

## MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Thursday, 26 October 2023** at **19:00**.

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### **PRESENT:**

|                            |   |                                |
|----------------------------|---|--------------------------------|
| Councillor D Am-!Gabeb     | : | Deputy Mayor                   |
| Councillor W O Groenewaldt | : | Chairperson of MC              |
| Councillor B R Goraseb     | : | Alternate Chairperson of MC    |
| Councillor P Shimhanda     | : | Member of Management Committee |
| Councillor C-W Goldbeck    | : | Member of Management Committee |
| Councillor M Henrichsen    | : | 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 | : | Acting Chief Executive Officer      |
| Mr M Haingura   | : | GM: Corporate Services & HC         |
| Mr C McClune    | : | GM: Engineering & Planning Services |
| Mr H !Naruseb   | : | GM: Finance                         |
| Ms L N Mutenda  | : | GM: Health Services & SWM           |
| Mr D Hanes      | : | Personal Assistant: Mayor           |
| Ms A Kahuika    | : | Administration Officer              |

### **ALSO PRESENT:**

Eleven (11.) Members of the public.

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

Pastor Van Neel opened the meeting with prayer.

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

(C/M 2023/10/26 - 5/2/1/1/2)

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

#### **RESOLVED:**

**That the agenda be adopted.**

|                                      |
|--------------------------------------|
| <b>CO: A</b><br><b>GM: CS&amp;HC</b> |
|--------------------------------------|

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 S M Kautondokua - Approved  
Mr A Benjamin - Approved

3.2 Declaration of interest:

None.

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4. **CONFIRMATION OF MINUTES**

(C/M 2023/10/26 - 5/2/1/1/2)

4.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 28 SEPTEMBER 2023**

(C/M 2023/10/26 - 5/2/1/1/2)

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

**RESOLVED:**

CO: A  
GM: CS&HC

That the minutes of the Ordinary Council Meeting held on 28 September 2023, be confirmed as correct.

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

None.

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6. **PETITIONS**

None.

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7. **MOTIONS OF MEMBERS**

None.

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

None.

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

(C/M 2023/10/26 - 5/5/2)

*Honourable Councillors, 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 October Council meeting.  
Thank you very much taking time to join us tonight.*

**Ladies and gentlemen, members of the council, and fellow citizens,**

*I am honoured to address you tonight. Tonight, I would like to highlight some key updates and important matters that concern us as a community.*

*During the month of **October**, our office had the following engagements.*

1. *African Peer Review Consultations.*
2. *Swakopmund also had the privilege of hosting His Excellency Dr Hage Geingob who had a familiarization visit to the Erongo region to visit the Green Hydrogen project.*
3. *We also hosted a consultative public meeting for the Kramersdorf and CBD area.*
4. *Additionally, we hosted a Swakopmund safety feedback meeting in Mondesa.*
5. *And lastly a public scope meeting on mobile kiosks was held over a period of two days to consult with the relevant stakeholders for the mobile kiosk.*

*Thank you for your kind attention to the announcements, and let's move forward together as a united community.*

## 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 OCTOBER 2023

(C/M 2023/10/26 - 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 19 October 2023, be noted.**

## 11. RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE MEETING HELD DURING OCTOBER 2023

### 11.1 MANAGEMENT COMMITTEE MEETING HELD ON 19 OCTOBER 2023

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

(C/M 2023/10/26 - 16/1/4/2/1/14)

#### RESOLVED:

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

**(a) That Council repeals point (e)(iii) of the Council resolution of 31 August 2023 under item number 11.1.31 that reads:**

*(a) That the following conditions of sale shall apply to the 3 groups:*

*(iii) That the beneficiaries are not permitted to sell the erven within a period of 5 years after transfer.*

**And replace it with:**

- (b) That a restriction be registered against the title deed of the erven and a pre-emptive right be included in the Deed of Sale.
- (c) That should the beneficiaries intend to sell the erven after the expiry of 10 years, and the erven are un-improved, the erven first be offered to Council for consideration.
- (d) That the restraint of 10 years in respect of sale of improved erven commences from date of transfer of the property.
- (e) That beneficiaries may not sell erven within 10 years of a completion certificate being issued. Upon expiry of the 10-year period, the beneficiary may sell the erven without first offering it to Council.
- (f) That no temporary structures be constructed on the erven.

11.1.2 **NEW LEASE AGREEMENT: DESERT EXPLORERS CC - ERF 1318, SWAKOPMUND**

(C/M 2023/10/26 - E 1318)

CO: P  
GM: CS&HC

**RESOLVED:**

- (a) That the application for the new lease agreement for a further 5 years period by Desert Explorers CC to lease the following three portions of land located on Erf 1318, Swakopmund, be approved:
  - (i) A portion of land measuring  $\pm 62.00m^2$  onto which their containers encroach;
  - (ii) A portion of land measuring  $1\,500m^2$  as parking area; and
  - (iii) A portion of land measuring  $1\,575m^2$  as camel ride area
- (b) That lease period commences on 01 September 2023 until 31 August 2028.
- (c) That the following terms and conditions be applicable and any additional conditions that Council may deem fit:
  - (i) That the lease period be 5 years at rental amounts as set-out below, with 7% annual escalation on 1<sup>st</sup> July 2024, and annually thereafter:

| Portion of land | Price/m <sup>2</sup>                       | 15 % VAT     | Total price |
|-----------------|--|--------------|-------------|
| Container Area  | $62m^2 \times N\$ 26.08 = N\$1\,616.96$    | + N\$ 242.54 | N\$1 859.50 |
| Parking Area    | $1\,500m^2 \times N\$ 2.45 = N\$3\,675.00$ | + N\$ 51.25  | N\$4 226.25 |
| Camel Area      | $1\,575m^2 \times N\$ 2.69 = N\$4\,236.75$ | + N\$ 635.51 | N\$4 872.26 |

- (ii) That the lease be terminable by either party giving or receiving three (3) months written notice.
- (iii) That Council reserves the right to cancel the lease if valid objections from the public are received.
- (iv) That the lessee shall indemnify and keep Council indemnified during the full period of the agreement against possible claims, which may arise from the use of the leased area.
- (v) That no subletting be allowed.
- (vi) That a deposit equal to one month's rental be levied.

- (d) That the lease as set-out in (a) to (c) above be advertised in terms of the Local Authorities Act, Act 23 of 1992, as amended at the cost of the lessee.
- (e) That the lessee be permitted to continue using the existing access over Erf 1318, Swakopmund for the duration of the lease, subject to (f) below.
- (f) That the lessee agrees that they will use the Windhoek Street access as soon as the development on Erf 1058, Swakopmund commences.
- (g) That Desert Explorers CC be responsible for the maintenance of the upgraded parking area.

11.1.3 **REQUEST FOR ADDITIONAL FUNDS (ECONOMIC DEVELOPMENT SERVICE DEPARTMENT) CAPITAL BUDGET 2023 / 2024**

(C/M 2023/10/26 - 3/1/1/1/1)

GM: EDS  
GM: F

**RESOLVED:**

- (a) That Council approve the additional funds of N\$800 000.00 for the construction of additional garages for the Fire Trucks, which include appliance room for filling, extension of the gym and external/site works at the Fire Brigade Building.
- (b) That permission be granted to the General Manager: Finance to transfer the amount N\$800 000.00 to Vote: 350031018200 in this financial year to enable the Economic Development Services Department to complete the construction of this project.
- (c) That Council be updated on the project documentation and subsequent implementation thereof.

11.1.4 **AVAILING OF FUNDS TO THE NEW FINANCIAL YEAR - MARKETING & COMMUNICATION PROJECTS**

(C/M 2023/10/26 - 3/1/1/1/1, E 2827, 3/18/1)

CO: M&C  
GM: CS&HC

**RESOLVED:**

- (a) That permission be granted to the General Manager: Finance to transfer the following capital project budgeted for the Financial Year 2022 / 2023 to the 2023/2024 Financial Year and avail funds:

| <i>Capital project</i>                 | <i>Vote number</i>  | <i>Amount</i>    |
|--|---------------------|------------------|
| <i>Partitioning of Production Room</i> | <i>150531017000</i> | <i>N\$50 000</i> |

- (b) That permission be granted to the General Manager: Finance to transfer an additional amount of N\$150 00.00

from the Surplus Fund Vote to the capital project: Live Streaming Camera and Equipment Vote: 150531017500:

| <i>Capital project</i>                     | <i>Vote number</i>  | <i>Amount</i>   |
|--|---------------------|---|
| <i>Live Streaming Camera and Equipment</i> | <i>150531017500</i> | <i>Additional N\$150 000.<br/>Total should be N\$250 000.</i> |

- (c) That the General Manager: Corporate Services and Human Capital calls for new bids for the Partitioning of Production and Marketing & Communications Offices and for the Supply and Delivery of Live Streaming Camera and Equipment once the funds for the projects are transferred.

11.1.5 **PARTNERSHIP FOR THE NAMIBIA ANNUAL SPORT AWARDS (NASA)**

(C/M 2023/10/26 - 3/15/1/6/1)

|                                |
|--------------------------------|
| <b>GM: F</b><br><b>GM: EDS</b> |
|--------------------------------|

**RESOLVED:**

- (a) That Council partners with the Namibia Sports Commission by sponsoring N\$20 000.00 towards the Namibia Annual Sport Awards (NASA) that will take place 28 October 2023, at the MTC Dome, Swakopmund.
- (b) That approval be granted to the Namibia Sports Commission to use the corner at Shoprite Shopping Centre (free of charge) for the proposed activation on 25-26 October 2023 with the following standard conditions:
- ① *Namibia Sports Commission will be responsible for always keeping the area clean.*
  - ② *Council must be indemnified against any claims that may arise from using the area. The applicant should complete the indemnity form and returned to the Municipality.*
  - ③ *The area must be restored to its original condition and to the satisfaction of the Swakopmund Municipality after the function.*
  - ④ *Sound must be restricted to the immediate surrounding area. On receipt of any complaints due to noise or misbehaviour, the use of the area will be cancelled immediately.*
  - ⑤ *Council reserves the right to cancel the use of the area should Council need the area for its own purposes.*
- (c) That the Law Enforcement & Emergency Section liaise with the Namibia Sports Commission regarding the escort services for the parade scheduled for 27 October 2023.
- (d) That the Namibia Sports Commission be advised to reserve the Municipal Rest camp at a 10% discounted rate as from 24-28 October 2023.
- (e) That the funds for the online, social media and photography of the event be defrayed from the Corporate Services Publicity Vote: 150515533000 where N\$141 191.30 is available.

- 11.1.6 **RESUBMISSION: PERMANENT CLOSURE OF ERF 9806, SWAKOPMUND AS PUBLIC OPEN SPACE, REZONING OF ERF 9806 FROM PUBLIC OPEN SPACE TO GENERAL BUSINESS, CONSOLIDATION OF ERVEN 9806 AND 9794, SWAKOPMUND AND REZONING OF ERF 9793, SWAKOPMUND FROM GENERAL RESIDENTIAL 2 TO PUBLIC OPEN SPACE**  
(C/M 2023/10/26 - E 9806, E9793, E 9794)

**RESOLVED:**

GM:EPS

That the Council Resolution of 28 July 2022, under Item 11.1.19 be repealed and replaced with the following resolution:

- (a) That Erf 9806, Swakopmund Extension 39 be closed as Public Open Space in terms of Section 50 (1) (c) of the Local Authorities Act, Act No. 23 of 1992.
- (b) That Erf 9806, Swakopmund Extension 39 be rezoned from Public Open Space to General Business with a bulk of 2.0 in terms of Section 105 (1)(a)(ii) of the Urban and Regional Planning Act, Act No 5 of 2018.
- (c) That Erven 9806 and 9794, Swakopmund be consolidated into Erf X in terms of Section 105 (1)(e)(ii) of the Urban and Regional Planning Act, Act No 5 of 2018.
- (d) That Erf 9793, Swakopmund Extension 39 be rezoned from General Residential 2 with a density of 1:250 m<sup>2</sup> to Public Open Space in terms of Section 105 (1)(a)(ii) of the Urban and Regional Planning Act, Act No 5 of 2018.
- (e) That the objectors be informed of Council's decision and their right to 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.

- 11.1.7 **APPLICATION FOR THE PURCHASE OF A STREET PORTION ADJACENT TO ERF 4089, MONDESA**  
(C/M 2023/10/26 - M 4089)

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

That the application of Mr B Gerhard to purchase a portion of land situated adjacent to Erf 4089, Mondesa measuring ±365m<sup>2</sup> and to consolidate with Erf 4089, Mondesa for the purpose of building flats NOT be approved as the proposed use cannot be permitted on the additional portion of land due to zoning and density requirements of the area.

11.1.8

**RESUBMISSION: SUBDIVISION OF PORTION 121 (A PORTION OF PORTION 32) OF FARM 163 SMALLHOLDINGS INTO PORTION A, B AND REMAINDER**

(C/M 2023/10/26 - PTN 121)

GM: EPS

**RESOLVED:**

- (a) That application to subdivide Portion 121 (a portion of Portion 32) of Farm 163 Smallholdings into Portions A, B and Remainder be approved, as follows:

| <i>Portion Number</i>   | <i>Size in (Ha)</i> | <i>Zoning</i>       |
|-------------------------|---------------------|---------------------|
| <i>Portion A</i>        | <i>4.2321</i>       | <i>Agricultural</i> |
| <i>Portion B</i>        | <i>3.0389</i>       | <i>Agricultural</i> |
| <i>Rem/ Portion 121</i> | <i>4.0241</i>       | <i>Agricultural</i> |
| <i>Total</i>            | <i>11.2951</i>      |                     |

- (b) That the subdivision of Portion 121 (a portion of Portion 32) of Farm 163 Smallholdings be exempted in terms of the section 7.1.2 (b) of the Swakopmund Structure Plan 2020-2040 due to the fact that there are three existing dwelling units on the property.
- (c) That the subdivision of Portion 121 (a portion of Portion 32) of Farm 163 Smallholdings be subject to a 7.5% 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.
- (d) That the upgrade of municipal services be for the account of the applicant, and it must be designed to the satisfaction of the General Manager: Engineering and Planning Services.
- (e) 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.*
- (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, and
- (g) That the Corporate Services and Human Capital Department embark upon the review of the Council's Property Policy.



11.1.9 **REQUEST FOR PAYMENT OF EXTERNAL LOCAL ORGANIZING COMMITTEE MEMBERS FOR NALASRA**  
(C/M 2023/10/26 - 11/1/4/6)

**RESOLVED:**

GM: F

- (a) That Council take note of the request from the external members for Local Organizing Committee NALASRA.
- (b) That an amount of N\$2 500.00 be paid to each of the seven external members below:
1. *Mr Temba Nghitaunapo*
  2. *Mr Denzel Bruwer*
  3. *Ms Laina Junias*
  4. *Ms Dalene Stephanus*
  5. *Mr Delwin Matsuib*
  6. *Mr Frans Chisambo*
  7. *Ms Tashiqua Darius*
- (c) That funds be defrayed from Vote No: 101015563500 (SAIMSA / NALASRA), where N\$130 000.00 is available.
- (d) That in future when hiring persons for events they should be formally appointed by Council before commencing with their duties.
- (e) That the terms of reference explicitly be voluntary, and Council may, if deemed necessary compensate in monetary terms as a token of appreciation for the voluntary service rendered.

11.1.10 **THE SOLID WASTE RECYCLING MEMORANDUM OF AGREEMENT BETWEEN SWAKOPMUND MUNICIPAL COUNCIL AND MESSRS RENT-A-DRUM IN TERMS OF SECTION 50 OF THE PUBLIC PROCUREMENT ACT, 2015 (ACT NO. 15 OF 2015) ("THE ACT") AS AMENDED**  
(C/M 2023/10/26 - 17/6/1)

GM: HSSWM

**RESOLVED:**

- (a) That Council continues with the collection and removal of both recycled and domestic waste in the absence of a service provider.
- (b) That the General Manager: Health Services and Solid Waste Management submit costing options of the recycling services to Council for Consideration in January 2024 Management Committee meeting.

11.1.11 **PROPOSAL TO APPOINT MISS WORLD NAMIBIA (2023) AS THE BRAND AMBASSADOR OF SWAKOPMUND**

(C/M 2023/10/26 - 7/4/1)

CO: M&C  
GM: CS&HC

**RESOLVED:**

- (a) That Miss World Namibia (2023) be assisted with sponsorship towards the Miss World International competition to be held in New Delhi, India.
- (b) That Council assist with a monetary sponsorship of N\$10 000.00 towards her travel arrangements of Miss World Namibia to participate in the Miss World International taking place on 08 November 2023 in New Delhi, India.
- (c) That the General Manager: Corporate Services and Human Capital identifies at least more than one personalities for appointment as a Brand Ambassador for Council consideration.

11.1.12 **A: TRANSFERS: FOURTH BATCH: ELECTRICAL SUBSTATIONS: ERONGO RED ELECTRICITY DISTRIBUTORS**

(C/M 2023/10/26 - M 2699; M 1616; E 7295; E 1758; M 2555, M 2953, M 3112)

CO: P  
GM: CS&HC

**RESOLVED:**

- (a) That Council takes note of the application dated 14 August 2023 received from Van der Westhuizen Town Planning & Properties on behalf of Erongo Regional Electricity Distributor Company (Pty) Ltd and approves the transfer of the complete erven listed in terms of Transfer of Assets Agreement (below in point (b)).
- (b) That Council approves the transfer of the following 6 erven at zero purchase price as was resolved on 31 October 2019 under item 11.1.18:

| Substation         | Asset Number | Erf Number            | 2005 Market Value N\$ | Actual Size        | Land Size ito Asset List |
|--------------------|--------------|-----------------------|-----------------------|--------------------|--------------------------|
| Ext 5 Sub          | SWNL0058     | Erf 2699, Ext 5, Mon  | 68 345.50             | 321 m <sup>2</sup> | 100 m <sup>2</sup>       |
| Jabulani No. 7 Sub | SWNL0036     | Erf 1616, Mon         | 68 345.50             | 327 m <sup>2</sup> | 100 m <sup>2</sup>       |
| DRC Sub            | SWNL0015     | Erf 7295, Ext 27, Swk | 68 345.50             | 375 m <sup>2</sup> | 100 m <sup>2</sup>       |
| Ext.3 Sub          | SWNL0056     | Erf 2555, Ext.3, Mon  | 68 345.50             | 325 m <sup>2</sup> | 100 m <sup>2</sup>       |
| Ext 6A Sub         | SWNL0059     | Erf 2953, Ext 6, Mon  | 68 345.50             | 313 m <sup>2</sup> | 100 m <sup>2</sup>       |
| Ext 6B Sub         | SWNL0057     | Erf 3112, Ext 6, Mon  | 68 345.50             | 330 m <sup>2</sup> | 100 m <sup>2</sup>       |

- (c) That with reference to the discrepancy in the sizes recorded for an asset number and the actual size of the identified erven; Council decides whether to:
- (i) *accept that neither Council nor Erongo Regional Electricity Distributor Company (Pty) Ltd shall be responsible for any differences or deficiency in area likewise renounces any excess.*
- (d) That Van der Westhuizen Town Planning & Properties be informed to propose the subdivision of the following erf in

order to consolidate the remainder with Erf 2224 which belongs to Council:

| Substation   | Asset No. | Erf Number           | Actual Size       | Land Size ito Asset List |
|--------------|-----------|----------------------|-------------------|--------------------------|
| Aldridge Sub | SWNL0003  | Erf 1758, Ext 1, Swk | 746m <sup>2</sup> | 100m <sup>2</sup>        |

- (e) That subject to the decision in (c) above, Council applies for approval from the Minister of Urban & Rural Development in terms of Section 30 (1) (t) of the Local Authorities Act, Act 23 of 1992, as amended to proceed with the alienation process of the 6 erven listed in (b) above.
- (f) That Erongo RED be requested to fence all the substations in terms of Council's Building Regulations.

11.1.13 **B:SUBDIVISIONS: FOURTH BATCH: ELECTRICAL SUBSTATIONS: ERONGO RED ELECTRICITY DISTRIBUTORS**

(C/M 2023/10/26 - M 4374; E 266 C; Erf 118; Erf 113, Vin; E 2747; E 1910)

**RESOLVED:**

|                                      |
|--------------------------------------|
| <p>CO: M&amp;C<br/>GM: CS&amp;HC</p> |
|--------------------------------------|

- (a) That Council takes note of the application dated 14 August 2023 received from Van der Westhuizen Town Planning & Properties on behalf of Erongo Regional Electricity Distributor Company (Pty) Ltd .
- (b) That Council takes note that the erven shaded in yellow has to be subdivided and will be submitted separately by the Engineering Services & Planning Department.

| Substation         | Asset No. | Erf Number           | 2005 Market Value N\$ | Subdivided Size                  |
|--------------------|-----------|----------------------|-----------------------|----------------------------------|
| Single Quarter Sub | SWNL0083  | Erf 4374, Mon        | 68 345.50             | Portion A = 202m <sup>2</sup>    |
| Moltke Sub         | SWNL0097  | Erf 266 C, Swk       | 68 345.50             | Portion A = 60.1m <sup>2</sup>   |
| Schlachter Sub     | SWNL0089  | Erf 118, Swk         | 68 345.50             | Portion A = 102.5m <sup>2</sup>  |
| Louis Botha Sub    | SWNL0044  | Erf 113, Vin         | 68 345.50             | Portion A = 50m <sup>2</sup>     |
| Swakop Sub         | SWNL0102  | Erf 2747             | 68 345.50             | Portion A = 55.2m <sup>2</sup>   |
| Franke Sub         | SWNL0021  | Erf 1910, Ext 1, Swk | 68 345.50             | Portion A = 297.4m <sup>2</sup>  |
| Bungalows Sub      | SWNL0011  | Erf 2747, Swk        | 0.00                  | Portion A = 131.82m <sup>2</sup> |

- (c) That notwithstanding the pending subdivisions, Council approves the future transfers of the newly created erven as the main erven are listed with asset numbers and form part of the asset transfer agreement.

11.1.14 **ERF 4863, SWAKOPMUND: WAIVER OF PRE-EMPTIVE RIGHT: GIACOMO LUIGI BONADEI**

(C/M 2023/10/26 - E 4863)

CO: P  
GM: CS&HC

**RESOLVED:**

- (a) That Council takes note of the application by Roberts Legal Practitioner on behalf of Mr Giacomo Luigi Bonadei
- (b) That Council waves the restriction registered in the Deed of Transfer T 7385/2013 against Erf 4863, Swakopmund due to severe health conditions.

11.1.15 **OUTCOME OF SALE OF 29 SEPTEMBER 2023: ERF 3620, EXTENSION 1, SWAKOPMUND**

(C/M 2023/10/26 - E 3620)

CO: P  
GM: CS&HC

**RESOLVED:**

- (a) That Council takes note that Erf 3620 (staff flats) was sold at the closed bid sale held on 29 September 2023 and that the due date to secure the purchase price is Monday, 29 January 2024.
- (b) That Council takes note that the two lessees currently occupying the staff flats have been issued notice of 6 months to vacate the premises by end of January 2024.
- (c) That depending on the successful transfer of ownership of Erf 3620, Swakopmund, Council's Housing Benefits Policy be amended to delete all conditions relating to Erf 3620, Swakopmund, such as point 1.2 (d), point 7 and the definition of "the municipal flats" on page 16 of the policy.

11.1.16 **FUTURE SALE OF ERVEN 4869 AND 4873, EXTENSION 10, SWAKOPMUND BY CLOSED BID SALE**

(C/M 2023/10/26 - E 4869, E 4873, E 4874, E 4899, E 4901)

CO: P  
GM: CS&HC

**RESOLVED:**

- (a) That Council takes note of the availability of Erf 4869 (6 428 m<sup>2</sup>) and Erf 4873 (7 403 m<sup>2</sup>), Extension 10, Swakopmund which are zoned "*General Industrial*" after the cancellation of the private treaty sales due to non-performance by the purchasers to secure the purchase prices.
- (b) That Council repeal and amend its decision passed on 31 August 2022 under item 11.1.23 to sell the available erven by private treaty, in order to provide for the consideration of public closed bit sales of the available erven located in Extension 10, Swakopmund as follows:

|   | <i>Erf No</i> | <i>Zoning</i> | <i>m<sup>2</sup></i> | <i>Upset Price @ N\$236.00/m<sup>2</sup><br/>(excl 15% VAT)</i> |
|---|---------------|---------------|----------------------|---|
| 1 | 4869          | Gen Ind       | 6 428                | 1 517 008.00  |
| 2 | 4873          | Gen Ind       | 7 403                | 1 747 058.00  |

- (c) That Council approves the sale of Erf 4869 (6 428 m<sup>2</sup>) and Erf 4873 (7 403 m<sup>2</sup>), Extension 10, Swakopmund at the upset price indicated in point (b) above and payment of a registration fee in the amount of N\$27 000.00.
- (d) That Council remains with the same conditions approved on 25 March 2021 under item 11.1.18 (Annexure “B”, on file), except point (f) (iv) that the payment period be 120 days as approved by Council on 27 January 2022 under item 11.1.13, point (d).
- (e) That the following conditions be added to the conditions of sale for this particular sale:
- (i) *That improvements must be completed within 24 months from date of transfer. Transfer of the property shall be given to and taken by the purchaser within 120 days of the award of the bid to the purchaser in writing. No extension of the date of transfer of the property shall be considered. If the Purchaser cannot meet the deadline for the transfer of the property, the award of the bid shall fall away and become null and void, without the need to give any further notice to the Purchaser.*
  - (ii) *That the property may not be alienated within 24 months unless a completion certificate has been issued in respect of the structural improvements, referred to above, prior to the expiry of the said 24-month period. This restraint of alienation is to be registered against the title deed of the property.*
  - (iii) *That the property shall revert to Council if no completion certificate is issued on the expiry of the 24 months period.*
  - (vi) *That if a property must revert to Council in terms of (iii) above, the compensation payable to the purchaser shall be fixed at the original purchase price plus the value of any improvements.*
  - (v) *That Council's sworn valuator shall determine the value of any incomplete improvements on the property. The purchaser shall be liable for the cost of the said sworn valuator.*
- (f) That Council takes note of the pending private treaty sales for the following erven, and should the purchasers fail to secure the purchase prices by the respective due date, these erven be added to the closed bid sale of the erven listed in (b) above:

|          | <b>Erf No</b> | <b>Zoning</b>  | <b>m<sup>2</sup></b> | <b>Upset Price @ N\$236.00/m<sup>2</sup><br/>(Excl 15% VAT)</b> |
|----------|---------------|----------------|----------------------|---|
| <b>1</b> | <b>4874</b>   | <b>Gen Ind</b> | <b>15 140</b>        | <b>3 573 040.00</b>   |
| <b>2</b> | <b>4899</b>   | <b>Gen Ind</b> | <b>20 035</b>        | <b>4 728 260.00</b>   |
| <b>3</b> | <b>4901</b>   | <b>Gen Ind</b> | <b>13 298</b>        | <b>3 138 328.00</b>   |

11.1.17 **STAKEHOLDER ENGAGEMENT: YOUTH CONFERENCE**

(C/M 2023/10/26 - 5/5/1, 51/1)

GM: EDS  
GM: CS&HC**RESOLVED:**

- (a) That Council approves the Youth' Conference to be hosted during November 2023.
- (b) That approval be granted for the payment of refreshments for this event should the Office of the Mayor be unable to secure sponsorships.
- (c) That the amount of N\$10 000.00 be defrayed from the Conference Vote: 101015505500 where N\$186 600.00 is available.
- (d) That stakeholder engagement for potential sponsorship be intensified and feedback be provided to council.

11.1.18 **01: ASSESSMENT OF SUBMITTED LIST OF CONTRACTORS**

(C/M 2023/10/26 - 14/2/1/1)

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

- (a) That Council takes note that 14 contractors have been assessed and approved by the General Manager: Engineering and Planning Services by inspecting houses previously built to ensure quality control.
- (b) That the beneficiaries select their preferred contractors to construct their houses.

11.1.19 **MASS HOUSING DEVELOPMENT PROGRAMME: REQUEST TO TRANSFER ERF 2338, MATUTURA, EXTENSION 10 TO STANLEY LAFRAS WITBOOI**

(C/M 2023/10/26 - E 2338 M)

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

- (a) That Council approves the transfer of Erf 2338, Extension 10, Matutura to Mr Stanley Lafras Witbooi even though he previously owned Erf 1359, Mondesa, and is thus not a *First-Time Property Owner*.
- (b) That Mr Stanley Lafras Witbooi continues residing on Erf 2338, Extension 10, Matutura until a formal response from the Ministry is received.
- (c) That Mr Stanley Lafras Witbooi continues paying the bond premium plus the rates and taxes, for Erf 2338, Extension 10, Matutura as he is still occupying the property.
- (d) That Messrs National Housing Enterprises and the Ministry of Urban and Rural Development be informed of Council's decision.

11.1.20 **BZN BAR AND RESTAURANT CC: OUTSIDE SEATING - DECK EXPANSION ON LEASE AREA LOCATED ON ERF 228, SWAKOPMUND**  
 (C/M 2023/10/26 - Erf 228 C, S)

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

**RESOLVED:**

- (a) That Council approves the application by BZN Bar and Restaurant CC for the expansion of the existing lease area to include an additional lease area measuring 48m<sup>2</sup> located adjacent to Erf 228C, Swakopmund to provide for customer seating.
- (b) That the Engineering and Planning Services Department together with the applicant demarcate the exact location and size of the lease area (measuring approximately 88m<sup>2</sup>) and that the lessee cordon-off the lease area.
- (c) That the lease be subject to the conditions of the current lease agreement as approved by Council on 31 August 2022 under item 11.1.6; and that the lessee complies with all the requirements for the submission and approval of the expansion of the deck area as conveyed to them under cover of a letter dated 18 July 2023.
- (d) That it be noted that the lease area approved by Council on 31 August 2022 under item 11.1.6 was incorrectly indicated as 26.29m<sup>2</sup> and actually measures 40m<sup>2</sup> in size.
- (e) That the lessee be levied for the shortfall of 14m<sup>2</sup> in the rental calculations since 1 March 2022.
- (f) That the lease tariff of N\$42.70/m<sup>2</sup> applicable from 1 July 2023 be levied from date of approval by the Minister of Urban and Rural Development for the combined area measuring approximately 88m<sup>2</sup>.
- (g) That the lease be advertised in terms of Section 63 (2) of the Local Authorities Act 23 of 1992, whereafter an application be submitted to the Minister of Urban and Rural Development for approval of the additional lease area.
- (h) That an addendum to the lease agreement reflecting the amended and increased lease area be concluded upon approval being granted by the Minister of Urban and Rural Development for the expansion of the lease area.
- (i) That all costs involved be for the applicant's account.

11.1.21 **FUTURE SALE OF ERF 8929, EXTENSION 35, SWAKOPMUND**  
(C/M 2023/10/26 - E 8929)

CO: P  
GM: CS&HC

**RESOLVED:**

- (a) That Council takes note of the availability of Erf 8929, Extension 35, Swakopmund (4 261m<sup>2</sup>) which is zoned “*General Business*” after the list of qualifying bidders for the sale of 16 December 2016 was exhausted on 07 September 2023.
- (b) That Council approves the sale of Erf 8929, Swakopmund at an upset price of N\$1 886 318.00 and payment of a registration fee in the amount of N\$14 000.00, subject to Council’s standard conditions applicable to the sale of 16 December 2016, i.e. payment of the full purchase price within 120 days from date of sale.
- (c) That point (f) of Council’s resolution passed on 27 October 2016 under item 11.1.25 approving the upset price, be repealed.
- (d) That Erf 8929, Swakopmund be offered for sale at a closed bid sale together with the 9 erven zoned “*Business*” located in Extension 6, Matutura as approved by Council on 29 September 2022 under item 11.1.13.

11.1.22 **REZONING OF ERF 947, MONDESA, EXTENSION 3 FROM “GENERAL RESIDENTIAL 2” WITH A DENSITY OF 1:250M<sup>2</sup> TO “INSTITUTIONAL”**  
(C/M 2023/10/26 - M 947)

GM: EPS

**RESOLVED:**

- (a) That rezoning of Erf 947, Mondesa from “*General Residential 2*” with a density of 1:250m<sup>2</sup> to “*Institutional*” be approved.
- (b) That all the parking provided on-site be in line with the Swakopmund Zoning Scheme.
- (c) That the following conditions be imposed for the operation of the church:
- (i) *Operating hours during weekdays should not exceed 20h00.*
  - (ii) *The volume should always be kept at an allowable decibel.*
  - (iii) *Sunday’s services from 09h00 to 13h00.*
  - (iv) *Whenever there are crusades and concepts, consent must be obtained from the surrounding neighbours and the Municipality of Swakopmund must be informed of same.*
  - (v) *When the church could not finish the service on time, there should be no use of music instruments and they must close the church to avoid noise, and*
  - (vi) *Should the church fail to adhere to the above conditions, drastic measures will be taken against the church.*
- (d) That no compensation (betterment) fee is applicable,



- (e) That the objectors be informed of Council's decision and their right to appeal to the Minister against Council's Resolution in terms of Section 110 of the Urban and Regional Planning Act, 2018 (Act 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.

11.1.23 **REZONING OF ERF 1266 MATUTURA EXTENSION 7 FROM GENERAL RESIDENTIAL 2 WITH A DENSITY OF 1:250M<sup>2</sup> TO SINGLE RESIDENTIAL WITH A DENSITY OF 1:300M<sup>2</sup> AND SUBSEQUENT SUBDIVISION INTO ELEVEN (11) PORTIONS AND REMAINDER**  
(C/M 2023/10/26 - E 1266 M) GM: EPS

**RESOLVED:**

- (a) That the rezoning of Erf 1266, Matutura, Extension 7 from "General residential 2" with a density of 1:250m<sup>2</sup> to "Single residential" with a density of 1:300m<sup>2</sup> be approved.
- (b) That the rezoning of Erf 1266, Matutura, Extension 7 from "General Residential 2" with a density of 1:250m<sup>2</sup> to "Single Residential" with a density of 1:300 is not subject to a compensation fee with respect to betterment.
- (c) That the subdivision of Erf 1266, Matutura, Extension 7 into 11 Portions and Remainder be approved as per the table below on:

| <b>PTN NUMBERS</b> | <b>PROPOSED SIZES (M<sup>2</sup>)</b> | <b>ZONING</b>      |
|--------------------|---------------------------------------|--------------------|
| Portion 1          | 301m <sup>2</sup>                     | Single Residential |
| Portion 2          | 305m <sup>2</sup>                     | Single Residential |
| Portion 3          | 301m <sup>2</sup>                     | Single Residential |
| Portion 4          | 304m <sup>2</sup>                     | Single Residential |
| Portion 5          | 301m <sup>2</sup>                     | Single Residential |
| Portion 6          | 301m <sup>2</sup>                     | Single Residential |
| Portion 7          | 318m <sup>2</sup>                     | Single Residential |
| Portion 8          | 307m <sup>2</sup>                     | Single Residential |
| Portion 9          | 300m <sup>2</sup>                     | Single Residential |
| Portion 10         | 311m <sup>2</sup>                     | Single Residential |
| Portion 11         | 440m <sup>2</sup>                     | Single Residential |
| Rem 1266           | 436m <sup>2</sup>                     | Single Residential |
| <b>Total</b>       | <b>3 925m<sup>2</sup></b>             |                    |

- (d) That the provision of municipal services to the newly created erven be for the account of the applicant to the satisfaction of the General Manager: Engineering and Planning Services.
- (e) That the subdivision of Erf 1266, Matutura, Extension 7 be subject to a 7.5% 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 all the parking be provided on-site in line with the Swakopmund Zoning Scheme and no parking on street reserve; shall be tolerated.
- (g) That the conditions registered against Erf 1266, Matutura, Extension 7 be cancelled and that the following conditions be registered against Portions 1 to 11 (portions of Erf 1266 Matutura, Extension 7) and the Remainder of Erf 1266 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 two times the municipal valuation of the erf.*

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11.1.24 **REZONING OF PORTION 42 OF FARM 163 FROM AGRICULTURE TO SPECIAL AND CONSENT TO CONSTRUCT ADDITIONAL UNITS AND A RESTAURANT FOR A TOURIST ESTABLISHMENT WHILE THE REZONING IS IN PROCESS**  
(C/M 2023/10/26 - PTN 42)

GM: EPS

**RESOLVED:**

- (a) That the rezoning of Portion 42 Smallholdings from “Agriculture” to “Special” for: Agriculture and Tourism be approved.
- (b) That consent to construct additional dwelling units and a public restaurant while the rezoning is in progress be turned down taking into consideration the possibility of appeals.
- (c) That the rezoning of Portion 42 Smallholdings is subject to a compensation fee of 30% 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 Betterment Fee Policy of 2009 and be paid by the applicant before any approval of building plans or any renewal of the fitness certificate by the Engineering and Planning Department can be considered.
- (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 an Environmental Clearance Certificate be obtained before submission of building plans to construct any recreational, camping, leisure, or tourism facilities.
- (f) That no Fitness Certificate be issued for river-hiking and / or river self-drive tours without approval by the Ministry of Environmental Forestry and Tourism.
- (g) That the tourism activities be limited to 10% coverage of the size of the portion.
- (h) That the applicant registers with the Health Services Department and that the standard Health Regulations will apply.
- (i) That Council reserves the right to withdraw the Fitness Certificate should there be valid complaints.
- (j) That the applicant must operate within the Swakopmund Zoning Scheme provisions.
- (k) That the approval of the rezoning of Portion 42 is subject to the submission of a report that is to the satisfaction of the General Manager: Engineering and Planning Services Department as well as General Manager: Health Services and Solid Waste Management certifying that the area from which the proposed place of amusement will be conducted from is soundproof.
- (l) That the objectors be informed of Council's decision and their right to appeal to the Minister against Council's Resolution in respect of resolution (a) above in terms of Clause 8 of the Swakopmund Zoning Scheme within 28 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 **SUBDIVISION OF ERF 4374 MONDESA PROPER INTO PORTION A AND REMAINDER AND SUBSEQUENT REZONING OF PORTION A FROM LOCAL AUTHORITY TO PARASTATAL**

(C/M 2023/10/26 - M 4374)

GM: EPS

**RESOLVED:**

- (a) That the subdivision of Erf 4374, Mondesa Proper into Portion A and Remainder be approved as follow:

| <i>Erf numbers</i>        | <i>Proposed Sizes in m<sup>2</sup></i> | <i>Zoning</i>          |
|---------------------------|--|------------------------|
| <i>Portion A</i>          | <i>202</i>                             | <i>Parastatal</i>      |
| <i>Remainder Erf 4374</i> | <i>131</i>                             | <i>Local Authority</i> |
| <i>Total for Erf 4374</i> | <i>333</i>                             | <i>Local Authority</i> |

- (b) That the rezoning of Portion A from local authority to parastatal be approved.

- (c) 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.
- (d) That the proposed Portion A be registered to Erongo Regional Electricity Distributors (Pty) Ltd's once statutory procedures are finalized.
- (e) That the Remainder of Erf 4374, Mondesa Proper be registered into the Municipal Council of Swakopmund's name once statutory procedures are finalized.
- (f) That the title deed conditions registered against Erf 4374, Mondesa Proper be retained and be registered on both title deeds of Portion A of Erf 4374, Mondesa and the Remainder Erf 4374, Mondesa Proper, 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);*

11.1.26 **SUBDIVISION OF ERF 1910, SWAKOPMUND, EXTENSION 1 INTO PORTION A AND REMAINDER AND SUBSEQUENT REZONING OF PORTION A FROM LOCAL AUTHORITY TO PARASTATAL**  
(C/M 2023/10/26 - E 1910) GM: EPS

**RESOLVED:**

- (a) That the subdivision of Erf 1910, Swakopmund Extension 1 into Portion A and Remainder be approved as follow:

| <i>Erf numbers</i>        | <i>Proposed Sizes in m<sup>2</sup></i> | <i>Zoning</i>          |
|---------------------------|--|------------------------|
| <i>Portion A</i>          | <i>297.4</i>                           | <i>Parastatal</i>      |
| <i>Remainder Erf 1910</i> | <i>432.6</i>                           | <i>Local Authority</i> |
| <i>Total for Erf 1910</i> | <i>730</i>                             | <i>Local Authority</i> |

- (b) That the rezoning of Portion A from local authority to parastatal be approved.
- (c) 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.
- (d) That the proposed Portion A be registered into Erongo Regional Distributors (Pty) Ltd's name once statutory procedures are finalized.
- (e) That the Remainder of Erf 1910, Swakopmund Extension 1 be registered into the Municipal Council of Swakopmund's name once statutory procedures are finalized.

- (f) That the title deed conditions registered against Erf 1910, Swakopmund Extension 1 be retained for the Remainder Erf 1910, Swakopmund Extension 1, as follows:

(ii) *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);*

11.1.27 **APPLICATION FOR CONSENT TO OPERATE A PLACE OF AMUSEMENT ON ERF 3739, MONDESA, EXTENSION 8**  
(C/M 2023/10/26 - M 373)

GM: EPS

**RESOLVED:**

That this it be noted that this item was submitted already in September and that this be ignored

11.1.28 **APPLICATION FOR THE SUBDIVISION OF ERF 3654, SWAKOPMUND PROPER INTO PORTION A AND REMAINDER**  
(C/M 2023/10/26 - E 3654)

GM: EPS

**RESOLVED:**

- (a) That Erf 3654 not be subdivided but rezoned as a street.
- (b) The costs involved be defrayed from Vote: 500031014300 where an amount of N\$1 400 000. 00, is available.

11.1.29 **OLD AND REDUNDANT ITEMS/EQUIPMENT: ENGINEERING SERVICES DEPARTMENT – OFFICE**  
(C/M 2023/10/26 - 16/2/6/1)

CO: A  
GM: EPS  
GM: CS&HC

**RESOLVED:**

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

| TOTAL | DESCRIPTION   | SECTION       |
|-------|---|---------------|
| 1     | HP Officejet 7612 - CN85J4R03R -<br>Manager: TP                       | Town Planning |
| 1     | HP CN7166R02K - Administrative Officer                                | Town Planning |
| 1     | 1 x chair   | Building      |
| 1     | Microwave   | Office        |
| 1     | HP 1280 Printer -CN73AJZ0D3 -<br>Technician: Roads & Special Projects | Project       |

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

11.1.30 **REQUEST FOR SPONSORSHIP OF HYGIENIC PACKS TO THE SWAKOPMUND CORRECTIONAL FACILITY**

(C/M 2023/10/26 - 3/15/1/6/1)

CO: M&C  
GM: CS&HC

**RESOLVED:**

- (a) That Council approves the sponsorship of 102 hygienic packs to the Swakopmund Correctional Facility for the offenders.
- (b) That it be noted that the Sponsorship Committee approved the sponsorship to the value of N\$10 000.00. However, Council may give a special exemption and approve the excess amount of N\$704.90, bringing the total amount to N\$10 704.90, as per quotation from Model Pick & Pay.
- (c) That the funds be defrayed from the Corporate Services Publicity Vote: 150515533000 where N\$141 191.30, is available.
- (d) That Council approves the excess amount of N\$704.90 as per point (b) above.

11.1.31 **APPROVAL OF THE BUDGET FOR THE FISCAL YEAR 1 JULY 2023 TO 30 JUNE 2024**

(C/M 2023/10/26 - 3/1/1/1/1; 3/1/1/2/1)

GM: F

**RESOLVED:**

That the approval of the budget for the fiscal year 1 July 2023 to 30 June 2024 be noted.

11.1.32 **INVITATION FOR THE ERONGO BUSINESS AND TOURISM EXPO**

(C/M 2023/10/26 - 9/4/5)

CEO  
CO: M&C  
GM: EDS  
GM: CS&HC

**RESOLVED:** (For Dondonation by Council)

- (a) That Council participates in the 15<sup>th</sup> Erongo Business and Tourism Expo scheduled to take place from 25 -28 October 2023 in Walvis Bay.
- (b) That Council purchases a 3x3 exhibition stand at the cost of N\$6 000.00, for exhibition.
- (c) That permission be granted to the following Municipal Officials to represent Council: at the Opening Ceremony and duration of the Expo:
  - *Public Relations Officer, Ms Linda Mupupa*
  - *Marketing & Communications Officer, Ms Aili Gebhardt*
  - *Local Economic Development Officer, Ms Rauna Shipunda*
- (d) That daily lunch tariffs for the officials be defrayed from the Conference and Expenses votes of the relevant departments and that special leave be granted during this period.

- (e) That it be noted that no overtime can be claimed while employees are on special leave.
- (f) That the minibus be availed to travel to and from Walvis Bay for the duration of the Expo.
- (g) That the funds for the refreshment expenses be defrayed from the Corporate Services Publicity Vote: 150515533000 where N\$141 191.30 is available.

11.1.33 **INVITATION TO NAMIBIA NATIONAL WORKSHOP - WATER SECURITY AND CLIMATE CHANGE, NAMIBIA**

(C/M 2023/10/26 - 11/2/5/3)

CEO  
GM: EPS

**RESOLVED:** (For Dondonation by Council)

- (a) That permission be granted for the Chief Executive Officer and General Manager: Engineering and Planning Services to participate in the Water Security and Climate Change Workshop, arranged by Messrs Namwater and to take place from 09-10 October 2023 in Windhoek.
- (b) 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 municipal officials during this period.

11.1.34 **MURD NATIONAL STAKEHOLDERS' VALIDATION OF THE PROPOSED AMENDMENTS TO THE LOCAL AUTHORITIES ACT 1992**

(C/M 2023/10/26 - 11/2/5/3)

CEO  
GM: F

**RESOLVED:** (For Dondonation by Council)

- (a) That Council condones the approval for the Alternate Chairperson of the Management Committee and the Chief Executive Officer attend the MURD National Stakeholders Validation Workshop.
- (b) That subsistence and traveling allowance at a total of N\$19 800.00 be defrayed from the Council's Conference Vote: 101015505500 where N\$186 600.00 is available.

11.1.35 **NAMIBIA NATIONAL MAYORS' FORUM: HANDOVER OF DONATIONS**

(C/M 2023/10/26 - 5/5/1)

CEO  
GM: F

**RESOLVED:** (For Dondonation by Council)

- (a) That Council condones the approval for the Mayor and the Traffic Officer / Driver to the Mayor to attend the Handover ceremony on 17 October 2023.

- (b) That subsistence and traveling allowance at a total of N\$8 800.00 be defrayed from the Council's Functions and Entertainment Vote: 101015513000 where N\$186 600.00 is available.

11.1.36 **ARAF OFFICAL OPENING AND INVESTMENT SEMINAR 2023**

(C/M 2023/10/26 - 5/5/1)

CEO  
GM: F

**RESOLVED:**

- (a) That Council condones the travelling and expenditure for the Deputy Mayor who attended the ARAF 2023.
- (b) That subsistence and traveling allowance at a total of N\$10 400.00 be defrayed from the Council's Conference Vote: 101015505500 where N\$60766.49 is available.

11.1.37 **SALE OF ERF 1338 (A PORTION OF ERF 503), TAMARISKIA TO ERONGO DEVELOPMENT FOUNDATION**

(C/M 2023/10/26 - T 610, T 503)

CO: P  
GM: CS&HC

**RESOLVED:**

- (a) That Council takes note of the pending sale of Erf 1338 (a portion of Erf 503, Tamariskia) to Erongo Development Foundation for the development of a house of safety.
- (b) That Council allows Erongo Development Foundation time to finalize the appointment and registration of the trustees that will represent the Erongo Development Foundation Trust to purchase of Erf 1338, Tamariskia.

11.1.38 **OBJECTION RECEIVED FROM MINISTRY OF WORKS AND TRANSPORT AGAINST THE SALE OF WOERMANN HAUS**

(C/M 2023/10/26 - E 1308, E 1023)

CO: A  
GM: CS&HC

**RESOLVED:**

That Council resubmit another request to the Ministry of Works and transport to waive the restriction with a strong motivation.

11.1.39 **REQUEST FOR SPONSORSHIP OF A VENUE TO HOST THE SWAKOPMUND FASHION WEEK 2023**

(C/M 2023/10/26 - 14/2/3/3/1)

GM: EDS

**RESOLVED:**

- (a) That the request to host a Swakopmund Fashion Week from 1-2 December 2023 at the at the Multipurpose Centre free of charge not be approved.
- (b) That the applicant be advised to contact the Sport and Recreation Office to make necessary bookings and payment arrangements for Germina Shitaleni Hall.



- (c) That the General Manager: Economic and Development Services liaise with the organisers of the event to assist or collaborate with them to ensure a successful event.

11.1.40 **WARD CLEANING SERVICES**  
(C/M 2023/10/26 - 17/6/2)

GM: HSSWM

**RESOLVED:**

- (a) That Council takes note of the concerns raised by Affirmative Repositioning Movement, Erongo Region.
- (b) That the Ward Cleaning Project contract period of 12 months be maintained to give the opportunity to upcoming small business in Swakopmund.

11.1.41 **SUBDIVISION OF THE REMAINDER OF ERF 2747 SWAKOPMUND PROPER INTO PORTION A AND REMAINDER SUBSEQUENT REZONING OF PORTION A FROM SPECIAL TO PARASTATAL AND REGISTRATION OF A 15M WIDE RIGHT OF WAY SERVITUDE OVER THE ERF REMAINDER 2747**  
(C/M 2023/10/26 - E 2747)

CO: P  
GM: CS&HC

**RESOLVED:**

That this item be referred back and be submitted to the next Management Committee meeting for consideration.

11.1.42 **INVITATION TO THE 13<sup>TH</sup> TRANS KALAHARI CORRIDOR MANAGEMENT COMMITTEE (TKCMC) JOINT LAW ENFORCEMENT OPERATION (JLEO) FROM 20-26 NOVEMBER 2023 SWAKOPMUND NAMIBIA**  
(C/M 2023/10/26 - 11/1/4/35)

GM: EDS

**RESOLVED:**

- (a) That Council grants permission to the Manager: Emergency Law Enforcement, Mr M Cloete to form part of the Namibian Delegation in the 13<sup>th</sup> TKCMC Joint Law Enforcement Operation from 20-27 November 2023 in Swakopmund.
- (b) That the Traffic Officers join the TKCMC Joint Law Enforcement Operation from 21-26 November 2023 in Swakopmund at the roadblock site randomly.

11.1.43 **RESUBMISSION: SUBDIVISION OF PORTION 167 (A PORTION OF PORTION 26) OF FARM 163 SMALLHOLDINGS INTO PORTION A AND REMAINDER**  
 (C/M 2023/10/26 - PTN 167)

GM: EPS

**RESOLVED:**

- (a) That application to subdivide Portion 167 (a portion of Portion 26) of Farm 163 Smallholdings into Portions A and Remainder be approved.
- (b) That the subdivision of Portion 167 (a portion of Portion 26) of Farm 163 Smallholdings be subject to a 7.5% 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.
- (c) That the upgrade of municipal services be for the account of the applicant, and it must be designed to the satisfaction of the General Manager: Engineering and Planning Services.
- (d) 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.*
- (e) 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.
- (f) That the Corporate Services and Human Capital Department embark upon the review of the Council's Property Policy.

11.1.44 **OUTCOME OF SALE OF 29 SEPTEMBER 2023**  
 (C/M 2023/10/26 - E 297 M, E 517 M, E 518 M, E 595 M, E 596 M, E 9117, E 8939, E 8940)

**RESOLVED:**

CO: P  
GM: CS&HC

- (a) That Council takes note of the outcome of the sale of 8 erven zoned "General Residential" located in Extension 1 and 2, Matutura and Extensions 34 and 35, Swakopmund.
- (b) That Council takes note that the due date to secure the purchase prices is Monday, 29 January 2024, after which date the success rates can be determined and the future sale of the remaining erven zoned "General Residential 1 And 2" reported on above.

- 11.1.45 **APPLICATION BY SWAKOPMUND CONSTITUENCY TO PURCHASE 5 RESIDENTIAL ERVEN FOR PHYSICALLY CHALLENGED PEOPLE**  
(C/M 2023/10/26 - 16/1/4/2/1/14))

CO: H  
GM: CS&HC

**RESOLVED:**

That the item be referred back and Honourable Councillor Louisa Kativa be invited to make a presentation to Council to explain how the fund operates and the criteria for assistance.

- 11.1.46 **SWAKOPMUND JETTY - LEASE AGREEMENT AND CONDITION ASSESSMENT**  
(C/M 2023/10/26 - 16/2/10/1)

GM: EPS

**RESOLVED:**

- (a) That Council takes note of the visual assessment on the condition of the Jetty that has been reported.
- (b) That the Lessee be notified of the breach of contract and be requested to submit a remedial action plan within 21 days.
- (c) That Failure by the lessee to comply with point (b) above , the lessor or Council is obliged to activate the breach of contract clause.
- (d) That Council through its legal firm institute legal action should point (b) above not be complied with

- 11.1.47 **SWAKOPMUND AGAINST ALCOHOL AND SUBSTANCE MISUSE**  
(C/M 2023/10/26 - 17/3/7)

CO: HC  
GM: CS&HC

**RESOLVED:**

- (a) That Council approves the stakeholder engagement initiative.
- (b) That a suitable vote be identified for subsistence and travelling.
- (c) That transport be provided to the team during the period of 13-15 November 2023.

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

None.

The meeting adjourned: **20:18**

Minutes to be confirmed on: **30 November 2023.**

**Councillor D Namubes  
MAYOR**

**Mr A Benjamin  
CHIEF EXECUTIVE OFFICER**