

**MINUTES**

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Thursday, 25 January 2018 at 19:00.**

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**PRESENT:**

Councillor P N D Nashilundo	:	Mayor
Councillor M Elago	:	Deputy Mayor
Councillor K N Jason	:	Alternative Chairperson of M/C
Councillor N N Salomon	:	Member of Management Committee
Councillor A M Marsh	:	Member of Management Committee
Councillor E K Hangula	:	Member of Management Committee
Councillor W O Groenewald	:	Member of Council

**OFFICIALS:**

Mr MPC Swarts	:	Acting Chief Executive Officer
Mr M N Ipinge	:	GM: Community Development
Mr A D Duvenhage	:	GM: Engineering Services
Mr H !Naruseb	:	GM: Finance
Mr A Plaatjie	:	Acting GM: Corporate Services & HR
Ms L Mutenda	:	Acting GM: Health Services
Mr M Cloete	:	Manager: Traffic Services
Mr C McClune	:	Manager: Projects
Mr M Amedick	:	Manager: Design & Building Control
Ms J Angolo	:	Acting Manager: Town Planning
Ms M Valombola	:	Wellness Officer: Health Services
Mr U Tjiurutue	:	Corporate Officer: Administration
Ms I Ortner	:	Personal Assistant: Office of the Mayor
Ms N Goaises	:	Contract Worker: M&C
Ms A Kahuika	:	Administration Officer: Administration

**ALSO PRESENT:**

Also present were two (2) staff members receiving long service awards, two (2) members of the media, and seventeen (17) members of the public.

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1. **OPENING BY PRAYER**

Pastor Samuel Franz opened the meeting with a scripture reading and prayer.

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

On proposal of Councillor K N Jason seconded by Councillor A M Marsh it was:

**RESOLVED:**

**That the agenda be adopted.**

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3. **APPLICATIONS FOR LEAVE OF ABSENCE AND DECLARATION OF INTEREST BY MEMBERS OF COUNCIL**

3.1 Application for leave of absence:

- *Alderman E //Khoaseb* - *Approved*
- *Councillor U Kaapehi* - *Approved*
- *Councillor E Shitana* - *Approved*

3.2 Declaration of interest:

None.

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4. **CONFIRMATION OF MINUTES**

(C/M 2018/01/25 - A 2/3/5)

4.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 30 NOVEMBER 2017**

On proposal of Councillor A M Marsh seconded by Councillor N N Salomon it was:

**RESOLVED:**

**That the minutes of the Ordinary Council Meeting held on 30 November 2017, be confirmed as correct.**

4.2 **MINUTES OF A SPECIAL COUNCIL MEETING HELD ON 01 DECEMBER 2017**

On proposal of Councillor A M Marsh seconded by Councillor N N Salomon it was:

**RESOLVED:**

**That the minutes of the Ordinary Council Meeting held on 01 December 2017, be confirmed as correct.**

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

(C/M 2018/01/25 - A 2/3/5)

5.1 Her Worship, the Mayor, also announced as follows:

*Council Meeting 25 January 2018*

*Honourable Councillors, Pastor Samuel Franz, The Acting Chief Executive Officer, Mr Marco Swarts, General Managers, Managers Officials, Junior Town Council, Members of the Community, Members of the Media, Ladies and Gentlemen, All Protocol observed*

*Good evening to you all, and awarm welcome to our first Council Meeting.*

*It is my distinct honour and privilege to address the first Council meeting of 2018. After the re-alignment of Council as provided for in the Local Authorities Act. Councillor Elise Kleiner Hangula has assumed the responsibility as an Alternate Member of the Management Committee. Safe to say, this is the only change that was made to Council's composition.*

*Before I proceed with my speech, allow me to quote from the book of wisdom; out of **James 4:6** and it reads as follows: "**But He gives us more grace. That is why Scripture says: "God opposes the proud but gives grace to the humble"**.*

***Ladies and Gentlemen***

*In my capacity as the Chairperson of Council and the Mayor of this beautiful town, I would like to welcome my Honourable Councillors and thank you for your team work and support during 2017. My sincere wish is for all Council members to work hard as usual during 2018. As a dynamic team, I am convinced that we will lead our town to greater heights and together we shall achieve the*

strategic goals we set for ourselves. The expectation of the community is for us to provide excellent, professional and efficient service to all our residents, in terms of our Mission and Vision statement. As the saying goes: "Nothing is too great to be overcome", and with the assistance of our technocrats and the community in general we shall overcome and achieve our development targets.

**Honorable Councillors, Ladies and Gentlemen**

The Municipal Council has approved the framework for the development of a By-Law for the controlled use of plastic shopping bags. The framework makes provision for the charging of a levy attached to the use of plastic shopping bags. We endeavour to submit the draft regulations to Council towards the end of March 2018.

The first consultation meeting took place during October last year and retailers present were selected as representatives for the Environmental Committee against the use of plastic bags. An Environmental Fund was also established, which caters for the depositing of all levies and donations made towards the cause.

The promulgation process of by law is currently underway and the community will be informed once it is gazetted. The termination of plastic bags is a long term goal, but the current focus will be reducing its use to promote the utilisation of re-usable and biodegradable bags, which are already available at several retailers.

The impact of plastic bags on the sensitive ecosystem of the coastal town is devastating as it poses threats to both land and sea creatures that get terminally entangled after ingesting plastic. It also contributes to mass pollution in the area. The need to protect our environment from the destructiveness of plastic bags has become a major priority for Council and the community at large.

**Honorable Councillors, Ladies and Gentlemen**

Council has committed itself to work towards the realization of Vision 2030 which aims at providing a balanced land use pattern that preserves residential neighborhoods and strengthens the vitality of commercial districts. The Town Planning Scheme is a comprehensive instrument which Council uses to implement its development agenda. It is therefore important for the community at large to study and understand the provisions of the Town Planning Scheme.

Council is set to auction 36 serviced residential plots located in Mile 4, Extension 1 on Friday, 02 February 2018, with Erven sizes ranging from 699 to 1274 square meters. The community is encouraged to participate in the auction.

**Honorable Councillors, Ladies and Gentlemen**

As we all know, Swakopmund is a tourist and holiday destination of Namibia and the SADC region, therefore the safety of our citizens and visitors is paramount. In this regard, Council in cooperation with the Police Public Relations Committee and NAMPOL intends to install Closed Circuit Television Cameras (CCTV), to monitor various crime prone areas in Swakopmund, such as the town entrances, Kramersdorf, Mondesa, Mile 4, Vineta, Tamariskia and other key areas.

The aim of installing Closed Circuit Television Cameras is to assist with crime prevention - cameras can be a deterrent to criminals. It can be a useful piece of evidence which can be used and can lead to successful prosecutions in court.

A minimal levy of N10.00 for each property owner from 1 July 2018 till 30 June 2019, whereafter the levy will be reduced to N\$5.00 to cater for the operational costs of the Monitoring Room and also for the maintenance of the cameras.

Information sharing meetings were held on 20/11/2017 at Tamariskia Town Hall, on 21/11/2017 at Multipurpose Centre Mondesa and on 22/11/2017 at the DOME. Due to the low turn-up, other meetings will be re-schedule, therefore Council is seeking the support of Swakopmund residents for installation of CCTV cameras for the safety of all of us. A safe Swakopmund will prosper in all spheres of life, be it economic or social.

**Honorable Councillors Ladies and Gentlemen**

In conclusion allow me to use this opportunity to compliment the Municipal Traffic section for performing an outstanding job to enforce road safety during the festive season, the Health Department for ensuring that our town was once again beautifully cleaned, not forget the team that was doing essential duties such as the sewage, water and fire brigade. Special thanks to the Finance Department who had cashiers on duty during the closure of the office building, which shows that we are serious about service.

We also thank the acting Chief Executive Officer, Mr Marco Swarts and his entire team, for continuing to ensure that Swakopmund is considered one of the few towns in Namibia were work runs like a well-oiled machine, your hard work is commendable.

I thank you for your attention.

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

6.1 Long Service Awards

*Honorable Councillors, Ladies and Gentlemen*

*Long Service Awards*

*Today we will acknowledge the following staff members:*

- *Andreas Johannes - 40 Years of Service*

*For Mr David Isack, who is going on retirement after 25 years and 9 months, Council wants to thank you and appreciate your effort and commitment towards service rendering of our town. May the almighty bless you with good health.*

*I thank you for your attention.*

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7. **PETITIONS**

None.

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8. **MOTIONS OF MEMBERS**

None.

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

None.

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

10.1 **MINUTES OF MANAGEMENT COMMITTEE MEETINGS HELD DURING DECEMBER 2017, AND JANUARY 2018**

(C/M 2018/01/25 - A 2/3/5)

**RESOLVED:**

**That the minutes of the Special Management Committee meeting held on 01 December 2018, and the Ordinary Management Committee meeting held on 16 January 2018 be noted.**

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11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**

11.1 **ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 16 JANUARY 2018**

11.1.1 **HANGAR 61: CHANGE OF NAME**

(C/M 2018/01/25 - Hangar 61)

**RESOLVED:**

**That point (a) of Council's resolution passed on 30 November 2017 under item 11.1.18 be amended to reflect the name of the lessee for Hangar 61 as Hallie Investment Number Six Hundred and Fourteen CC t/a Bateleur Helicopters.**

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11.1.2 **MERVIN DENNIS DOMESTIC SOLUTION CC: APPLICATION TO PURCHASE ERVEN 7979 AND 7980, EXTENSION 29, DRC**  
(C/M 2018/01/25 - H 5, H 5/4, H 5/7)

**RESOLVED:**

- (a) That the application of Messrs Mervin Dennis Domestic Solution CC to purchase Erf 7979, measuring 716m<sup>2</sup> and 7980, measuring 716m<sup>2</sup> Extension 29, DRC (combined size is 1 432m<sup>2</sup>) to construct its gas refilling business / depot be approved, *in principle*.
- (b) That upon finalisation of the installation of services valuations be obtained in terms of Council's Property Policy based on the zoning of "*General Business*" in order to determine a purchase price.
- (c) That Messrs Mervin Dennis Domestic Solution CC submits the Environmental Impact Assessment Certificate to the General Manager: Engineering Services prior to the construction of the gas depot.
- (d) That the conditions of sale be approved simultaneously when approving the purchase price.
- (e) That Messrs Mervin Dennis Domestic Solution CC be informed that the extent / level of the operation be similar as current.
- (f) That the lease period of Messrs Mervin Dennis Domestic Solution CC for the current lease site (Erven 7104 and 7105) be extended until such time that the sale of Erven 7979 and 7980 is finalized.
- (g) That Council be indemnified of all the risks associated with the business.
- (h) That this application be regarded as special due to the essential service rendered to the community and that no applications for business land in the DRC be considered until the statutory processes are finalised.

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11.1.3 **ESTABLISHMENT OF THE TAYI FUULA THREE DIMENSIONAL (3D) MUSEUM**  
(C/M 2018/01/25 - G 4/1/1)

**RESOLVED:**

- (a) That Messrs Robotrino Investments be authorised to subdivide the Remainder of Portion B of the Swakopmund Town and Townlands No. 41 into a Portion and Remainder at its own cost.
- (b) That Messrs Robotrino Investments be authorised to establish a commercial township on a Portion of the Remainder of Portion B of the Swakopmund Town and Townlands No. 41, at its own cost.

- (c) That Messrs Robotrino Investments be authorised to nominate a professional town and regional planner or town planning firm of their choice to undertake and oversee all the town planning and cadastral procedures, including surveying, for the subdivision and township establishment on a Portion of the Remainder of Portion B of Swakopmund Town and Townlands No. 41.
- (d) That Messrs Robotrino Investments be authorised to nominate a professional environmental consultant or environmental consultancy firm of their choice to undertake and oversee the environmental assessment and obtaining of an environmental clearance certificate for township establishment on a portion of the Remainder of Portion B of Swakopmund Town and Townlands No. 41.
- (e) That Messrs Robotrino Investments be authorised to identify a site for their requirements which slots into the proposed new township, to the satisfaction of the Swakopmund Municipal Council.
- (f) That the identified site be leased to Messrs Robotrino Investments until such time as the new township is proclaimed and transfer can take place.
- (g) That Messrs Robotrino Investment at their own expenses service the identified site for the development to the requirements and specifications identified by the General Manager: Engineering Services, inclusive of the portion of the access street from the traffic circle at the B2 national road.
- (h) That after successful completion of all town planning procedures, a site of ±20 000m<sup>2</sup>, be sold at the market value to Messrs Robotrino Investments for the construction of the three dimensional (3D) Museum.
- (i) That all town planning, surveying and environmental expenses, as verified correct and reasonable by the Engineering Services Department and which have been carried by Messrs Robotrino Investments be deducted from the purchase price of the allocated site.

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11.1.4 **PROPOSAL TO HOST THE NAMIBIAN ANNUAL MUSIC AWARDS 2018 IN SWAKOPMUND**

(C/M 2018/01/25 - D 5, N 7/3/1/2)

**RESOLVED:**

That this item be referred back and be submitted to the Special Management Committee Meeting to held on 7 February 2018.

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11.1.5 **SUBDIVISION OF ERF 607, MONDESA INTO PORTIONS C, D, E AND REMAINDER**

C/M 2018/01/25 - M 607)

**RESOLVED:**

That the Council resolution of 28 November 2012 under Item 11.1.8. be repealed and replaced with the following:

- (a) That Erf 607, Mondesa be subdivided into Portions C, D, E and Remainder.
- (b) That Portions C, D, E and Remainder be closed as “*Public Open Space*” in terms of Section 50(3) of the Local Authorities Act, Act 23 of 1992, as amended.
- (c) That Portions C, D and E be rezoned from “*Public Open Space*” to “*General Residential 2*” with a density of 1:250m<sup>2</sup>.
- (d) That Winplan Town and Regional Planning Consultant be authorized to undertake all the necessary statutory procedures for the Subdivision of Erf 607, Mondesa to the Ministry of Urban and Rural Development: Townships Board for approval.
- (e) That the cost be defrayed from the Professional Services Vote 103010212300 where N\$367 835.22 is available.

11.1.6 **APPLICATION FOR SUBDIVISION OF ERF 2226, SWAKOPMUND INTO PORTION A AND REMAINDER, REZONING OF PORTION A OF ERF 2226 SWAKOPMUND FROM “PUBLIC OPEN SPACE” TO “GENERAL RESIDENTIAL 2” WITH A DENSITY OF 1:250 AND PERMANENT CLOSURE OF PORTION A (A PORTION OF ERF 2226 SWAKOPMUND) AS “PUBLIC OPEN SPACE”**

(C/M 2018/01/25 - E 2226)

**RESOLVED:**

- (a) That Erf 2226, Swakopmund, Extension 1 be subdivided into Portion A ±3923m<sup>2</sup> in extent and Remainder.
- (b) That Portion A of Erf 2226, Swakopmund be permanently closed as “*Public Open Space*”.
- (c) That Portion A of Erf 2226, Swakopmund be rezoned from “*Public Open Space*” to “*General Residential 2*” with a density of 1 dwelling unit per 250m<sup>2</sup>.
- (d) That no betterment fee is levied on rezoning from “*Public Open Space*” to any zoning.
- (e) That no endowment fee is payable on Municipal owned properties.
- (f) That Messrs Stewart Planning Town and Regional Planners submits further applications to NAMPAB and Townships Board, respectively.

11.1.7 **INTERIM VALUATION COURT 2018**  
(C/M 2018/01/25 - D 22)

**RESOLVED:**

- (a) That Mr Abel Schoeman be appointed as Council's representative for the Interim Valuation Court for 2018.
- (b) That Mr Frank Lohnert be appointed *secundi*, should the appointed representative be unavailable to attend the interim Valuation Court for 2018.
- (c) That the Ministry of Urban and Rural Development be requested to nominate a representative for the Interim Valuation Court 2018.
- (d) That the compensation for Council's representative at the Valuation Court be N\$300.00 per sitting, per day.
- (e) That the cost be defrayed from Vote 101010215900 (Assessment Rates: Valuation Court).
- (f) That in terms of Section 69 of the Local Authorities Act 23 of 1992, as amended, a notice be published in at least two newspapers on a date not later than 30 days before the date of the Valuation Court.
- (g) That requirements regarding the interim valuation as prescribed in the Local Authorities Act 23 of 1992, (as amended) be dealt with successfully.

11.1.8 **MESSRS ZHONG MEI ENGINEERING GROUP (PTY) LTD:  
APPLICATION FOR AN ADDITIONAL LEASE PERIOD**  
(C/M 2018/01/25 - G 4/1/1)

**RESOLVED:**

- (a) That the application by Messrs Zhong Mei Engineering Group (Pty) Ltd to enter into a new lease agreement for the current lease site measuring 14 736 m<sup>2</sup> for the exclusive purpose of a construction site to store equipment and establish a workshop necessary for the execution of their project for the construction of the Swakopmund-Henties Bay-Uis road be approved; subject to the following conditions:
  - (i) *The conditions approved by Council on 02 February 2016 under item 11.1.5.*
  - (ii) *For a lease period commencing on 01 March 2018 and lapsing on 28 February 2019.*
  - (iii) *A rental tariff of N\$1.65/m<sup>2</sup> plus 15% VAT subject to an annual escalation of 10% applicable 01 July 2018; and*
  - (iv) *That their current arrears are settled.*
- (b) That permission be obtained from the Honourable Minister of Urban and Rural Development in terms of section 30 (1) (t) to proceed with the lease agreement.
- (c) That it be stated in the lease agreement that Messrs Zhong Mei Engineering Group (Pty) Ltd must rehabilitate the area according to the satisfaction of Engineering Services- and Health Services Departments.

11.1.9 **CONSTRUCTION OF THE TWO SHOW HOUSES BY MESSRS POWER OYENO AND THE IDENTIFICATION OF BENEFICIARIES FOR 150 HOUSES**

(C/M 2018/01/25 - H 5, H 5/5)

**RESOLVED:**

That this item be referred back and be submitted to the Special Management Committee Meeting to be held on 07 February 2018.

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11.1.10 **APPLICATION TO LEASE SPACE IN THE TERMINAL BUILDING: SWAKOPMUND AERODROME**

(C/M 2018/01/25 - N 9/1)

**RESOLVED:**

- (a) That Council approves the lease of an area of 1.03m x 1.02m in the terminal building of the Swakopmund Aerodrome to Mr Nikanor Nangolo to sell snacks and soft drinks from the vending machine, be approved.
  - (b) That the above lease be included in the bulk application for the various hanger sites to subject to the permission of the Minister of Urban and Rural Development in accordance with the provisions of the Local Authorities Act, Act 23 of 1992, as amended.
  - (c) That the lease rate be established at N\$345.00 per month (15% VAT included) and that the rate be escalated with 10% annually from 1 July 2018.
  - (d) That the lessee pays an additional rate of N\$434.00 (15% VAT excluded) per month for the usage of Council's electricity which amount shall escalate with 5% annually from July 2018.
  - (e) That the lease period be for a period of 3 years with a reciprocal notice period of 3 months for termination of the lease.
  - (f) That the applicant be allowed to secure a vending machine to the floor on the leased area on condition that the area be restored to its original condition following the termination of the lease.
  - (g) That the applicant registers with the Health Services Department.
  - (h) That Council's standard lease conditions shall apply.
  - (i) That all costs relating to the lease be for the account of the lessee.
  - (j) That Council be indemnified of all the risks associated with the business.
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11.1.11 **APPLICATION FOR RELAXATION OF BUILDING HEIGHT ON ERF 5641, EXTENSION, 17 SWAKOPMUND**  
(C/M 2018/01/25 - E 5641)

**RESOLVED:**

- (a) That permission be granted to the owner of Erf 5641, Swakopmund to construct a building with a height of 10m.
- (b) That the street building line on Erf 5641, Swakopmund be relaxed from five (5) metres away from the street boundary to four (4) metres away from the street boundary.
- (c) That the objectors be informed of their right to appeal to the Minister against Council's resolution in terms of Clause 8 of the Swakopmund Town Planning 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.

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11.1.12 **APPLICATION FOR RELAXATION OF BUILDING LINE ON ERF 5109 SWAKOPMUND, EXTENSION 15**  
(C/M 2018/01/25 - E 5109)

**RESOLVED:**

- (a) That the eastern side building line on Erf 5109, Swakopmund be relaxed from five (5) meters for the first floor to four (4) meters away from lateral boundary.
  - (b) That the northern side building line on Erf 5109, Swakopmund be relaxed from five (5) meters for the first floor to 2.5 meters away from lateral boundary.
  - (c) That the applicant takes note that approval of the relaxation of lateral boundary conditions is granted for a residential dwelling and that should the applicant intend to use the premises for a guest house, Council approval must first be obtained, and neighbours objections, if any, will be considered.
  - (d) That the objector be informed of their right to appeal to the Minister against Council's Resolution in terms of Clause 8 of the Swakopmund Town Planning 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.
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11.1.13 **APPLICATION FOR THE CONSENT TO OPERATE A RESIDENT OCCUPATION ADMINISTRATIVE OFFICE ON ERF 1762, SWAKOPMUND, EXTENSION 1**

(C/M 2018/01/25 - E 1762)

**RESOLVED:**

- (a) That the skip container in front of Erf 1762, Swakopmund Extension 1 be removed.
- (b) That the applicant be informed that in terms of the “*Resident Occupation Policy*” only two full time employees are allowed on the premises.
- (c) That the applicant find a suitable assembly point for the employees.
- (d) That consent to operate a resident occupation- administrative office on Erf 1762, Swakopmund, Extension 1 be granted subject to the following conditions:
  - (i) *That consent is strictly for an administrative office on Erf 1762, Swakopmund.*
  - (ii) *That Garden & Home Services cc registers with the Health Services Department and that the standard Health Regulations will apply.*
  - (iii) *That Council reserves the right to cancel the consent should valid complaints be received.*
  - (iv) *That consent is subject to the provisions of the Swakopmund Town Planning Scheme.*
  - (v) *That consent is not transferable to a third-party,*
  - (vi) *That no on street parking will be tolerated.*
  - (vii) *That only 40% of the total floor area of the building on the Erf is allowed to be used for the resident occupation.*
  - (viii) *That the consent is subject to all applicable laws and regulations of the Government.*

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11.1.14 **CONSENT FOR RESIDENTIAL DEVELOPMENT ON ERF 6023, SWAKOPMUND, EXTENSION 19**

(C/M 2018/01/25 - E 6023)

**RESOLVED:**

- (a) That consent to use Erf 6023, Swakopmund solely for residential purposes be granted and the development be limited to a maximum bulk factor of 1.2.
  - (b) That all the parking be provide on-site in line with the Swakopmund Town Planning Scheme.
  - (c) That the objector be informed of his right to appeal to the Minister against Council’s Resolution in respect of resolution (a) above in terms of Clause 8 of the Swakopmund Town Planning 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.
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11.1.15 **APPLICATION FOR THE CONSENT TO OPERATE A PEAK PERFORMANCE - ENDURANCE COACHING ON ERF 2760, SWAKOPMUND**  
(C/M 2018/01/25 - E 2760)

**RESOLVED:**

- (a) That note be taken that Council reserves the right to accept or refuse any consent application.
- (b) That consent to operate a Peak Performance Endurance on Erf 2760, Swakopmund be granted to H Wiggett for a period of three years subject to the following conditions:
  - (i) *Consent is subject to the provisions of the Swakopmund Town Planning Scheme.*
  - (ii) *The business be registered with the Health Services Department in terms of the Business Registration Policy.*
  - (iii) *Consent is not transferable to a third-party.*
  - (iv) *Council reserves the right to cancel the consent should valid complaints be received.*
  - (v) *Consent is subject to all applicable laws and regulations of the Government.*
- (c) That operation of the training shack for peak performance on Erf 2760, Swakopmund conform to the provisions of the Swakopmund Town Planning Scheme.
- (d) That the Council resolution of 30 March 2017 under item 11.1.16 be revoked.
- (e) That all previous applicants for consents which were revoked on the basis that such businesses are not allowed to be run from any industrial zoned land because of the misinterpretation of the Swakopmund Town Planning Scheme, be afforded an opportunity to reapply, subject to the Scheme provisions.

11.1.16 **REZONING OF ERVEN 3132 AND 3133, SWAKOPMUND FROM SINGLE RESIDENTIAL WITH A DENSITY OF ONE DWELLING PER 900M<sup>2</sup> TO GENERAL RESIDENTIAL WITH A DENSITY OF ONE DWELLING PER 150M<sup>2</sup> AND THE CONSOLIDATION OF ERVEN 3132 AND 3133, SWAKOPMUND INTO CONSOLIDATED ERF "X"**  
(C/M 2018/01/25 - E 3132, E 3133)

**RESOLVED:**

- (a) That the rezoning of Erven 3132 and 3133, Swakopmund from "*Single Residential*" with a density of one dwelling per 900m<sup>2</sup> to "*General Residential*" with a density of one dwelling per 150m<sup>2</sup> be turned down.
- (b) That Erven 3132 and 3133, Swakopmund be rezoned from "*Single Residential*" with a density of one dwelling per 900m<sup>2</sup> to "*General Residential*" with a density of one dwelling per 250m<sup>2</sup>.
- (c) That consent to commence with construction while the rezoning is being processed be turned down.

- (d) That the rezoning of Erven 3132 and 3133, Swakopmund be included in the next Amendment Scheme.
- (e) That the rezoning of Erven 3132 and 3133, Swakopmund be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid by the applicant before any submission of building plans to the Engineering Services Department for approval.
- (f) That all the parking be provided on-site in line with the Swakopmund Town Planning Scheme.
- (g) 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 Town Planning 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.
- (h) That the applicant be informed that the applicant may appeal the Council decision to the Minister of Urban and Rural Development with valid reasons within twenty eight (28) days from the date of the decision in accordance with clause 8 of the Swakopmund Town Planning Scheme.
- (i) That the applicant responds in writing accepting Council's resolution and conditions of its approval before the rezoning is included in a Town Planning Amendment Scheme.

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11.1.17 **REZONING OF ERF 5977, SWAKOPMUND EXTENSION 23 FROM "INSTITUTIONAL" TO "GENERAL RESIDENTIAL 1" WITH A DENSITY OF ONE DWELLING PER 100M<sup>2</sup>**  
(C/M 2018/01/25 - E 5977)

**RESOLVED:**

- (a) That the rezoning of Erf 5977, Swakopmund from "*Institutional*" to "*General Residential 1*" with a density of one dwelling per 100m<sup>2</sup> be turned down.
- (b) That Erf 5977, Swakopmund be rezoned from "*Institutional*" to "*Single Residential*" with a density of one dwelling per 600m<sup>2</sup>.
- (c) That the rezoning be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid by the applicant before any submission of building plans to the Engineering Services Department for approval.
- (d) That all the parking be provide on-site in line with the Swakopmund Town Planning Scheme.
- (e) That the objector be informed of the Council's decision.
- (f) That the applicant be informed that the applicant may appeal the Council decision to the Minister of Urban and Rural

Development with valid reasons within twenty eight (28) days from the date of the decision in accordance with clause 8 of the Swakopmund Town Planning Scheme.

- (g) That the applicant responds in writing accepting Council's resolution and conditions of its approval before the rezoning is included in a Town Planning Amendment Scheme.

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11.1.18 **REZONING OF ERF 22, VOGELSTRAND FROM SINGLE RESIDENTIAL WITH A DENSITY OF ONE DWELLING PER 900M<sup>2</sup> TO GENERAL RESIDENTIAL 2 WITH A DENSITY OF ONE DWELLING PER 100M<sup>2</sup>**  
(C/M 2018/01/25 - VS 22)

**RESOLVED:**

- (a) That rezoning of Erf 22, Vogelstrand from "*Single Residential*" with a density of one dwelling per 900m<sup>2</sup> to "*General Residential 2*" with a density of one dwelling per 100m<sup>2</sup> be turned down.
- (b) That Erf 22, Vogelstrand be rezoned from "*Single Residential*" with a density of one dwelling per 900m<sup>2</sup> to "*General Residential 2*" with a density of one dwelling per 300m<sup>2</sup>.
- (c) That the rezoning of Erf 22, Vogelstrand be included in the next Swakopmund Amendment Scheme.
- (d) That the rezoning of Erf 22, Vogelstrand be subject to a betterment fee calculated according to the Betterment Fee Policy of 2009 and be paid by the applicant before any submission of building plans to the Engineering Service Department for approval.
- (e) That all the parking be provide on-site in line with the Swakopmund Town Planning Scheme.
- (f) That the objectors be informed of their right to appeal to the Minister against Council's resolution in respect of resolution (b) above in terms of Clause 8 of the Swakopmund Town Planning 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.
- (g) That the applicant be informed that the applicant may appeal the Council decision to the Minister of Urban and Rural Development with valid reasons within twenty eight (28) days from the date of the decision in accordance with clause 8 of the Swakopmund Town Planning Scheme.
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11.1.19 **REZONING OF ERF 2212, SWAKOPMUND FROM “SINGLE RESIDENTIAL” WITH A DENSITY OF ONE DWELLING PER 900M<sup>2</sup> TO “GENERAL RESIDENTIAL 2” WITH A DENSITY OF ONE DWELLING PER 300M<sup>2</sup>**

(C/M 2018/01/25 - E 2212)

**RESOLVED:**

- (a) That Erf 2212, Swakopmund be rezoned from “*Single Residential*” with a density of one dwelling per 900m<sup>2</sup> to “*General Residential 2*” with a density of one dwelling per 300m<sup>2</sup>.
- (b) That the rezoning of Erf 2212, Swakopmund be included in the next Swakopmund Amendment Scheme.
- (c) That the rezoning of Erf 2212, Swakopmund be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid by the applicant before any submission of building plans to the Engineering Services Department for approval.
- (d) That parking be provided on-site in line with the Swakopmund Town Planning Scheme.
- (e) That the objectors be informed of 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 Town Planning 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.
- (f) That payment of betterment fee be prerequisite to approval of construction.

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11.1.20 **REZONING OF ERF 6073, SWAKOPMUND FROM “GENERAL RESIDENTIAL 2” WITH A DENSITY OF ONE DWELLING PER 250M<sup>2</sup> TO “GENERAL BUSINESS” WITH A BULK OF 2.0**

(C/M 2018/01/25 - E 6073)

**RESOLVED:**

- (a) That the rezoning of Erf 6073, Swakopmund from “*General Residential 2*” with a density of one dwelling per 250m<sup>2</sup> to “*General Business*” with a bulk of 2.0 be turned down.
- (b) That Erf 6073, Swakopmund be rezoned from “*General Residential 2*” with a density of one dwelling per 250m<sup>2</sup> to “*General Business*” with a bulk of 1.0.
- (c) That the rezoning of Erf 6073, Swakopmund be included in the next amendment scheme.
- (d) That the rezoning of Erf 6073, Swakopmund be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid by the applicant before any submission of building plans to the Engineering Services Department for approval.

- (e) That all the parking be provided on-site in line with the Swakopmund Town Planning Scheme.
- (f) 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 Town Planning 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.
- (g) That the applicant be informed that the applicant may appeal the Council decision to the Minister of Urban and Rural Development with valid reasons within twenty eight (28) days from the date of the decision in accordance with clause 8 of the Swakopmund Town Planning Scheme.

11.1.21 **REZONING OF ERVEN 345 AND 346, SWAKOPMUND FROM "GENERAL RESIDENTIAL 1" WITH A DENSITY OF ONE DWELLING PER 100M<sup>2</sup> TO "GENERAL BUSINESS" WITH A BULK OF 2.0 AND THE SUBSEQUENT CONSOLIDATION OF ERVEN 345 & 346, SWAKOPMUND WITH ERF 348, SWAKOPMUND INTO CONSOLIDATED ERF "X"**  
 (C/M 2018/01/25 - E 345, E 346, E 348)

**RESOLVED:**

- (a) That Erven 345 and 346 ,Swakopmund be rezoned from "*General Residential 1*" with a density of one dwelling per 100m<sup>2</sup> to "*General Business* "with a bulk of 2.0.
- (b) That upon successful rezoning of Erven 345 and 346, Swakopmund and change of ownership of Erf 345, Swakopmund, Erven 345, 346 and 348, Swakopmund be consolidated into Erf "X".
- (c) That the rezoning of Erven 345 and 346, Swakopmund be included in the next Amendment Scheme.
- (d) That the rezoning of Erven 345 and 346, Swakopmund be subject to a betterment fee calculated according to the Betterment Fee Policy of 2009 and be paid by the applicant before any submission of building plans to the Engineering Service Department for approval.
- (e) That all the parking be provided on-site in line with the Swakopmund Town Planning Scheme.
- (f) 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 Town Planning 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.

- (g) That no construction be commenced with until payment of the betterment fee is received by the municipality.

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11.1.22 **REZONING OF PORTION A OF ERF 1307, SWAKOPMUND FROM “UNDETERMINED” TO “INSTITUTIONAL”**  
(C/M 2018/01/25 - E 1307)

**RESOLVED:**

- (a) That Portion A of Erf 1307, Swakopmund be rezoned from “*Undetermined*” to “*Institutional*”.
- (b) That the rezoning of Portion A of Erf 1307, Swakopmund be included in the next Swakopmund Amendment Scheme.
- (c) That since the land is being sold by Council for an express purpose at a price representative of that purpose, no betterment fee be payable.
- (d) That upon successful approval of the rezoning, Portion A of Erf 1307, Swakopmund be consolidated with Erf 3758, Swakopmund.
- (e) That parking be provided on-site in line with the Swakopmund Town Planning Scheme.

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11.1.23 **AUDITED FINANCIAL REPORT FOR 2014 / 2015 FINANCIAL YEAR**  
(C/M 2018/01/25 - D 11)

**RESOLVED:**

That the unqualified audit report of the Auditor General for the financial year 2014 / 2015 in terms of Section 87 (1) (3) of the Local Authorities act (Act 23 of 1992) be noted.

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11.1.24 **APPLICATION FOR THE REZONING OF ERVEN 792 AND 793, SWAKOPMUND FROM “SINGLE RESIDENTIAL” WITH A DENSITY OF 1:900M<sup>2</sup> TO “GENERAL BUSINESS” WITH A BULK OF 2.0 AND CONSOLIDATION OF ERVEN 792 AND 793 SWAKOPMUND INTO ERF “X”**

(C/M 2018/01/25 - E 792, E 793)

**RESOLVED:**

- (a) That Erven 792 and 793, Swakopmund be rezoned from “*Single Residential*” with a density of one dwelling per 900m<sup>2</sup> to “*General Business*” with a bulk of 2.0.
- (b) That the rezoning of Erven 792 and 793, Swakopmund be included in the next amendment scheme.
- (c) That the rezoning of Erven 792 and 793, Swakopmund be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid by the applicant before any submission of building plans to the Engineering Services Department for approval.

- (d) That Erven 792 and 793, Swakopmund be consolidated into Erf "X".
  - (e) That the Title Deeds conditions registered against Erven 792 and 793, Swakopmund be retained and registered against Erf "X".
  - (f) That all the parking be provided on-site in line with the Swakopmund Town Planning Scheme.
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11.1.25 **CREATION OF TWO (2) CASHIER POSITIONS**

(C/M 2018/01/25 - B 1/1/3)

**RESOLVED:**

- (a) That two (2) additional Cashier positions be created within the Finance Department.
  - (b) That the necessary budgetary provision be made in the 2018 / 2019 budget.
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11.1.26 **ESTABLISHMENT OF SATELLITE PAY POINTS**

(C/M 2018/01/25 - B 7/3/1/1)

**RESOLVED:**

- (a) That Design 1 (on file) be accepted for satellite pay points and that Erf 7473, Mondesa zoned "*Local Authority*" be utilized as a satellite pay point.
  - (b) That an additional satellite pay point be established at the Multi-Purpose Center.
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11.1.27 **APPLICATION FOR THE HEIGHT RELAXATION OF THE RESTRICTIONS OF THE BOUNDARY WALL HEIGHT ON ERF 2495, MONDESA**

(C/M 2018/01/25 - M 2495)

**RESOLVED:**

- (a) That Council condones the construction of the Boundary wall on Erf 2495, Mondesa as an exceptional case due to the neat construction and the overall aesthetical appeal of the wall, subject to the approval of a structural engineer.
  - (b) That the relevant penalties in terms of the Standard Building Regulations be applied.
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11.1.28 **AMENDMENT OF COUNCIL RESOLUTION ITEM 11.1.11 - 29 JUNE 2017: SWAKOPMUND OMBUNDU INVESTMENTS (PTY) LTD**  
(C/M 2018/01/25 - G 4/1/1, G 3/9 , G 3/9/9)

**RESOLVED:**

That Council amends the wording of point (b) of Council's resolution passed on 29 June 2017 under item 11.1.11:

**Current wording:**

(b) *That a Public-Private Partnership agreement for land development projects be compiled and re-submitted to Council for consideration.*

**Amended wording:**

(b) *That Council compiles a development and sale agreement.*

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The meeting adjourned: **20:30**

Minutes confirmed on: **22 February 2018**

**Councillor P N D Nashilundo**  
**MAYOR**

**M P C SWARTS**  
**ACTING CHIEF EXECUTIVE OFFICER**

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