause 11.2 of the deed of sale:*

11.2 *The purpose of the sale of the ERF to the PURCHASER is for the construction of a welfare organization / school / kindergarten / crèche and / or related buildings and conduct such operations only on the ERF.*

11.3 *The PURCHASER herewith expressly acknowledges, accepts and undertakes to develop the public space (better known as Erf 1241) adjacent to the ERF, as a playground / play area:*

11.3.1 *for the benefit, use and enjoyment of all children in the community;*

11.3.2 *the development thereof will be subject to and in accordance with the approved plans and specifications in terms of the SELLER's relevant regulations and / or guidelines and subject to the SELLER's overall approval;*

11.3.3 *the costs for such development will be payable by the PURCHASER.*

(iii) *That the reverting clause, Paragraph 8 of Annexure "A" (attached as Annexure "D") remains in effect.*

(iv) *That approval be sought from the Minister of Urban & Rural Development for the amendment of the name and purchase price based on the entity being a profit-making company.*

(v) *That an addendum to the deed of sale be compiled regarding the above concessions.*

11.1.29 **ADDRESSING STREET BUILDING LINES ON ERF 841 VINETA**
(C/M 2023/08/31 - V 841)

RESOLVED:

GM: EPS

(a) **That Council reaffirms its building plans approval of 1985 and 2014, respectively and be deemed as approval of the relaxation of the street building lines.**

(b) **That the Council relax the street building line for the garage as depicted in the application dated 24th February 2023.**

(c) **That the unapproved building structures on Erf 841, Vineta be condoned.**

- (d) That the Penalty for Non-Compliant which amounts to N\$65 791.90 (VAT incl) be paid in full before the issuance of the “*As-Built*” Plans for Approval and the release of Compliance Certificate.
- (e) That upon payment of the Penalty for Non-Compliant Construction amount, the as-built plans be submitted for approval.

11.1.30 **USE OF OPEN PUBLIC SPACE AROUND STRAND HOTEL AND OTHER PUBLIC SPACE**

(C/M 2023/08/31 - 14/1/3/1)

GM: EDS
 CO: P
 GM: CS& HC

RESOLVED:

- (a) That the application of Mr Eimann to use public open spaces, streets and / or parking areas to operate trackless trains for amusement and kids entertainments not be approved.
- (b) That Mr Eimann be informed that train not being categorized as a vehicle cannot be used on a public road and due to its size as well as the turning radius, it cannot be operated from the walkways.
- (c) That Mr Eimann be advised to approach Platz Am Meer mall Management to request for permission to operate from their premises.
- (d) That the approach be conditional and only during the festive season as a pilot project.
- (e) That the Promenade be availed as a pilot project during the festive season.

11.1.31 **ALLOCATION OF LISTS OF NAMES OF 3 HOUSING GROUPS: HARAMBEE GROUP, MOVEMENT FOR HOUSING GROUP AND JUNTOS CONSTRUIR GROUP**

(C/M 2023/08/31 - 14/2/1/1)

CO: H
 GM: CS& HC

RESOLVED:

- (a) That Council approves the 3 lists (Annexures F, G and H) containing the names of beneficiaries submitted by each Housing Group who are on the Master Waiting List *in principle* against the erven allocated to them.
- (b) That the lists of the 3 groups (Annexures I, J and K) containing the beneficiaries who do not appear on the Master Waiting List be submitted to the line ministry for consideration to be accommodated for allocation of erven.
- (c) That a deeds search be carried out to determine whether all beneficiaries are first time homeowners before instruction to transfer can be given.

- (d) That Council takes note of the change of name of Messrs Build Together Group to Juntos Construir.
- (e) That the following conditions of sale shall apply to the 3 groups:
- (i) *That the erven be donated to the beneficiaries on the approved lists on condition that they save sufficient funds for the servicing of the area within the given time.*
 - (ii) *That each beneficiary saves funds to contribute their pro rata share according to the size of the erf towards the cost of services on condition that they save sufficient funds for servicing the area within the given time.*
 - (iii) *That the beneficiaries are not permitted to sell the erven within a period of 5 years after transfer.*
- (f) That Messrs Juntos Construir be informed to comply point (f), of the Council resolution of 29 April 2023, item 11.1.22, within 30 days from this Council resolution failing compliance the group be excluded from any further discussions and allocations.
- (g) That Council approves the request by Messrs Juntos Construir to replace the deceased member (Ms Nicolene Skini) with her next-of-kin (Ms Salinda Uises), who applied for housing under Mondesa with reference number MO3208 (as per confirmation of the Master Waiting List) and it be submitted to the line ministry for approval to be accommodated for allocation of erven.

11.1.32 **PUBLIC PETITION PERTAINING MOBILE FOOD KIOSKS**
(C/M 2023/08/31 - 14/1/3/1)

RESOLVED:

GM: EDS

- (a) That Council take note of the petitions and objections lodged by the affected stakeholders against the relocation of mobile food kiosks.
- (b) That the Council takes note that there is no proof that the Town Planning Scheme was complied with when permission was granted for the utilization of the current mobile kiosk locations.
- (c) That a comprehensive public scoping exercise be carried out with all interested and affected parties, in consideration for the mobile kiosks currently operational within the beach area.
- (d) That comments, inputs and concerns raised by the relevant stakeholders during the public scoping exercise in (c) above, be submitted to the Council for consideration.

- (e) That the comments, inputs and concerns be investigated within the framework of the policy and regulations, before Council takes a final decision.

11.1.33 **PRESENTATION PROPOSAL FOR MAMA OUMA PROJECT AND LAND ALLOCATION**

(C/M 2023/08/31 - 5/2/1/2/3)

CO: P
GM: CS& HC

RESOLVED:

- (a) That Council identify a suitable institutional land for the project.
- (b) That in order to maintain consistency, the request be dealt with like other requests of similar nature received in the past.
- (c) That due to a cumbersome land sale process, the land be allocated on a lease basis first, to ensure that operations commence as soon as possible.
- (d) That the lease agreement should have an option of purchasing the land.
- (e) That Council establishes conditions / criteria, e.g., statutory requirements to ensure operational compliance for current and future projects.
- (f) That Messrs Green Charcoal Namibia confirm the size of the land required for this project.

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

None.

The meeting adjourned: **19:50**

Minutes to be confirmed on: **28 September 2023.**

Councillor D Am- !Gabeb
DEPUTY MAYOR

Mr A Benjamin
CHIEF EXECUTIVE OFFICER