

AGENDA

Ordinary Council Meeting

on

THURSDAY

25 APRIL 2019

at

19:00



MUNICIPALITY OF SWAKOPMUND



2
Ordinary Council Meeting - 25 April 2019

MUNICIPALITY OF SWAKOPMUND

☎ (064) 4104206
☎ 088 614 514
✉ 53 Swakopmund
NAMIBIA
✉ akahuka@swkmun.com.na

Ref No A 2/3/5

Enquiries: Aloysia Kahuka

16 April 2019

The Mayor and Councillors
Municipality
SWAKOPMUND

Dear Sir / Madam

NOTICE: ORDINARY COUNCIL MEETING

Notice is hereby given of an **ORDINARY COUNCIL MEETING** to be held in the Council Chambers, Municipal Office Building, Swakopmund on:

THURSDAY, 25 April 2019 AT 19:00,

A Benjamin
CHIEF EXECUTIVE OFFICER

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None.

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None.

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MINUTES

of an Ordinary Council Meeting held in the Council Chambers, Municipal Head Office, Swakopmund on Thursday, 28 March 2019 at 19:00.

PRESENT:

Councillor P Nashilundo	:	Mayor
Councillor M Elago	:	Deputy Mayor
Councillor E Shitana	:	Chairperson of the MC
Councillor K N Jason	:	Alternate Chairperson of MC
Councillor N N Salomon	:	Member of Management Committee
Councillor A M Marsh	:	Member of Management Committee
Councillor W O Groenewald	:	Alternate Member of MC
Councillor U Kaapehi	:	Member of Council
Alderman E //Khooseb	:	Member of Council
Councillor E K Hangua	:	Member of Council

OFFICIALS:

Mr A Benjamin	:	Chief Executive Officer
Mr M N Ipinge	:	GM: Community Development Services
Mr M P C Swarts	:	GM: Corporate Services & HR
Mr C McClune	:	GM: Engineering Services
Mr H INaruseb	:	GM: Finance
Mr C Lawrence	:	GM Health
Ms M Bahr	:	Manager: Human Resources
Mr A Plastje	:	Manager: Corporate Services
Mr M Cloete	:	Manager: Traffic
Mr V S Kaulinge	:	Manager: Community Development Services
Mr A Louw	:	Manager: Design and Building Control
Mr J Heita	:	Manager: Town Planning
Ms L Mutenda	:	Manager: Health Services
Mr U Tjunubue	:	Corporate Officer: Administration
Ms A Kahuika	:	Administration Officer: Administration
Ms L Shangadi	:	Job Attachment Student: M & C

ALSO PRESENT:

Also present was the Constituency Councillor, Honourable Juuso Kambuesha, One (1) member of the Media, Two (2) staff members receiving Long Service Awards, Fifty-two (52) Members of the public, The Erongo RED Consumers liaison Committee Ms Ms Hella Mukwilongo, and members of the Shack Dwellers Federation from Swakopmund to sign the Memorandum of Understanding between the Swakopmund Municipality and Shack Dwellers Federation and Mr Bradley Murere a para athlete receiving accolades for his outstanding performance .

1. OPENING BY PRAYER

Mr Clive Lawrence opened the meeting with a prayer.

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2. ADOPTION OF THE AGENDA OF THE MEETING OF COUNCIL

On proposal of Alderman E //Khooseb seconded by Councillor E Shitana it was:

RESOLVED:

That the agenda be adopted.

3. APPLICATIONS FOR LEAVE OF ABSENCE AND DECLARATION OF INTEREST BY MEMBERS OF COUNCIL**3.1 Application for leave of absence:**

None.

3.2 Declaration of interest:

Councillor A M Marsh - Item 11.1.28

4. CONFIRMATION OF MINUTES

(C/M 2019/03/28 - A 2/3/5)

4.1 MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 28 FEBRUARY 2019

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

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 28 February 2019, be confirmed as correct.

5. OFFICIAL ANNOUNCEMENTS, STATEMENTS AND COMMUNICATIONS

(C/M 2019/03/28 - A 2/3/5)

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

Council Meeting 28 March 2019

Honourable Councillors, Pastor Namutenya, Namibia Housing Action Group - Meli Namupolo, Shack Dwellers Federation of Namibia - Johanna Nembungu, Members of the Shack Dwellers Federation - Swakopmund, The Chief Executive Officer, Mr Albus Benjamin, General Managers, Managers, Officials, Junior Town Council, Members of the Community, Members of the Media Ladies and Gentlemen

All Protocol observed

A very good evening, and welcome to our March council meeting. Before I proceed with my speech please allow me to quote from the book of wisdom out of 1 Peter 2:16 "Live as free people, but do not use your freedom as a cover-up for evil, live as God's slaves."

Honorable Councillors, Ladies and Gentlemen

The Mayoral office is a public office our purpose here remains that of serving our community and as a result this office always needs to attend to other duties and we have been involved in the following engagements for the month:

- Chairperson of MC, councillor Shitana presented the Keynote address at the 1st Namibian Golden Oldies Sports event hosted here in Swakopmund

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- Welcoming at the Re-launch of Hepatitis E Outbreak response campaign.
- Meeting with Mr Abisal Theofelus regarding Master Housing waiting list visit by Prof G Tolmeyer & Prof A J Tolmeyer
- Attended Keop & Partners Coastal Corporate Function
- Welcoming at the Erongo Regional Council's Commemoration of the International Women's Day
- The Deputy Mayor, councillor Elago attended the opening of the Road Fund Administration Conference
- Presented the Vote of thanks at the Nampt Conference hosted for Chief Inspectors
- Councillors have a meeting with the Scientific Society and visit to the Museum
- Accompanied the Minister of Works and Transport to visit the and witness the progress and construction of the main roads serving Swakopmund
- Opening remarks at the 10th AMELUAREDU Namibia Technical Conference
- Meeting with the Deputy Minister of Urban and Rural Development together with representatives from O.B Davids Properties
- Attending the Namibia National Mayor's Forum Executive meeting in Windhoek
- Councillors attended Namibia's 29th independence Celebrations hosted by Khomas Region in Windhoek
- Councillors attended a meeting at Erongo Regional Council with the Electoral Commission to prepare for the supplementary registration of voters.

Thank you Honourable Councillors for the team work and the support fulfilling some of the duties of the Mayor's Office.

Ladies and Gentlemen

Every year we celebrate one of Namibia's main victory events and last week Namibia celebrated and commemorated its 29th Independence Celebrations that was hosted by the Khomas Region in the capital of Namibia. Speaking during celebrations to mark Namibia's 29 years of independence, His Excellency, the President of the Republic of Namibia Dr Hage Geingob said that the "he believes Namibia had made significant progress over the past 29 years following independence from apartheid South Africa in 1990. I think we can say the same for our own town. Swakopmund Council is committed to continue strengthening principles of effective governance, respect for the rule of law as well as respect for human life and dignity. Swakopmund also displays some of the most modern infrastructure networks in Namibia.

Swakopmund Council remains committed to uphold the principle of fundamental rights as preserved in Namibia's constitution, which include the protection, recognise the urgent need for land delivery as a means to reduce poverty in our community. Swakopmund community should strive to build and establish peaceful, democratic and a prosperous society, where our people can realise their full potential without discrimination or prejudice.

Ladies and Gentlemen

As Namibia's most sought after holiday destination, Swakopmund, has in recent years not only become the main tourist hub of the country it also became the capital for event hosting. No longer the sleepy village at the edge of the cold misty coastline, Swakopmund is now fast becoming the business and incentive travel capital and event hosting capital of the Southern African region.

Event tourism plays a key role in building a more successful and attractive destination. Event visitors can create a huge economic and tourism impact on the hosting destination. By hosting more events in Swakopmund can help to bring new market segments to Swakopmund. Events bring people together with the same interest and some events have a limited duration.

By promoting Swakopmund for hosting large events can create economic benefits, not only for the tourism industry but also for the whole economy of Swakopmund. Hosting large events will put Swakopmund on the map and it will create more exposure.

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Swakopmund Municipality wishes to create an Annual Event Calendar for exposure on Council's website and therefore invites the businesses, community and event hosting organizations to submit their annual, monthly or weekly events to Council's Marketing Officer, Ms. All Gebhardt if allgebhardt@swakopmund.com.na or swakopmund@swakopmund.com.na to be placed on the portal created to market all events hosted in Swakopmund.

Ladies and Gentlemen

Swakopmund Municipality, the Shack Dwellers Federation of Namibia and Namibia Housing Action Group recognized the importance of the achievement of the Sustainable Development Goals 11 and 8, the UN-Habitat New Urban Agenda and the African Union Urban Agenda 2062 recognizing tenure security, territorial planning, urban management systems and improving conditions in informal settlements and the Harambee Prosperity Plan of Namibia and Vision 2030 of the Government of Republic Namibia to work towards a prosperous and industrialized Namibia, developed by human resources and political stability. In light thereof, the parties wish to commit themselves to a constructive and collaborative partnership to pursue the realization of these goals in Swakopmund.

The envisaged partnership shall be to develop and implement a comprehensive and sustainable process aimed at scaling up the community driven land and shelter development processes envisaged by the Municipality of Swakopmund for low-income residents. These include those households who are most at risk socially, economically and geographically and who are unable to afford any alternative formal land and shelter options available to individual households in Swakopmund.

The parties commit to join forces to secure sustainable land and shelter allocation to the low-income community of Swakopmund through the following objectives:

- ✓ To improve and promote a working partnership.
- ✓ To fast track the delivery of affordable land, services and shelter to organized low-income community groups in Swakopmund.
- ✓ To ensure a transparent and simplified system of access to land and the process of application.
- ✓ To create a learning environment to enable communities and the Local Authority to share best practices.

Ladies and Gentlemen, we therefore now will witness the signing of the **Memorandum of Understanding** between Swakopmund Municipality, the Shack Dwellers Federation of Namibia as a network of saving groups from informal settlements, rented rooms, backyard structures and homeless people affiliated to the Slum/Shack Dwellers International network and Namibia Housing Action Group a non-profit organization for cooperation on increasing secure tenure, basic services, and decent shelter for low-income communities in Swakopmund.

Ladies and Gentlemen

Tonight I wish to congratulate a son of our own community on his para athlete sporting achievements for the past 3 years. **Bradley Marere** a para athlete was born on 25 September 2002 in Tsauieb and started his schooling career in Swakopmund at Namib Primary School, currently he is a grade 10 learner at Namib High School.

For the past 3 years Bradley represented Namibia at various para athlete events and had profound achievements:

2017, Windhoek was awarded and received a trophy as Best Junior Para Athlete in Namibia. 2018, he participated in South Africa as well as Namibia and obtained 2 Gold medals in the SASAPO National Championships for the 100m and 200m final, he was then awarded in Namibia and received a trophy at the Disability Sports Award.

During March 2018, Bradley participated in World Para Athletics Grand Prix Event hosted in Berlin, Germany and received a silver for the 200m and a bronze for 100m.

Recently he represented Namibia in South Africa at the Stellenbosch Championships and received a gold for 100m as well as 200m.

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8. MOTIONS OF MEMBERS

None.

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

None.

10. REPORT OF THE MANAGEMENT COMMITTEE REFERRED TO IN SECTION 26(1)(E) OF THE ACT10.1 REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY MANAGEMENT COMMITTEE DURING FEBRUARY 2019 AND MARCH 2019

10. Minutes of Special Management Committee meeting held on 28 February 2019 and Ordinary Management Committee meeting held on 18 March 2019.

11. RECOMMENDATION OF THE MANAGEMENT COMMITTEE11.1 ORDINARY MANAGEMENT COMMITTEE MEETINGS HELD ON 14 FEBRUARY 2019 AND 14 MARCH 201911.1.1 ERONGO RED: CALL FOR REPRESENTATIVE TO SERVE ON ERONGO RED'S CONSUMER LIAISON COMMITTEE
(C/M 2019/03/28 - A 4/3/1/16/1, A 4/3/1/16)RESOLVED:

That the following Swakopmund Community members represents the Swakopmund Community on a voluntary basis on Erongo RED's Consumer Liaison Committee on matters of common concern, interest and to exchange information and views and to give direction on its policies, procedures and processes as they affect the community of Swakopmund:

- Ms Hella Mukwilingo
- Ms Sara-Leigh Etayo

11.1.2 RENEWAL OF LEASE AGREEMENT FOR A PORTION OF ERF 2747, SWAKOPMUND BY DESERT TAVERN
(C/M 2019/03/28 - E 2747)RESOLVED:

- (a) That the renewal of the lease agreement of Mr Peter Schneider trading as Desert Tavern for leasing a building measuring 1428.8 m² for restaurant purposes situated on a portion of Erf 2747, Swakopmund for a further period of 9 years and 11 months commencing 1 July 2019, be approved.

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- (b) That the lease period be nine (9) years and 11 months at a rental amount of N\$17 195,90 + 15% VAT N\$2 597,28 with 10% annual escalation on 1st July annually (the first to be from 01 July 2020).
- (c) That Mr Schneider be informed that the lease terms and conditions remain the same as in the current lease agreement.
- (d) That the lease as set-out in (a) to (c) above be advertised in terms of section 63 (2) of the Local Authorities Act, Act 23 of 1992, as amended at the cost of the lessee.

11.1.3 INTERIM VALUATION COURT 2019

C/M 2019/03/28 - D 22)

RESOLVED:

- (a) That the following persons be nominated as Council's representative and second for the Interim Valuation Court for 2019:
- Mr F Loosert
 - Mr A Schoemans (Second)
- (b) That the Ministry of Urban and Rural Development be requested to nominate a representative for the Interim Valuation Court 2019.
- (c) That the increase compensation for Council's representative at the Valuation Court be N\$500,00 per sitting, per day.
- (d) That the cost be defrayed from the Assessment Rates: Valuation Court Vote: 101010215990.
- (e) 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.
- (f) That requirements regarding the interim valuation as prescribed in the Local Authorities Act 23 of 1992, (as amended) be dealt with successfully.

11.1.4 EXTENSIONS 1, MILE 4 AND 14, SWAKOPMUND: AVAILABILITY OF GENERAL RESIDENTIAL ERVEN

(C/M 2019/03/28 - E 341, E 342, E 343, E 344, E 345, E 346, E 347, E 348, E 349, E 350, E 351)

RESOLVED:

- (a) That the following applicants be informed that Council considered their applications to purchase erven remaining after the finalization of the closed by sale of 09 March 2018 by private treaty, but decided that the cancelled erven be reserved for sale by closed bid:

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- ⊙ BWP Development Trust
- ⊙ Goodness Properties CC
- ⊙ Jatawi Trading Enterprises CC

- (b) That a closed bid sale be scheduled as and when the market determines in terms of the Local Authorities Act 23 of 1992 for the sale of the following 5 "General Residential" erven located in Extension 1, Mile 4 and Extension 14; subject to Council's standard conditions of sale for closed bid sales.
- (c) That the following 5 erven be approved for sale by closed bid sale at an upset price of N\$850.00/m²:

Extension 1, Mile 4			Extension 14		
Erf	Size	Upset Price	Erf	Size	Upset Price
366	3 406	2 895 100.00	4909	5 141	4 369 850.00
367	3 829	3 254 650.00	4910	4 179	3 551 150.00
4908*	2 034	1 728 900.00			

* Separate submission in this regard is tabled to Council.

- (d) That allocation be done to the highest qualifying bidder on the basis of 1 erf per person / entity (married couples, irrespective of the marital regime are regarded as one entity).
- (e) That the registration fee be determined at .75% of the highest upset price for the respective zonings:
- N\$32 500.00 for the 6 "General Residential" erven.
- (f) That payment of the registration fee entitles a person / entity to submit 5 bids for different erven.
- (g) That should erven remain unsold at the date of the sale, such erven be offered to the registered bidders who are present and may then bid on a second erf.
- (h) That the purchase price be paid within 90 calendar days from the date of sale.
- (i) That the closed bid sales be subject to Council's standard conditions of sale for closed bid sales; subject to the following amendment and addition approved by Council on 22 November 2018, in cases where the purchaser provides a valid pre-approval or pre-qualification from a registered bank:

That the condition that penalty interest is levied from the date of sale until date of transfer (in the case of a bank guarantee) or until date of payment within the notice period (in the case of cash payment); be amended to be calculated from the date of default, and not backdated from the date of sale; in instances where the purchaser provided a valid pre-approval from a bank.

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11.1.5 EXTENSION 14, SWAKOPMUND: APPLICATION FOR EXTENSION OF TIME - ERF 4808

(C/M 2019/03/28 - E 4808)

RESOLVED:

That the application by Mr S A Angula for the extension of the due date until 31 July 2019 to secure the purchase price of Erf 4808, Swakopmund, subject to interest, be approved.

11.1.6 REQUEST FOR EXTENSION TO PERFORM: ERF 4889 (INDUSTRIAL AREA)

(C/M 2019/03/28 - E 4889)

RESOLVED:

- (a) That Council approves the extension of due date for P.R.O Housing to secure the purchase price for Erf 4889 Swakopmund.
- (b) That exception be made due to the challenging financial situation in the country.
- (c) That the applicant confirm that funds are available.
- (d) That the General Manager: Corporate Services & HR forward any cancellation item to Council.
- (e) That the applicant be informed to settle the purchase price within 14 days from the date of the Council Resolution.

11.1.7 REQUEST FOR EXTENSION TO PERFORM: ERF 4873 (INDUSTRIAL AREA)

(C/M 2019/03/28 - E 4873)

RESOLVED:

That a further extension of time be granted to Messrs Magnetize Investments CC to secure the purchase price of Erf 4873, Swakopmund by 02 September 2019, subject to interest.

11.1.8 APPLICATION FOR EXTENSION OF LEASE PERIOD: THE DECK AREA

(C/M 2019/03/28 - E 2809)

RESOLVED:

- (a) That the application by the Tug Restaurant CC to extend the lease for the following portions of Erf 2809, Swakopmund measuring ±95m² (combined size):
 - ⊖ A certain unimproved portion of land measuring ±76m², being a portion of Erf 2809, Swakopmund located between The Tug Restaurant and the Jetty
 - ⊖ And an additional portion of land measuring ±17m² of Erf 2809, Swakopmund

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for a 5 year period be approved.

- (b) That the lease be for a period from 01 June 2019 to 31 May 2024.
- (c) That the lease amount be $\text{N}\$49.46/\text{m}^2$ per month $\times 196\text{m}^2 = \text{N}\$4\ 698.70 + \text{N}\$704.81$ (15% VAT) = $\text{N}\$5\ 403.51$, with an annual escalation of 10% starting 1 July 2019.
- (d) That the lease be subject to the standard conditions and the following:
- (i) That a deposit equal to 1 months lease be paid in advance by the applicant.
 - (ii) That a notice of termination period of six (6) months for both parties be applicable.
 - (iii) That the lessee not operates later than 22:00.
 - (iv) That the LESSEE shall be permitted to sell food and liquor at the open-air café subject to the conditions contained in the applicable license required by the LESSOR and subject to the applicable Health Regulations.
 - (v) That the LESSEE is responsible to keep and maintain the Hired PROPERTY in a proper condition and to maintain and deliver the same at the termination of this lease in good order and condition, reasonable wear and tear that the LESSOR shall determine, excluded.
 - (vi) That during any maintenance work at / to the Hired PROPERTY, Council takes no responsibility for any loss or damage incurred by the LESSEE arising from such maintenance work or delays in connection with such works.
 - (vii) That no improvement or changes, or any other work on the Hired PROPERTY may be done by the LESSEE without the written permission of the LESSOR first had and obtained.
 - (viii) That no sub-letting is permitted to cede or assign this agreement or any portion thereof, nor shall it be allowed to sublet in any manner any portion of the PROPERTY, without the written consent of the LESSOR first being had and obtained.
 - (ix) That the LESSOR or his duly authorized representative, shall at all reasonable time have the right to enter the PROPERTY for the purpose of carrying out an inspection and to ensure that all applicable regulations and by-laws are being adhered to by the LESSEE.
 - (x) That the LESSEE shall indemnify and keep indemnified the LESSOR during the full period of this agreement against possible claims, which may arise from the use of the PROPERTY by the LESSEE.
- (e) That all costs involved (inclusive of advertising cost) be for the LESSEE's account.
- (f) That should the LESSEE cease operating or terminates the lease they must reinstate the area to its original layout at their own cost.
- (g) That Council reserves the right to terminate the lease if valid objections from the public are received.
- (h) That upon acceptance of the lease conditions, the lease be advertised in terms of Section 63 of the Local Authorities Act 1992 whereafter the renewal be advertised in terms of the Local Authorities Act, (Act 23 of 1992) as amended.

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- (i) That the Engineering Services Department determine the rehabilitation deposit to be paid by the lessee from 01 June 2019 on the commencement of the new lease period.

11.1.9 **EXTENSION 14: APPLICATION TO PURCHASE ERVEN BY PRIVATE TREATY**

(C/M 2019/03/28 - G 3/02/14, E 5002, E 5003, E 5004, E 5005)

RESOLVED:

- (a) That Council's resolution passed on 27 September 2018 under item 11.1.1 be repealed.
- (b) That Council approves the allocation of Erf 5002, Swakopmund measuring 1 324m² by private treaty to Ane's Guesthouse CC trading as Atlantic Villa Guesthouse, as an exception.
- (c) That valuations be obtained to determine the purchase price of Erf 5002, Swakopmund for purposes of parking.
- (d) That the purchaser be responsible for the rezoning of Erf 5002, Swakopmund for the purposes of parking.
- (e) That should Ane's Guesthouse CC trading as Atlantic Villa Guesthouse in future use the erf for the expansion of their guesthouse an application for the rezoning thereof be submitted and the required betterment fee be paid.
- (f) That the sale be subject to Council's standard conditions of sale by private treaty:
- (i) That the purchaser pays a deposit of N\$10 000,00 towards the statutory costs relating to the transaction including, but not limited to advertising cost, compilation of the agreement of sale, as well as any legal costs that may arise from this transaction.
 - (ii) That the above deposit be paid within 90 days from the Council resolution approving the purchase price, failing which Council's resolution will be revoked at the next Council meeting following the expiry of the 90 days.
 - (iii) That any remainder of the deposit in (i) above be refunded to the purchaser on completion of the transfer of the erf.
 - (iv) That upon acceptance of the purchase price by the purchaser, Council's intention to sell the erf be advertised for possible objections as required in terms of the Local Authorities Act, Act 23 of 1992 at the cost of the purchaser.
 - (v) That the transaction be concluded within 120 days from approval being granted by the Ministry of Urban and Rural Development to proceed with the intended transaction.
 - (vi) That payment of the purchase price be secured either in cash or formal bank guarantee in favour of the Swakopmund Municipality within 120 days from the honourable Minister's favourable response.

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- (aa) Failure to secure the purchase price within the required period will result in cancellation without the need to place the purchaser on terms.
- (bb) Should the purchase price be secured by a bank guarantee the transfer must be effected on / before the 120th day, else interest will be levied as from the date of Ministerial approval (date of sale) until the date of registration of transfer at a rate as confirmed with Council's bank on the date of sale.
- (vi) That the purchasers accept that no rights will accrue to them from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
- (vii) The erf is sold "voetschoots" or "as is" with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the lay-out or situation or subterranean composition of the property or any improvements thereon. The Council also does not warrant that the services installed at the property are suitable for the use intended by the Purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage and water connections are suitable for the intended use of the property.
- (ix) That the property or any portion thereof may not be alienated without being offered to Council at the purchase price such was obtained from Council.
- (x) That no development or construction of the proposed parking be permitted to commence until the statutory processes have been completed and the erf is transferred.
- (xi) The agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of receipt thereof.
- (xii) That the purchaser indemnifies Council against any claims resulting from blasting, should blasting need to be done.
- (xiii) That the purchaser being an entity provides the registration documentation of the entity (Council resolution of 27 April 2017 under item 11.1.10) and that the shareholders / members must be cautioned that the entity remain the same until the transfer takes place and they have complied with all conditions of sale when name change of the entity is requested.

11.1.10 MR P J SCHOLTZ- DETERMINATION OF THE PURCHASE PRICE FOR ERF 411, MILE 4 KNOWN AS "PUBLIC OPEN SPACE"
(C/M 2019/03/25 - E 411, M 4)

RESOLVED:

- (a) That Council approves the purchase price for Erf 411, Mile 4 located adjacent to Erf 302, Mile 4 on the north-western side as follows:
 - NS1 375 000,00 x 274m² = NS375 750,00 to Mr P J Scholtz, the owner of Erf 302, Mile 4.
- (b) That it be noted that Mr Scholtz paid NS10 000,00 deposit as required in terms of Council's resolution passed on

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22 November 2018, item 11.1.7, point (h) (ii), under receipt number #350779 (Annexure "E") (on file).

- (c) That the duly appointed Town Planner upon acceptance of the purchase price by the purchaser attends to the required statutory processes.
- (d) That, Erf 411, Mile 4 be permanently closed in terms of Section 50 of the Local Authorities Act of 1992 by Council.
- (e) That in addition to the conditions approved by Council on 22 November 2018 under item 11.1.7 the following standard conditions be applicable:
 - (i) The erf is sold "voetskoots" or "as is" and Council give no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the layout or situation or subterranean composition of the property or any improvements thereon. Council also does not warrant that the services installed at the property are suitable for the use intended by the purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewerage and water connections are suitable for the intended use of the property.
 - (ii) That once the statutory processes are finalized and an erf diagram for the consolidation of Erf 411, Mile 4 with Erf 302, Mile 4, Council's intention to sell the erf be advertised for possible objections as required in terms of Section 63 (2) of the Local Authorities Act, Act 23 of 1992, (as amended).
 - (iii) That the purchaser secures the purchase price either in cash or bank guarantee in favour of the Swakopmund Municipality within 120 days from the Honourable Minister's favourable response. Failure to secure the purchase price will result in cancellation.
 - (iv) Should the purchase price be secured by a formal bank guarantee the transfer must be effected on or before the 120th day, else interest will be levied as from date of Ministerial approval until the date of registration of transfer at a rate as confirmed with Council's bank on the date of sale.
 - (v) The agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of receipt thereof.
 - (vi) That the purchaser be responsible for the relocation and cost thereof of any services should such be required, to the satisfaction of the Engineering Services department.
 - (vii) That the purchaser indemnifies Council against any claims resulting from blasting, should blasting need to be done.

11.1.11 CANCELLATION CONFIRMATION: ERF 356, EXTENSION 1 MILE 4
(C/M 2019/03/28 - M 4 E 356)

RESOLVED:

That this item be referred back and be resubmitted to the next Management Committee Meeting.

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- 11.1.12 APPLICATION FOR AN EXTENSION OF TIME TO SECURE PURCHASE PRICE FOR ERF 613, EXTENSION 2, MATUTURA; MS B IGONTES
(C/M 2019/03/28 - Mat 613)

RESOLVED:

- (a) That Council remains with the conditions of sale for the sale of 94 erven zoned "Single Residential" located in Extension 2, Matutura i.e. requiring the purchase prices to be secured by the final due date of 25 February 2019 (an additional 21 days' notice period will be issued), by either a cash payment, or electronic fund transfer or bank guarantee.
- (b) That Ms B IGontes be informed that the purchase price for Erf 613, Extension 2, Matutura must be secured by cash payment or an electronic fund transfer or a bank guarantee (subject to penalty interest being levied from 26 February 2019).
- (c) That failure to secure the purchase by 30 April 2019 will result in cancellation of the transaction.
- (d) That Council honours its undertaking to the next qualifying bidders and that the Property Section continues with the allocations of the cancelled transactions accordingly.

- 11.1.13 ERF 4892, SWAKOPMUND: APPLICATION TO WAIVE PRE-EMPTIVE RIGHT
(C/M 2019/03/28 - E4892)

RESOLVED:

That Robberts Legal Practitioners & Notaries on behalf of Mr Horst-Uwe Weimann be informed that Council does not waive its pre-emptive right in respect of Erf 4892, Swakopmund until the property is developed and a building completion certificate is in place.

- 11.1.14 DISSATISFACTION REGARDING COUNCIL'S RESOLUTION PASSED ON 22 NOVEMBER 2018 UNDER ITEM 11.1.32: MATUTURA HARAMBEE INVESTMENT CC
(C/M 2019/03/28 - FILE 004/18/001/002/003/004/005/006/007/008/009/010/011/012/013/014/015/016/017/018/019/020/021/022/023/024/025/026/027/028/029/030/031/032/033/034/035/036/037/038/039/040/041/042/043/044/045/046/047/048/049/050/051/052/053/054/055/056/057/058/059/060/061/062/063/064/065/066/067/068/069/070/071/072/073/074/075/076/077/078/079/080/081/082/083/084/085/086/087/088/089/090/091/092/093/094/095/096/097/098/099/100/101/102/103/104/105/106/107/108/109/110/111/112/113/114/115/116/117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000)

RESOLVED:

- (a) That Matutura Harambee Investment CC be informed that Council considered their application dated 18 December 2018 and remains with its decision passed on 22 November 2018 under item 11.1.32.
- (b) That the applicant be informed that as per Council's letter dated 26 November 2018, Erf 2809, Matutura is zoned "institutional" and belongs to the Government of Namibia.

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- (c) That applicants for business land in the northern suburbs be informed of Council's latest decision passed on 25 January 2018 under item 11.1.2:

That no applications for business land in the DRC be considered until the statutory processes are finalised.

- (d) That Council informs the public that no ranking list (as per date of application) will be maintained in future.
- (e) That the Council considers whether to add applications received (such as the application by Urban Edge Properties dated 05 December 2018) after 22 November 2018 (date of the Council Meeting approving the closed bid sale to three entities) to the list of the three entities to take part in the closed bid sale for land in Extension 13, Matutura which land still needs to be identified.

- 11.1.15 MR AND MS N & J HANGULA: APPLICATION TO PURCHASE THE REMAINDER OF A STREET LOCATED ON THE CORNER OF ERF 358, MILE 4 AND TO CONSOLIDATE IT WITH ERF 358, MILE 4
(C/M 2019/03/28 - M4 E358, 19/03/09)

RESOLVED:

That this item be referred back and be resubmitted to the next Management Committee Meeting.

- 11.1.16 APPLICATION FOR THE SUBDIVISION OF THE REMAINDER OF PORTION B OF THE SWAKOPMUND TOWN AND TOWNLANDS NO. 41 INTO PORTION 164 AND REMAINDER. THE TOWNSHIP ESTABLISHMENT ON PORTION 164 OF SWAKOPMUND TOWN AND TOWNLANDS NO. 41 AND APPROVAL OF THE PROPOSED TOWNSHIP LAYOUT
(C/M 2019/03/28 - G 3/2/2)

RESOLVED:

- (a) That the Remainder of Portion of Portion B of the Swakopmund Town and Townlands No. 41 be subdivided into Portion 164 (±282.1472 ha) and Remainder in terms of Section 21 of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963), free of conditions.
- (b) That the Need and Desirability for the township establishment on Portion 164 of Swakopmund Town and Townlands No. 41 in terms of Section 5(5) (a) (i) of Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) be approved.
- (c) That approval be granted for application to be made in terms of Section 5 of the Township and Division of Land Ordinance No. 11 of 1963 for the establishment of an extension of Swakopmund (to be allocated by Surveyor General) on Portion 164 as shown on the subdivisional layout plan (on file).

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- (d) That the Engineering Services Department be authorized to make minor changes to the layout, to accommodate infrastructure, improve layout dimensions or meet Townships Board and NABPAB requirements should it be necessary.
- (e) That a thirty two (32) metres wide servitude be surveyed and registered over the proposed Erf 122 of Portion 164 of the Remainder of Portion B of the Swakopmund Town and Townlands No. 41 in favour of Namwater.
- (f) That a three (3) metres wide servitude be surveyed and registered over the proposed Erven 1, 83, 101, 102, 110, 111, 113, 118, 119, 122, 123 and 125 of Portion 164 of Swakopmund Town and Townlands No. 41 in favour of Telecom Namibia.
- (g) That a three (3) metres wide servitude be surveyed and registered over the proposed Erven 1, 82, 83, 84, 85, 100, 101, 102, 103 and 123 of Portion 164 of Swakopmund Town and Townlands No. 41 in favour of Erongo RED.
- (h) That the zoning shown on the layout plan tabled at the meeting be approved.
- (i) That the maximum building heights of all building structure on Portion 164 should not exceed 5 meters.
- (j) That the conditions of Establishment be as follows:
- (i) The following conditions shall be registered against the title deeds of all erven except those reserved as public open space and those zoned Local Authority:
 - The erf must only be used or occupied for purposes which are in accordance with and the use or occupation of the erven shall at all times be subject to the provision of the Swakopmund Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954) as amended.
 - (ii) That the following conditions shall be registered against the title deeds of "Light Industrial" erven:
 - The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four (4) times the municipal valuation of the erf.
 - (iii) The following conditions shall be registered against the title deeds of "Business" erven:
 - The building value of main building, excluding the outbuilding to be erected on the erf shall be at least four (4) times the municipal valuation of the erf.
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- 1.1.17 SUBDIVISION OF ERF 4326, MONDESA, INTO PORTION A AND THE REMAINDER; REZONING OF PORTION A OF ERF 4326, MONDESA, FROM "LOCAL BUSINESS" TO "GENERAL BUSINESS" WITH A BULK OF 1,20, FOR THE PURPOSE OF A LICENCED HOTEL, AND CONSENT TO COMMENCE WITH CONSTRUCTION WHILE THE REZONING IS IN PROCESS
(C/M 2019/03/28 - M 4326)

RESOLVED:

- (a) That the subdivision of Erf 4326, Mondesa into Portion A and the Remainder be approved.
 - (b) That no endowment fee is payable.
 - (c) That no betterment fee is applicable as the property belongs to Council.
 - (d) That the rezoning of Portion A of Erf 4326, Mondesa from "Local Business" to "General Business" be approved.
 - (e) That the rezoning of Portion A/ 4326 be included in the next Swakopmund Town Planning Amendment Scheme;
 - (f) That Special Consent to commence with construction while the rezoning is in process be turned down.
 - (g) That parking be provided on-site in line with the Swakopmund Town Planning Scheme.
 - (h) That the applicant be informed of their right to appeal in terms of (f) of 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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- 11.1.18 INCORPORATION OF DISTRICT ROAD 4002 INTO THE SWAKOPMUND TOWN PLANNING SCHEME AREA
(C/M 2019/03/28 - 16/1/4/1/1)

RESOLVED:

- (a) That the District Road 4002 be incorporated into the Swakopmund Town Planning Scheme so as to form part of the existing street network.
 - (b) That the application fees for the incorporation of the Road into the Swakopmund Town Planning Scheme Area and the surveying cost be defrayed from Vote: 16303402080: Town Planning and Surveys-New Development, where an amount of N\$1 651 506.45 is available.
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11.1.19 CLOSURE OF PUBLIC OPEN SPACE BETWEEN ERF 639, 640, 647 AND 648, MONDESA

(C/M 2019/03/28 - M 639, M 640, M 647, M 648)

RESOLVED:

- (a) That the objection received against the closure of the public open space between Erven 639, 640, 647, 648, Mondesa be disregarded.
- (b) That the public open space between Erven 639, 640, 647 & 648 Mondesa be closed in terms of Section 50 of the Local Authorities Act 1992, (Act 23 of 1992).
- (c) That the public open space between Erven 639, 640, 647, 648 Mondesa be subdivided into Portion A, B, C and Remainder.
- (d) That Portion A be consolidated with Erf 639, Mondesa.
- (e) That Portion B be consolidated with Erf 640, Mondesa.
- (f) That Portion C be consolidated with Erf 647, Mondesa.
- (g) That the Remainder of the concerned "Public Open Space" be consolidated with Erf 648, Mondesa.
- (h) That the objector be informed of their right to appeal to the Minister against Council's Resolution 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.

11.1.20 WRITING OFF: OLD AND REDUNDANT EQUIPMENT - ENGINEERING SERVICES DEPARTMENT

(C/M 2019/03/28 - L 2)

RESOLVED:

- (a) That the following equipment in the Engineering Services Department be written off and sold at the next Public Auction:

Equipment	Total	Reason
PW Office Jet 6312 All in One printer	1	Broken
Stamp Town Planning Section	1	Broken

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

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- (b) That Messrs Fison Investment 23 CC resells a portion of the Remainder of Erf 2747, Swakopmund, measuring ± 2 378m² to the Ministry of Fisheries and Marine Resources as follows:

$$\begin{aligned} &+ \frac{2.378m^2}{1} \times N\$1\,550.00/m^2 = N\$3\,685\,900.00 + (15\% \text{ VAT}) N\$552\,885.00 \\ &= \underline{N\$4\,238\,785.00} \end{aligned}$$

- (c) That the exact size of the portions of land be determined once a Surveyor-General approved diagram is issued; therefore the erf price might differ from the total amount in (a) and (b) above.
- (d) That upon acceptance of the purchase price the purchasers appoint a Consultant to attend to the Environmental Impact Assessment in terms of the Environmental Management Act, Act 7 of 2007 as amended.
- (e) That the purchasers submit a layout for approval by the General Manager: Engineering Services.
- (f) That the purchaser attends to the subdivision of the portion of land to create new erven including a "Street" at their cost.
- (g) That the transaction be concluded within 120 days from date when the Surveyor-General approved diagram is issued.
- (h) That the following standard conditions be applicable:
- (i) That the purchasers pay a deposit of N\$100 000.00 each to cover all fees and costs to the transaction including of, but not limited to advertising costs, compilation of the agreement of sale, as well as legal costs that may arise from the transaction to Council, prior to attending to the statutory processes. (To be decreased or increased by Council depending on the value of the development).
 - (ii) That any remainder of the deposit in (i) above be refunded to the purchasers on completion of the related statutory processes.
 - (iii) The prospective purchasers shall be required to pay the above deposit within 90 days from the Council resolution approving the purchase price, failing which Council's resolution will be revoked at the next Council meeting following after the expiry of the 90 days.
 - (iv) That the purchasers accept that no rights will accrue to them from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
 - (v) The land is sold "voetstoots" or "as is" with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the lay-out or situation or subterranean composition of the property or any improvements thereon. The Council also does not warrant that the services installed at the property are suitable for the use intended by the Purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage and water connections are suitable for the intended use of the property.

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- (vi) That payment of the purchase price be secured either in cash or bank guarantee in favour of the Seakopmund Municipality within 120 days date of the Surveyor-General approved diagram is issued. Failure to pay the purchase price in cash or secure payment by formal bank guarantee on the 120th day will result in the transaction being cancelled without the need to place the purchasers on terms. Should the purchase price be secured by a formal bank guarantee the transfer must be effected on or before the 120th day, else interest will be levied as from the date sale until the date of registration of transfer at a rate as confirmed with Council's bank.
- (vii) That the purchasers must construct structural improvements worth at least 4 times the municipal valuation of the property. Structural improvements, for purposes of this condition, shall not include the construction of boundary walls or any changes to the subterranean composition of the property;
- (viii) That the said improvements must be completed within 24 months (2 years) from date of transfer.
- (ix) That the property may not be alienated unless a completion certificate is issued in respect of the structural improvements, referred to in (viii) 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.
- (x) No development or construction will be permitted to commence until the statutory processes (at the cost of the developers) have been completed and the erven are transferred.
- (xi) The agreement of sale be signed and returned to the Seakopmund Municipality, by the purchaser within 21 days of receipt thereof.
- (xii) That the purchasers indemnify Council against any claims resulting from blasting, should blasting need to be done.
- (xiii) That the purchasers provide the registration documentation of their entities (Council resolution of 27 April 2017 under item 11.1.10 (c)) and that the shareholders / members must be cautioned that the company remain the same until the transfer takes place and they have complied with all conditions of sale when name change of the entity is requested.
- (xiv) In the event that the purchaser's is a close corporation, a company or a trust, then, the members interest in the close corporation or shareholding in the company or interest in the trust, as the case may be, may not be changed without the prior written approval of Council during the 24 months (2 year) period of restraint on alienation.
- (xv) Council shall not accept under any circumstances any process whereby the purchaser of the property will be allowed to nominate a third party as the eventual purchaser of the property. To be more specific, the Council shall not accept any agent bidding on behalf of a principal or any nominee acting on behalf of a legal entity still to be incorporated.
- (xvi) A caveat will be registered against the title deed of the property to prevent any contravention of these conditions.
- (xvii) Availability services plus the relevant property taxes will be payable by the purchaser as from the month following the allocation of the erf.

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- (j) That Messrs Fiscon Investment 23 CC and the Ministry of Fisheries and Marine Resources take note that the development must complement and enhance present developments and uses, especially tourism related uses.
- (k) That a caveat be registered against the title deed of the property for Messrs Fiscon Investment 23 CC to provide facilities to the Ministry of Fisheries and Marine Resources as per (b) above.
- (l) That Engineering Services provide advice on point (d) of the Council resolution passed on 26 July 2018 under item 11.1.10.
- (m) That Developers be informed that the Anchor Block on site is a national monument and they are responsible for the protection and beautification of it.

11.1.25 ERF 357, MILE 4: INTEREST REFUND
(C/M 2019/03/25 - Erf 357, M4)

RESOLVED:

- (a) That it be noted that Mr M Miljo as purchasers of Erf 357, Mile 4 should have been given 120 days to secure the purchase price due to the annual closure of the Deeds Registry Office; instead of 90 days.
- (b) That should the purchaser had the 120 days period to secure the purchase price, the due date would only be Monday, 25 March 2019 and the transaction would not have attracted any penalty interest charge.
- (c) That the penalty interest charge in the amount of N\$18 800.75 be waived and refunded to the purchaser.

11.1.26 APPLICATION FOR AN EXTENSION OF TIME TO SECURE THE PURCHASE PRICE FOR ERF 543, EXTENSION 2, MATUTURA: S T EKONDO
(C/M 2019/03/28 - Mat 543)

RESOLVED:

- (a) That Council remains with the conditions of sale for the sale of 94 erven zoned "Single Residential" located in Extension 2, Matutura i.e. requiring the purchase prices to be secured by the final due date of 31 July 2019, by either a cash payment, or electronic fund transfer or bank guarantee.
- (b) That Mr Saitiel T Ekondo be informed that the balance of the purchase price for Erf 543, Extension 2, Matutura must be secured by cash payment or an electronic fund transfer or a bank guarantee (subject to penalty interest being levied from 26 February 2019), by 25 March 2019.

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11.1.27 REINTRODUCTION OF DRC PLANNING COMMITTEE

(C/M 2019/03/28 - H 5/4)

RESOLVED:

- (a) That the proposal by the Community Development Services Department regarding the re-introduction of the DRC Planning Committee, be approved.
- (b) That the election of a Ward Committee which will ensure the information dissemination and participation of residents in the activities and development plans of Council for the DRC Settlement be approved.
- (c) That the terms of reference, on file, be approved as the guide towards an effective Ward Committee with the deletion of paragraph 10.
- (d) That the community be sensitized about the proposed elections and that elections be done on a ward basis.
- (e) That the guidelines be reviewed before implementation.
- (f) That the Ward Committee members not be remunerated.
- (g) That, in future, consideration be given to provide an allowance to members of the public serving on the Committee.

11.1.28 MINISTER OF URBAN AND RURAL DEVELOPMENT RESPONSE: OBJECTION TO THE SALE OF A PORTION OF PORTION 5 OF SWAKOPMUND TOWN AND TOWNLANDS NO. 41 TO MESSRS ELIZE INVESTMENTS (PTY) LTD

(C/M 2019/03/28 - H 5/1)

RESOLVED:

- (a) That the decision passed by the Ministry of Urban and Rural Development (letter dated 28 February 2019) with reference to the objection received to the proposed sale of a portion of Portion 5 of Swakopmund Town and Townlands No 41 to Messrs Elize Investments (Pty) Ltd, be noted.
- (b) That it be noted that the letter dated 28 February 2019 does not state that the approval granted on 31 May 2018 is repealed and that the Ministry of Urban and Rural Development be requested to confirm that such is the intention.
- (c) That Ms Helvi Mupupa be invited for a presentation to the next Management Committee Meeting.

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13. DRAFT REGULATIONS AND TARIFFS, IF ANY

None.

The meeting adjourned: 20:06

Minutes confirmed on: 25 April 2019

Councillor P N D Nashitundo
MAYORA Benjamin
CHIEF EXECUTIVE OFFICER

en/

11. RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE MEETINGS HELD DURING APRIL 2019
10. REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY PREVIOUS MANAGEMENT COMMITTEE MEETING HELD DURING APRIL 2019

- 10 (A) MINUTES OF AN ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 28 MARCH 2019

2. CONFIRMATION OF MINUTES
(M/C 2019/04/11 - A 2/3/5)

- 2.1 MINUTES OF AN ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 14 MARCH 2019

On proposal of Councillor K N Jason seconded by Councillor N N Salomon it was:

RESOLVED:

That the Minutes of the Ordinary Management Committee meeting held on 14 March 2019 be confirmed as correct.

5. REPORTS: HEADS OF DEPARTMENTS

- 5.5 FINANCE

- 5.5.1 TOTAL EXPENDITURE
(M/C 2019/04/11 - D 7/3/2/1)

RESOLVED:

That the total expenditure of N\$39 329 870.09 and total revenue of N\$43 557 259.85 for the period 01-31 March 2019 be accepted and approved as correct.

7. MATTERS REFERRED BY PREVIOUS COUNCIL- AND MANAGEMENT COMMITTEE MEETINGS

- 7.1 CANCELLATION CONFIRMATION: ERF 356, EXTENSION 1, MILE 4
(M/C 2019/04/11 - M 4 E 356)

RESOLVED:

That the General Manager: Health Services submit a report to the Management Committee in terms of the Management Committee resolution of 08 November 2018, under item 10.13.

7.5 PORTION 59 - OWNERSHIP
(M/C 2019/04/11 - I 1/1/4, 1/1/1/5)

RESOLVED

- (a) That it be noted that Portion 59 belongs to the Government of Namibia.
- (b) That the General Manager: Corporate Services and HR and the General Manager: Engineering Services identifies land of equal value to propose an exchange transaction to the Government of Namibia for Portion 59.

7.6 CANCELLATION CONFIRMATION: VARIOUS ERVEN OF THE SALES OF EXTENSIONS 34 AND 35 (2017)

(M/C 2019/04/11 - E 9027, E 9037, E 9094, E 8953, E 9069, 9073)

RESOLVED: (For Condonation by Council)

That Council confirms the extension of the following transactions until 30 April 2019:

	Erf #	Purchaser	Due Date	Comments
1	9027	Ms L Shipiki	25 Feb 2019	Cancellation letter was issued dated 27 February 2019.
2	9037	Mr S Unseb	31 Jan 2019	Cancellation letter was issued dated 04 February 2019.
3	9094	Ms C De Jay	25 Feb 2019	Cancellation letter was issued dated 27 February 2019.
4	8953	Ms D V Dandago	25 Feb 2019	Cancellation letter was issued dated 27 February 2019.
5	9069	Ms A K Uushona	12 Mar 2019	Cancellation letter was issued dated 13 March 2019.
6	9073	Ms J Kazombaruru	12 Mar 2019	Cancellation letter was issued dated 13 March 2019.

7.9 DEVELOPMENT PROPOSALS RECEIVED IN RESPECT OF THE ENVISAGED ALIENATION OF ERF 1960, MONDESA

(M/C 2019/04/11 - M 1960)

RESOLVED:

- (a) That the development proposals received from businesses under notice 53/2018 be noted.
- (b) That Messrs AIDS Care Trust (ACT) having submitted the most attractive proposal, be invited to a presentation to the Management Committee at a date to be determined by the Chief Executive Officer.

B. POLICY MATTERS**8.3 APPROVAL OF PROPOSED STREET NAMES BY THE NAMING OF STREETS, PUBLIC PLACES, NATURAL AREA AND COUNCIL-OWNED BUILDINGS / FACILITIES ADVISORY COMMITTEE**

(M/C 2019/04/11 - N 8/1/2)

RESOLVED:

That this item be withdrawn from the agenda and that the Chairperson of the the Naming Of Streets, Public Places, Natural Area And Council-Owned Buildings / Facilities Advisory Committee be invited to a meeting with the Management Committee on a date to be determined by the Chief Executive Officer.

8.4 APPLICATION TO ESTABLISH A FLEA MARKET AS A COLLABORATIVE INITIATIVE WITH THE SWAKOPMUND MUNICIPALITY

(M/C 2019/04/11 - G 4/1/1)

RESOLVED:

That Messrs Ndeshi Fikaneni be informed to look for alternative dates in view of 04 May 2019 being Cassinga Day.

8.6 REQUEST FOR SPONSORSHIP; SWAKOPMUND FOOD, MUSIC AND FASHION FESTIVAL

(M/C 2019/04/11 - N 7/3/4, 14/2/2/1/3, N 7/3/1/2, 14/2/7/1/1)

RESOLVED: (For Condonation By Council)

- (a) That the request for sponsorship towards the hosting of the Swakopmund Food, Music and Fashion festival that is scheduled to take place on 20 April 2019 in Swakopmund be noted.
- (b) That Mr R Shalulu pays for the rental cost of N\$5 914.00 for the venue (Vineta North Sport Stadium) and be exempted from paying the refundable deposit of N\$17 742.00.
- (c) That permission be granted to Mr R Shalulu to have access to the venue from 19 April 2019 in order to set up and prepare for the event and be exempted from the payment of the venue during the set up period.
- (d) That the exhibition space which will be offered by the organisers to Council be granted to the Swakopmund Municipal Sports & Social Club to exhibit at the festival in order to raise funds for the NALASRA games.
- (e) That the noise level of the music not to be more than 85 dB (Decibel) at the noise source (thus the speakers) and not more than 60 dB at a distance of 200m and should valid complaints be received, permission can be withdrawn forthwith.
- (f) That Mr R Shalulu ensure that the facilities including the parking

area are cleaned within 24 hours be restored to their original conditions and to the satisfaction of the Swakopmund Municipality after the event.

- (g) That Council be indemnified against any claims that may arise from using the stadium.
- (h) That Mr R Shalulu be responsible for the provision and arrangement of public ablution facilities on site, if required.
- (i) That the gates be closed by 02:00 AM and no person should overnight on the premises, except for the security purposes.
- (j) That Council reserves the right to cancel the use of the stadium should Council needs them for its own purposes.
- (k) That Mr R Shalulu make prior arrangements with Erongo-RED for electricity connection at their own cost should it be required.
- (l) That Mr R Shalulu submit proof that the following arrangements have been made:
- Emergency Services
 - Traffic Control and Parking
 - Waste removal
 - Security Services
 - Liquor license (if required)

9. PERSONNEL MATTERS

9.1 ERONGO RED: MANDATE FOR COUNCIL'S REPRESENTATIVES: ANNUAL GENERAL MEETING & SPECIAL SHAREHOLDERS MEETING

(M/C 2019/04/11 - A 4/3/1/16/1)

RESOLVED:

- (a) That the mandate to the Chairperson of Management Committee and Chief Executive Officer to represent Council's at the Erongo RED Annual General Meeting and Special Shareholders meeting held on 28 March 2019, in Walvis Bay, be condoned.
- (b) That the mandate be condoned for the matters as set out in the table below for the Annual General Meeting:

		For	Against	Abstain
1.	To approve the minutes of the previous AGM held on 2 February 2018			
2.	To receive, consider and adopt the Annual Financial Statements of Erongo RED for the year ended 30 June 2018			
3.	To receive, consider and note the Annual General Meeting Report : Financial Executive manager			
4.	To confirm dividends declared for the year ended 30 June 2018			
5.	To appoint / confirm appointment of Auditors Deloitte and Touché			

8.	Appoint / confirm appointment of Directors in terms of the Shareholders agreement			
----	---	--	--	--

- (c) That the mandate be condoned for the matters as set out in the table below for the Special Shareholders meeting:

		For	Against	Abstain
1.	To approve the minutes of the previous Special Shareholders Meeting held on 2 February 2018			

9.2 REPORT ON HEALTH & WELLNESS WEEK - NHP MEDICAL AID
(M/C 2019/04/11 - B 1/5/2)

RESOLVED:

That the Report on Health & Wellness Week - NHP Medical Aid be noted.

10. MATTERS NOT ON THE AGENDA, BUT DISCUSSED WITH PERMISSION OF THE CHAIRPERSON

10.1 APPLICATION FOR AN ADDITIONAL EXTENSION OF TIME TO SECURE PURCHASE PRICE: NAMIBIA DESERT GIANT (PTY) LTD
(M/C 2019/04/11 - Erf 365, M4)

During the discussion of this item, Councillor N N Salomon requested that it be recorded that he is not part of the decision.

RESOLVED:

That all the requests for extension by developers be supported by motivations and proof of the progress made.

10.4 EXTENSION 2, MATUTURA, SALE OF 26 OCTOBER 2018: CANCELLATIONS
(M/C 2019/04/11 - G 302; 899E, 534, 536, 542, 544, 545, 548, 549, 550, 561, 565, 576, 579, 580, 591, 592, 599, 604, 607, 608, 609, 611, 613, 617, 620, 623)

RESOLVED: (For Condonation By Council)

- (a) That the transactions in respect of the following erven sold on 26 October 2019, be extended until 30 April 2019:

	Erf	Surname	Name	Comments	Purchase price
4	898E	Pieterse	Llewellyn Rainer	No payment. Submitted an application dated 25 March 2019 for 1,2 month extension.	285 871.63
6	534	Amukwa	Jason Shipepe	no payment	250 000.00
8	536	Khulwiseli	Albertus Amos	no payment	400 199.00
14	542	Sam	Magg	Home loan application (not guaranteed) was provided on 21 Feb 2019.	362 500.00
16	544	Ihahwa	Oscar	no payment	290 999.99
17	545	Ahikaner	Lorraine	no payment	253 000.00
20	548	Aifesi	Wokahwa	no payment	299 999.99

	Erf	Surname	Name	Comments	Purchase price
21	549	Gwanase	Anna	no payment	326 015.00
22	550	Mutola	Edzell	no payment	300 000.00
23	581	Mayira	Blouses	no payment	275 000.00
37	585	Van Wyk	Jerome Martine	No payment. Submitted an application dated 23 March 2019 for an extension.	330 900.00
48	578	Tjiposa	Merlyn	No payment. Submitted an application dated 26 March 2019 requesting extension of time until 26 March 2019. Intends to pay cash.	200 000.00
51	579	Classen	Ramona Genevieve	Guarantee received day after the due date on 26 March 2019.	220 000.00
62	590	Hendriks	Malcolm	no payment	389 999.99
63	591	Azeb	Frederick	No payment. Letter from bank dated 27 March on file.	390 000.00
64	592	Lukas	Pauline	no payment	210 990.99
65	595	Nangombe	David	no payment	300 010.99
71	601	Zaaruka	Bonethelin Pekara	no payment	300 000.00
77	607	Aleutala	Shafashike	no payment	232 000.00
78	608	de-Muses	Christelle	no payment	184 000.00
79	609	Pehula	Marie Felcidale	No payment. Submitted a letter from the bank on 26 March 2019.	171 111.10
81	617	Vabekuseni	Israel Ngashipola	no payment	253 999.99
83	613	Gortse	Brigitte	no payment	160 000.00
87	617	Kutajike	Edmund Lafrenr	no payment	250 000.00
80	420	Steurje	Josua Mivago	no payment	200 805.35
82	623	Hipondoka	Aini Ndivelego	No payment. Submitted a letter dated 08 March 2019 requesting an extension to pay until August 2019.	244 400.00

- (b) That the purchasers be requested to provide reasons for their non-performance in writing.

10.5 REQUEST FOR ADDITIONAL FUNDS: PROVISION OF SECURITY SERVICES

(M/C 2019/04/11 - E 1 / 12, 14/2/1/2)

RESOLVED:

- That the General Manager: Community Development Services investigates the increase of illegal shacks around the DRC and submit a report from the security service providers on their efforts to curb the increase of illegal shacks around DRC.
- That the relevant Community Development Staff monitor the sites on a daily basis.
- That the Community Development Services Department reports to the Management Committee regarding the future of the DRC Open Market.

10.6 APPLICATION FOR EXTERNAL LOAN FACILITY

(M/C 2019/04/11 - D 9/1/1)

RESOLVED:

- (a) That submission of projects to be financed through Messrs KFW Development Bank be approved.
 - (b) That projects which are of housing, water and sanitation nature be identified and submitted accordingly for the bank's further consideration.
 - (c) That once financing proposal has been accepted by the bank, such together with the identified projects be submitted through our line Ministry to the National Planning Commission for approval of the funding.
 - (d) That Council only enters into negotiations with Messrs KFW Development Bank after approval has been obtained from the Central Government.
-

10.8 INVITATION TO NALASRA GAMES 2019 IN WALVIS BAY

(M/C 2019/04/11 - J 10/1)

RESOLVED:

- (a) That permission be granted to members of the Swakopmund Municipal Sport and Social Club to participate in the 2019 NALASRA Games which will be hosted in Walvis Bay from 05 May 2019-11 May 2019.
 - (b) That permission be granted to the Swakopmund Municipal Sport and Social Club to commence with preparations for the trip to Walvis Bay.
 - (c) That special leave as per conditions of Employment be granted to the staff members (Club members) to participate in the NALASRA Games.
 - (d) That a Councillor accompanies the group to the NALASRA Games.
 - (e) That the General Manager: Finance releases the amount of N\$50 000.00 from the Annual Allocation to the Sport Club Vote 960120405909, in order to help off-set accommodation and transport expenses.
 - (f) That permission be granted to the traveling Councillor to use an official vehicle.
-

10.9 AUDIENCE REQUEST FOR AN EXTENSION TO SECURE PURCHASE PRICE ON VARIOUS ERVEN

(M/C 2019/04/11 - E 8929, E 8930, E 8939, E 4874, E 4899, Swk)

RESOLVED:

- (a) That the pending presentation by Mr Juuso Kambueshe of Pharlap Turnkey Consulting, be noted.
- (b) That Mr Juuso Kambueshe of Pharlap Turnkey Consulting be invited to the Planning Forum for the presentation.

10.11 APPLICATION FOR THE SUBDIVISION OF THE REMAINDER OF PORTION B OF THE SWAKOPMUND TOWN AND TOWNLANDS NO. 41 INTO PORTION 164 AND REMAINDER, THE TOWNSHIP ESTABLISHMENT ON PORTION 164 OF SWAKOPMUND TOWN AND TOWNLANDS NO. 41 AND APPROVAL OF THE PROPOSED TOWNSHIP LAYOUT

(M/C 2019/04/11 - G 3/2/2)

RESOLVED:

- (a) That the new industrial Extension at the Airport be named "Dr Hage Geingob Time Square".
- (b) That the Mayor obtains the necessary permission from His Excellency the President.

10.12 UCLG AFRICA: INVITATION TO THE MAYOR TO ATTEND THE 2019 ANNUAL CONFERENCE OF THE INTERNATIONAL ASSOCIATION OF SCHOOL & INSTITUTE OF ADMINISTRATION, LISBON, PORTUGAL

(M/C 2019/04/11 - A 2/3/1/4/1)

RESOLVED:

- (a) That Councillor N Salomon attend the 2019 Annual Conference of the International Association of Schools and Institutes of Administration (IASIA), from 22 to 26 July 2019 in Lisbon, Portugal, subject to approval from the Minister.
- (b) That the following estimated expenditure for registration, travelling, accommodation as well as daily subsistence be defrayed from the Council's Conference Expenses Vote 100510206500 where N\$61 000.00 is available:

TOTAL ESTIMATED EXPENDITURE			42 666.00
Contingencies (Fluctuation of the Exchange Rate etc.) @ 10%			3 878.00
TOTAL			38 788.00
Congress Registration (525 EUR = 849 8565 ZAR)			8 500.00
Air Fare (Return) via Doha			15 838.00
Accommodation (275 EUR = 408 8153 ZAR)			4 300.00
Subsistence & Travelling			10 950.00
Lunch Tariff (Considering Airport lay overs)	3 x	350.00	1 050.00
Overnight Allowance (Miling beyond SACO Courtesy)	6 x	1 500.00	9 000.00

10.14 UCLG AFRICA / ALAN: INVITATION TO THE DEPUTY MAYOR TO REPRESENT ALAN AT THE UCLGA - SARO EXECUTIVE MEETING IN HARARE, ZIMBABWE

(M/C 2019/04/11 - A 2/3/1/4/1)

RESOLVED:

That the invitation to Councillor Maria Elago to represent ALAN at the United Cities and Local Governments of Africa - SARO (UCLGA0-SARO) Executive meeting, from 15-16 July 2019 in Harare, Zimbabwe, not be approved due to short notice.

10.15 STATE FUNERAL: LATE OMUKWANILWA IMMANUEL KAULUMA ELIFAS

(M/C 2019/04/11 - 7/1/1/2; A 3/4)

During the discussion of this item, Councillor U Kaapehi informed the meeting that he wishes to travel on 11 April 2019.

RESOLVED:

- (a) That approval of attendance of the Councillors that confirmed to attend the State Funeral of Late Omukwanilwa Immanuel Kauluma Elifas that will take place on 12 & 13 April 2019 in Onilpa Constituency, Oshikoto Region, be approved.
 - (b) That the Hyundai bus be used for the purpose and the travelling expenses be defrayed for the Hyundai Debit Card.
 - (c) That the out of town allowances N\$16 750.00.00 be defrayed from the Council's Functions & Entertainment Vote 100510208700 where N\$40 000.00 is available.
 - (d) That it be noted that the Subsistence and Travelling allowance will only be applicable as from 12 April 2019.
-

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**
- 11.1 **ORDINARY AND SPECIAL MANAGEMENT COMMITTEE MEETINGS HELD ON 11 APRIL 2019**
- 11.1.1 **CANCELLATION CONFIRMATION: ERF 356, EXTENSION 1, MILE 4 (C/M 2019/04/25 - M 4 E 356)**

Ordinary Management Committee Meeting of 11 April 2019, Addendum 7.1 page 03 refers.

-
- A. The following item was submitted to the Management Committee for consideration:

1. **Introduction**

The standard cancellation of the transaction for Erf 356, Mile 4 for Mr Ageshe-Pombili A Shapumba was submitted to Council on **28 March 2019** under item 11.1.11 whereafter the following was resolved:

That this item be referred back and be resubmitted to the next Management Committee Meeting

Following the above decision, an application dated **01 April 2019** was received requesting extension of 3 months to secure the purchase price for the property. The purchaser provides a timeline of the efforts made to secure the purchase price.

Mr A-P A Shapumba was allocated Erf 356 as a next qualifying bidder following the sale of **15 December 2017** in the amount of N\$573 760.00. The date of sale was **27 September 2018** and the due date to secure the purchase price was 31 January 2019. The purchaser was given notice of 21 days (**25 February 2019**) to rectify the breach.

The purchaser was also called on **11 February 2019** and was explained that the transaction will be cancelled upon expiry of the notice period. In this regard, the deed of sale stipulates as quoted from Paragraph 3 and 5 of Annexure "B" of the Deed of Sale and the transaction was accordingly cancelled due to non-performance:

...this Agreement shall be deemed to have been cancelled and shall be of no further force and effect, without any obligation on the SELLER to place the PURCHASER on terms to make payment and without the obligation on the SELLER to inform the PURCHASER that the agreement has indeed become cancelled.

2. **Allocation of Erf 356, Extension 1, Mile 4**

Erf 356, Extension 1, Mile 4 forms part of the 34 erven sold on a closed bid on **17 December 2017**. Subsequent to the cancellation of the transaction the property was offered to the next qualifying bidders. Quoted below the bidders listed at the sale for Erf 356, Extension 1, Mile 4:

#	Bidder	Bid Amount	Comments
1	Meyer, Edward	990 000.00	Allocated Erf 312
2	Beuthin, Maria Magrietha	880 000.00	Accepted - subsequently cancelled
3	Bezuidenhout, Gavelyn R	750 000.00	Allocated Erf 325
4	Mijo, Marlene	728 550.00	Allocated Erf 323
5	Thomas, Monica Ndapandula	704 000.00	Allocated Erf 363
6	Kofane, Reynald L	610 995.95	Offered - cancelled
7	Punzel, Maria	600 000.00	Offered - cancelled
8	Attham, Helani Ndahipewa	585 100.00	Allocated Erf 364
9	Botes, Christopher Ludolf	575 000.00	Allocated Erf 379
10	Shapumba, Alex Ageshe	573 760.00	Current purchaser - cancelled on 25 Feb 2019.
11	Edwin Tjmarje (71051800132)	551 001.04	Unallocated
12	Botes, Charl Ludolf	550 000.00	Unallocated
13	Nekafingo, Erwin	548 238.99	Unallocated
14	Doel, Gunther F	548 000.00	Unallocated
15	Goldenhuy, Benalt Friedrich	536 804.00	Unallocated
16	Burger, Fredrik	533 000.00	Unallocated
17	Rooyen, Christiaan	521 860.00	Unallocated
18	Swart, JP (530221)	503 000.00	Unallocated
19	Mouton, Andries	500 000.00	Unallocated
20	Shindings, Gabriel	500 000.00	Unallocated
21	Muter, Dorothea	500 000.00	Unallocated
22	Namboga, Annamary (peter)	500 000.00	Unallocated

The public was assured that next qualifying bidders will be considered for allocation immediately after the final due date for payment lapses. All bidders for each erf were listed according to the bid amounts and are therefore eligible for consideration in cases where the initial purchaser did not perform in terms of the conditions of sale. The allocation of erven to the next qualifying bidders is also a condition of the sale document.

3. Discussion

Council on 28 February 2019 under item 11.1.19 passed the following decision with reference to an application by Mr G McNab of Erf 326, Mile 4 which formed part of the same sale as Erf 365, Mile 4:

- That Council remains with the conditions of sale for Extensions 1, Mile 4 (i.e. requiring the purchase price to be secured by the final due date of 25 February 2019, by either a cash payment, or electronic fund transfer or bank guarantee.
- That Mr G R McNab be informed that the purchase price for Erf 326, Extension 1, Mile 4 must be secured by cash payment or an electronic fund transfer or a Bank Guarantee (subject to penalty interest being levied from 28 September 2018 since 31 January 2019 is past).
- That failure to secure the purchase price on 25 February 2019 will result in cancellation of the transaction.
- That Council honours its undertaking to the next qualifying bidders and that the Property Section continues with the allocations of the cancelled transactions accordingly.

Mr G McNab also requested a period of 3 months to finalize the transaction. His final due date was 25 February 2019. In terms of

the conditions of sale the prospective purchasers are urged to consult their financier before the sale in order to assess their financial status prior to committing to the purchase of an erf. Quoted from the conditions of sale:

No negotiations will be entered into after the bids have been opened and prospective purchasers are cautioned to make adequate provision with their financial institutions prior to the proceedings, as no other arrangement will be accepted than indicated herein.

The transaction of Mr Shapumba for Erf 356, Extension 1, Mile 4 was automatically cancelled upon expiry of the 21 days' notice period on **25 February 2019**. Therefore in terms of the conditions of sale for the public sale held on **17 December 2017** the erf must be offered to the next qualifying bidder listed.

B. After the matter was considered, the following was:-

RECOMMENDED:

That the transaction of Mr Ageshe-Pombili A Shapumba for the purchase of Erf 356, Extension 1, Mile 4 be extended until 31 July 2019.



Due to the voluminous content - the attachments are available on file.

- 11.1.2 **MR AND MS N & J HANGULA: APPLICATION TO PURCHASE THE REMAINDER OF A STREET LOCATED ON THE CORNER OF ERF 358, MILE 4 AND TO CONSOLIDATE IT WITH ERF 358, MILE 4**
(C/M 2019/04/25 - M 4 E358, 19/03/09)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 7.2 page 08 refers.

- A. The following item was submitted to the Management Committee for consideration:

This item was discussed at the Planning Forum of 27 February 2019 under item 5.5 and was recommended for submission to the Management Committee meeting.

1. **Introduction**

The attached complete application (Annexure "A") dated 5 October 2018 was received from Mr N and Ms J Hangula (owner of Erf 358, Mile 4) to purchase a portion of the street located on the corner of Emerald Street and Baobab Avenue. The intention is to consolidate the said portion with their Erf 358, Mile 4. The receipt of the application was acknowledged on 26 November 2018 and the applicant was informed that it will be submitted to Council's internal forums for discussion.

2. **Discussion**

Mr N and Ms J Hangula applied to purchase the street portion on the corner of Emerald Street and Baobab Avenue, Mile 4 to consolidate it with Erf 358, Mile 4 of which they are the owner. The applicant motivates their application as follows:

- Members of the public can use the area for parking of vehicles, loitering and create food stands for builders in the area.
- They believe it will result in disturbance and attract unnecessary attention to their property.

Should it be consolidated with the erf of the applicant, it will increase the total size and the value of the consolidated erf.

3. **Comments from Engineering Services**

Engineering Services was requested to provide comments whether the street portion can be sold to the applicant. Engineering Services Department as per memo dated 24 January 2019 (Annexure "B") stated that they do not support the application to sell a portion of the street adjacent to Erf 358, Mile 4 for the following reasons:

- (i) Sight distance will not be sufficient
- (ii) Insufficient sight distance may hamper vehicular and pedestrian safety.

No comments regarding the location of services on the portion were provided and therefore it is assumed that no services are located on the portion.

4. Proposal

Based on the comments from the Engineering Service Department it is proposed that the application of Mr N and Ms J Hangula to purchase a portion of the street located on the corner of Emerald Street and Baobab Avenue and to consolidate the said portion with Erf 358, Mile 4, Swakopmund not be approved.

B. After the matter was considered, the following was:-

RECOMMENDED:

That the application of Mr N and Ms J Hangula to purchase a portion of the street located on the corner of Emerald Street and Baobab Avenue and to consolidate the said portion with Erf 358, Mile 4 Swakopmund not be approved, due to the following reasons:

- (i) *Sight distance will not be sufficient*
 - (ii) *Insufficient sight distance may hamper vehicular and pedestrian safety.*
-



MEMORANDUM

OFFICE OF THE ENGINEERING DEPARTMENT

To: The General Manager Corporate Services & HR
From: The General Manager Engineering Services
Date: 24 January 2019
Reference: MA E 358, 9/03/09 ✓
Subject: Application To Purchase The Remainder Of a Street
 (± 120m²) Located On The Corner Of Erf 358, Mile 4 and 45,
 Consolidate it with Erf 358, Mile 4



The above subject matter has reference,

Kindly note that we cannot recommend the approval of the purchasing of a street adjacent to Erf 358 in mile 4, as received on 5-October 2018 from Mr N and Ms J Hangula due to the following reason (s):

- Not recommended, as sight distance will not be sufficient
- Insufficient sight distance may hamper vehicular and pedestrian safety.



Figure 1: Sight Distance Check at Intersection of Emerald Street and Bacoba Avenue.

Regards

Mr C McClure
 GENERAL MANAGER ENGINEERING SERVICES

RC/bu

Due to the voluminous content - the attachments are available on file.

11.1.3 SALE OF 14 DECEMBER 2018: CANCELLATIONS BY THE PURCHASERS

(C/M 2019/04/25 - E 4914, E 4915, E 4923, G 3/3/2/14, 19/03/08)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 7.3 page 12 refers.

A. The following item was submitted to the Management Committee for consideration:

1. Introduction

At the public closed bid sale of 14 December 2018 Council offered 43 erven for sale. Of these erven 42 are located in Extension 14, Swakopmund and 1 in Extension 8.

All the erven were sold at the sale and the outcome was as follows:

Upset Price / m ²	=	:	NS	500.00
Average Obtained / m ²		:	NS	809.00
Total Expected Income		:	NS	27 571 421.57

The due date to secure the purchase prices is 15 April 2019, after which date 21 days notice will be issued to those purchaser who have not yet performed.

Following the above sale, 3 of the purchasers submitted written cancellations received on 18 March 2019 of their transactions:

	Erf No	Purchaser	Purchase Price	Annexure
1	4914	Mr G E Meyer	NS 641 900.00	"A"
2	4915	Ms M De Lange	NS 630 690.00	"B"
3	4923	Ms H W Meyer	NS 673 900.00	"C"

The N\$5 000.00 registration fees are forfeited.

Council on 31 January 2019, under item 11.1.3 passed the following resolution with reference to cancellations of erf transactions:

(d) That, in future, all close bid auction cancellations be submitted to Council for approval.

Seeing that the above resolution reads "all" cancellations, no exclusion is provided for the instances where a purchaser cancels the transaction.

For the above reason the 3 cancellations are submitted to the Management Committee.

2. Current Situation

The conditions of sale provided that should a transaction be cancelled, the erf will be offered to the next qualifying bidder.

In order not to delay the income of the purchase price from the next qualifying purchaser, it is proposed that the above resolution be amended to read:

- (d) That, in future, cancellations by Council (the seller) for closed bid auctions be submitted to Council for approval.

The above is based on the understanding that the purchaser voluntarily cancels the sale and no disputes will arise from such.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That the Council approves the following cancellations of the sale transactions by the purchasers:

	<i>Erf No</i>	<i>Purchaser</i>	<i>Purchase Price</i>	<i>Annexure</i>
1	4914	Mr G E Meyer	R5641 900.00	"A"
2	4915	Ms M De Lange	R5630 090.00	"B"
3	4923	Ms H W Meyer	R5673 900.00	"C"

- (b) That the Property Section proceeds with the allocation of the allocation of these erven to the next qualifying bidder in terms of the conditions of sale.
- (c) That point (d) of Council's resolution, item 11.1.3 passed on 31 January 2019 be amended as follows:

Current wording:

- (d) That, in future, all close bid auction cancellations be submitted to Council for approval.

Amended wording:

- (d) That, in future, all close bid auction cancellations by Council (the seller) for closed bid auctions be submitted to Council for approval.
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Due to the voluminous content - the attachments are available on file.

11.1.4 **DETERMINATION OF PURCHASE PRICE FOR THE MEDULETU HALL ON ERF 1802, MONDESA**

(C/M 2019/04/25 - M 1802, 19/03/02)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 7.4 page 17 refers.

A. The following item was submitted to the Management Committee for consideration:

1. **Introduction**

The following item was discussed by the Planning Forum on 12 March 2019 under item 5.4 and is now submitted to the Management Committee to determine the purchase price for the sale of the Meduletu hall situated on Erf 1802, Mondesa based on the valuations obtained from the municipal valuer and an additional valuer.

A map indicating the location of the Erf 1802, Mondesa is attached as Annexure "D".

Erf 1802, Mondesa is 1 439m² in extent and the hall (340m²) on it is currently being leased out to the public for events.

2. **Background**

2.1 On 08 February 2007, an application (Annexure "A") was received from Mr Paulus Jonas to purchase the Meduletu Hall for R5250 000.00 in order to extend his business on Erven 2480 and 2481, Mondesa and to operate a bakery, superette and laundry from the hall.

The application of Mr Jonas was approved by Council on 26 April 2007 under item 11.1.21 as follows:

- (a) That Council in principle approves the application of Mr P Jonas to purchase the Meduletu Hall subject thereto that the transaction only be finalised once the new hall has been commissioned.
- (b) That the purchase price of the Meduletu Hall be determined by calculating the average value received for the property from three sworn valuers.
- (c) That all statutory requirements be adhered to and be for the account of the applicant.

Mr Jonas was informed of the decision on 09 May 2007 attached as Annexure B. The sale of Meduletu Hall was considered by Council since the hall was inadequately equipped to cater for all community needs as the community is always demanding more amenities to be added to the hall.

At the time Council envisaged the need for a modern multi-functional hall for various events such as concerts, dinners and dances, conference and exhibitions, weddings, etc. The application of Mr P Jonas has been on hold pending the finalisation of the construction of the new community hall since then.

Community Services Department confirmed the completion of the new Hall as per attached memo Annexure "C".

2.2 Council on 28 November 2012 approved the sale of a portion of Erf 1803 known as Erf 4365, Mondesa to Mr Jonas. The erf was

consolidated with Erven 2480 and 2481, Mondesa into Erf 4366, Mondesa. An approved diagram indicating the consolidated erf is attached under **Annexure "D"**.

Since Council only sold a portion of Erf 1803, the Remainder of Erf 1803, Mondesa is still available and belongs to Council. The Remainder of Erf 1803 is zoned "Public Open Space". Due to the public open space located between Erf 1802 and Erf 4366, Mondesa, it is not possible to consolidate the two erven should Mr Jonas has intention to consolidate Erf 1802 with Erf 4366, Mondesa in future.

According to the Town Planning Section, Erf 1802, Mondesa is zoned "Institutional". In order to conform with the zoning of the proposed usage as well as the adjacent businesses erven, Erf 1802, Mondesa be rezoned from "Institutional" to "Local Business" at the cost of the Purchaser.

3. Determination of purchase price

Valuations were received from two valuers for the land (1439m²) and the improvement (340m²) zoned "General Business". The table below indicates the valuations of the two valuers (**Annexure "E"**).

Size	The Trust & Estate Co	Ludwig Schroder Estate Agents CC
Land - 1439m ²	R\$650/m ² = R\$ 935 350.00	R\$590/m ² = R\$850 000.00
Building -340m ²	R\$3 000/m ² = R\$ 1 020 000.00	R\$3440/m ² = R\$1 169 700.00
Total	R\$1 955 350.00	R\$2 019 700.00
Average Value	R\$1,987, 525.00/1439= R\$1 381/m ²	

Calculated on the average price of R\$1381/m² for Erf 1802, Mondesa with improvement the purchase price is as follows:

$$1\ 439\text{m}^2 \times R\$1\ 381/\text{m}^2 = R\$1\ 987\ 525.00 \text{ excluding } 15\% \text{ VAT}$$

The valuation of the Trust & Estate Co was determined using comparable sales of General Business sold in 2017.

4. Comparison with a Similar Sale in the Area

Council on **13 February 2015** sold 5 general businesses in Mondesa by closed bid sale at:

✓ Average / m ² at the sale	319.05
✓ Average / m ² upset price	308.00

Subsequent to the above sale another sale was held on **16 November 2018** of 4 General Business erven located in Mondesa as follows:

✓ Average / m ² at the sale	700.00
✓ Average / m ² upset price	422.00

Council on **28 June 2018** under item 11.1.2 approved to sell Erf 4366, Mondesa, (1 785m²) with the improvement by closed bid at an upset price of R\$756.30/m² x 1 785m² = R\$1 350 000.00 to 12 applicants on file. This price was determined based on the average of the following valuations:

Valuator	Price/m ²	Total price
The Trust & Estate Co	R\$ 644.26	R\$ 1 150 000.00
Ludwig Schroder Estate Agents CC	R\$ 668.35	R\$ 1 550 000.00

Average	$\frac{N\$1\,512\,617,2}{2}$ = N\$756.30	$\frac{N\$2\,750\,000,00}{2}$ = N\$ 1 350 000,00
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On 15 March 2019, the property was sold in the amount of N\$1 501 000.00 (N\$840.00/m²).

5. Conclusion

It is proposed that Council approves the purchase price for the sale of the Meduletu Hall to Mr Jonas at an average price of N\$1 381.00/m² based on the average estimated market value and subject to Council's standard conditions.

In terms of the latest amendment to the Local Authorities Act 23 of 1992, the alienation of an established erf is published in terms of section 63 (2) (b). Irrespective of whether or not objections were received, the approval of the Ministry of Urban and Rural Development must be obtained to proceed with the alienation in terms of section 30 (1) (t).

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Council approves the sale of Erf 1802, Mondesa for the land and building as "voetsfoots" at an average purchase price of N\$1 381.00/m² x 1 439m² = N\$1 987 525.00 (15% VAT excluded) to Mr Paulus Jonas.
- (b) That Mr Paulus Jonas confirms in writing the acceptance of the purchase price whereafter the sale be advertised as required in terms of the Local Authorities Act, Act 23 of 1992, as amended, at his cost.
- (c) That the purchaser be responsible for the rezoning of Erf 1802, Mondesa from "Institutional" to "Local Business".
- (d) That the sale be subject to Council's standard conditions of sale by private treaty:
 - (i) That the purchaser pays a deposit of N\$10 000.00 towards the statutory costs relating to the transaction including, but not limited to advertising cost, compilation of the agreement of sale, rezoning as well as any legal costs that may arise from this transaction.
 - (ii) That the above deposit be paid within 90 days from the Council resolution approving the purchase price, failing which Council's resolution will be revoked at the next Council meeting following the expiry of the 90 days.
 - (iii) That any remainder of the deposit in (i) above be refunded to the purchaser on completion of the transfer of the erf.
 - (iv) That once the statutory process of rezoning is finalized, Council's intention to sell the erf be advertised for possible objections as required in terms of the Local Authorities Act, Act 23 of 1992 at the cost of the purchaser.
 - (v) That the transaction be concluded within 120 days from approval being granted by the Ministry of Urban and Rural Development to proceed with the intended transaction.

- (vi) That payment of the purchase price be secured either in cash or bank guarantee in favour of the Swakopmund Municipality within 120 days from the Honourable Minister's favourable response.
- Failure to secure the purchase price within the required period will result in cancellation without the need to place the purchaser on terms.
 - Should the purchase price be secured by a bank guarantee the transfer must be effected on / before the 120th day, else interest will be levied as from the date of Ministerial approval (date of sale) until the date of registration of transfer at a rate as confirmed with Council's bank on the date of sale.
- (vii) That the purchasers accept that no rights will accrue to them from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
- (viii) The erf is sold "voetstoots" or "as is" with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the lay-out or situation or subterranean composition of the property or any improvements thereon. The Council also does not warrant that the services installed at the property are suitable for the use intended by the Purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage and water connections are suitable for the intended use of the property.
- (ix) That the property or any portion thereof may not be alienated without being offered to Council at the purchase price it was obtained from Council.
- (x) That no development or additions to the property be permitted to commence until the statutory processes have been completed and the erf is transferred.
- (xi) The agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of receipt thereof.
- (xii) That the purchaser indemnifies Council against any claims resulting from blasting, should blasting need to be done.
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PTN A = ± 432m² 460m²?
 RE/1803 = ± 1380m²

Scale: 1/1500

DATE: DEC 2011

PLANNED: 1803MOND



SUBDIVISION OF ERF 1803 MONDESA
 INTO PORTION A & RE/1803

PLANNING CONSULTANTS

1001 4TH
 BRONKHORST
 TEL: 021 251 2100
 CELL: 082 951 9199



Due to the voluminous content - the attachments are available on file.

11.1.5 **CANCELLATION CONFIRMATION: VARIOUS ERVEN OF THE SALES OF EXTENSIONS 34 AND 35 (2017)**

(C/M 2019/04/25 - E 9027, E 9037, E 9094, E 8953, E 9069, 9073)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 7.6 page 43 refers.

A. The following item was submitted to the Management Committee for consideration:

1. Introduction

- 1.1 The purpose of this submission is to inform Council of the standard cancellation of the various transactions of erven located in Extensions 34 and 35 which were sold during 2017, due to non-performance by the purchasers.

Council on **31 January 2019** resolved that all cancellations be submitted to the Management Committee. Point (d) of Item 11.1.3 is quoted:

(d) That, in future, all close bid auction cancellations be submitted to Council for approval.

Cancelled transactions:

Erf #	Purchaser	Due Date	Comments
1	9027 Ms L Shipak	25 Feb 2019	Cancellation letter was issued dated 27 February 2019.
2	9037 Mr S Unsoeb	31 Jan 2019	Cancellation letter was issued dated 04 February 2019.
3	9094 Ms C De Jay	25 Feb 2019	Cancellation letter was issued dated 27 February 2019.
4	8953 Ms D V Dandago	25 Feb 2019	Cancellation letter was issued dated 27 February 2019.
5	9069 Ms A K Uashona	12 Mar 2019	Cancellation letter was issued dated 13 March 2019.
6	9073 Ms J Kazombanuru	12 Mar 2019	Cancellation letter was issued dated 13 March 2019.

- 1.2 Council during 2017 held 5 public sales at which 254 erven zoned "Single Residential" were offered for sale. The transactions for the following sales are finalized:

24 February 2017 - 50 erven were sold of which all 50 transactions are finalized
28 April 2017 - 47 erven were sold of which all 47 transactions are finalized

Although the sales were held on 5 different dates, the date of sale for the first 4 sales were all determined to be **28 April 2017** (Government Gazette 6297 proclaiming the two extensions as townships). Below is the status of the remaining three sales:

1.3 Sale of 27 January 2017

50 erven were sold of which 49 transactions are finalized.

- ⊙ **Erf 9094**, Ms M C De Jay failed to secure the purchase price on the due date of 25 February 2019 and the transaction lapsed on the said

date. The purchaser was informed of the cancellation per letter dated 27 February 2019.

At the sale, 19 bidders were listed for the said erf, 16 remain after Ms M C De Jay.

1.4 Sale of 31 March 2017

49 erven were sold of which 45 transactions are finalized.

- ⊖ Erf 9219, the due date to secure the purchase price is 10 April 2019.
- ⊖ Erf 8951, the property is offered to the next qualifying bidder (12 March 2019).
- ⊖ Erf 8961, the due date to secure the purchase price is 08 March 2019 (21 days' notice issued).
- ⊖ Erf 8953, Ms D V Goba failed to secure the purchase price on the due date of 25 February 2019 and the transaction lapsed on the said date. The purchaser was informed of the cancellation per letter dated 27 February 2019.

At the sale, 31 bidders were listed for the said erf, there are 3 bidders remaining after Ms D V Goba.

1.5 Sale of 02 June 2017

58 erven were sold of which 53 transactions are finalized.

- ⊖ Erf 9089, Ms A K Uushona failed to secure the purchase price on the due date of 12 March 2019 and the transaction lapsed on the said date. The purchaser was informed of the cancellation per letter dated 13 March 2019.

At the sale, 13 bidders were listed for the said erf, of which 2 remain after Ms A K Uushona.

A letter dated 08 March 2019 was received from the purchaser requesting an extension of time to secure the purchase price (attached as Annexure "A").

Council's resolution of 28 September 2017 under item 11.1.25 relating to the 254 erven sales in Extensions 34 and 35 has bearing on her application:

- (a) That Council remains with the conditions of sale for Extensions 34 and 35 i.e. requiring the purchase prices to be secured by the final due date of 20 September 2017, by either a cash payment, or electronic fund transfer or bank guarantee.
- (b) That the transactions for those purchasers who have not complied with the contractual requirement be cancelled.
- (c) That Council honours its undertaking to the next qualifying bidders and that the Property Section continues with the allocations of the cancelled transactions accordingly.

Council also considered a similar application for extension of time for the sale of a Mile 4 erf by public closed bid sale on 28 February 2019 and the following decision was passed:

- (a) That Council remains with the conditions of sale for Extensions 1, Mile 4 i.e. requiring the purchase prices to be secured by the final

due date of 25 February 2019, by either a cash payment, or electronic fund transfer or bank guarantee.

- (b) That Mr G R McNab be informed that the purchase price for Erf 326, Extension 1, Mile 4 must be secured by cash payment or an electronic fund transfer or a Bank Guarantee (subject to penalty interest being levied from 28 September 2018 since 31 January 2019 is past).
 - (c) That failure to secure the purchase price on 25 February 2019 will result in cancellation of the transaction.
 - (d) That Council honours its undertaking to the next qualifying bidders and that the Property Section continues with the allocations of the cancelled transactions accordingly.
- ② **Erf 9073.** Ms J Kazombaruru failed to secure the purchase price on the due date of 12 March 2019 and the transaction lapsed on the said date. The purchaser was informed of the cancellation per letter dated 13 March 2019.

At the sale, 15 bidders were listed for the said erf, of which there are 3 bidders remaining on the list after Ms J Kazombaruru.

- ③ **Erf 9080,** the due date to secure the purchase price is 21 May 2019.
- ④ **Erf 9027,** Ms L Shipiki failed to secure the purchase price on the due date of 25 February 2019 and the transaction lapsed on the said date. The purchaser was informed of the cancellation per letter dated 27 February 2019.

At the sale, 36 bidders were listed for the said erf, of which 23 remain after Ms L Shipiki.

- ⑤ **Erf 9037,** Mr S Unaeb failed to secure the purchase price on the due date of 31 January 2019 and the transaction lapsed on the said date. The purchaser was informed of the cancellation per letter dated 04 February 2019.

At the sale, 16 bidders were listed for the said erf, of which 8 remain after Mr S Unaeb.

2. Discussion

At the closed bid sales, the public was assured that next qualifying bidders will be considered for allocation immediately after the final due date for payment lapses.

All bidders for each erf were listed according to the bid amounts and are therefore eligible for consideration in cases where the initial purchaser did not perform in terms of the conditions of sale. The allocation of even to the next qualifying bidders is also a condition of the sale document.

The transactions listed under point 1 were automatically cancelled upon expiry of the 21 days' notice period.

In terms of the conditions of sale for the public sales held on 27 January 2017, 31 March 2017 and 02 June 2017, the even will be offered to the next qualifying bidders listed.

B. After the matter was considered, the following was:-

RESOLVED: (For Condonation by Council)

That Council confirms the extension of the following transactions until 30 April 2019:

	Erf #	Purchaser	Due Date	Comments
1	9027	Ms L Shipiki	25 Feb 2019	Cancellation letter was issued dated 27 February 2019.
2	9037	Mr S Unaab	31 Jan 2019	Cancellation letter was issued dated 04 February 2019.
3	9094	Ms C De Jay	25 Feb 2019	Cancellation letter was issued dated 27 February 2019.
4	8953	Ms D V Dandago	25 Feb 2019	Cancellation letter was issued dated 27 February 2019.
5	9069	Ms A K Uushona	12 Mar 2019	Cancellation letter was issued dated 13 March 2019.
6	9073	Ms J Kazombanuru	12 Mar 2019	Cancellation letter was issued dated 13 March 2019.

Due to the voluminous content - the attachments are available on file.

- 11.1.8 **INVITATION AND REQUEST: THE SWAKOPMUNDER KARNEVALSVEREIN (KÜSKA)**
(C/M 2019/04/25 - J 9/3)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 7.7 page 48 refers.

A. The following item was submitted to the Management Committee for consideration:

Attached letter from Mr Karl-Heinz Schulte, the Chairperson of the Swakopmunder Karnevalsverein (Küska) requesting Council to assist with the preparations of the carnival scheduled to take place from **21-29 June 2019** in Swakopmund.

The Swakopmunder Karnevalsverein commonly known as the "Küska" (Coastal Carnival) is one of the biggest carnivals in the country, taking place annually during June, over ten (10) days in Swakopmund. It plays an important cultural role especially for the German community. This year the carnival will be organized and hosted for the 34th time under the motto "Swakop Strand-Imposant". The organizers require Council's assistance with the following matters:

Banner

Permission is requested to erect a banner between the palm trees at the corner of Daniel Tjongarero and Tobias Haiyeko Street as from the **5 May 2019** until **29 June 2019**.

Narrenwecker

Permission is requested from Council to allow the organizers to host the Narrenwecker on **25 May 2019** in the Main Street (Sam Nujoma Avenue) and to avail ten (10) rubbish bins for the event. The lane in front of Nedbank will be closed as from 8h00 until 20h00. A detailed letter will be sent to the Traffic Services.

Invitation to evening events during the carnival

The Mayor should indicate her availability to attend one of the evening programs during the carnival in order for place to be reserved for her and a partner. (The programme and details on the "Umtrunk" and handing over of town key will be forwarded in due course).

Float Procession

The Swakopmunder Karnevalsverein is seeking Council's permission to hold the float procession on **29 June 2019**. The Traffic Services Section will be contacted for more details. Council is also invited to participate in the float procession. Management Committee on **14 June 2018** under item 9.1 resolved as follows:

- (a) That approval be granted for participation in the float procession at the Swakopmunder Karnevalsverein (Küska) scheduled to take place on 23 June 2018 in Swakopmund.
- (b) That the Swakopmund Municipal Fire Brigade truck and the Isuzu 250 Carrier - N 3546 S be used during the float and that six (6) voluntary staff members register with the Corporate Officer: Marketing and Communications before 15 June 2018.

- (c) That the funds for the refreshments be defrayed from the Corporate Service's Publicity Vote: 102010212700 where N\$22 544.00 is available and for the decorations from the Promotional Items Vote: 102010212000 where N\$86 897.27 is available.
- (d) That available Councillors attend the Maskenball on 22 June 2018 and the Umzug & Kehrbus on 23 June 2018, and that they confirm their availability before 15 June 2018.

Should approval be granted for municipal employees to participate in the carnival, the General Manager: Engineering Services is requested to avail the truck, Isuzu 250 Carrier - N 3546 S, driven by Mr Bennis Kazombiase, to be used for the float procession on 29 June 2019. The truck should be decorated prior to the event therefore décor should be purchased one week in advance. Due to the size of the truck, it is recommended that only six (6) employees (volunteers) including the driver participate and that refreshments be provided by Council to the employees during the procession.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Council takes note of the request for assistance with regards to the hosting of the Swakopmunder Karnevalsverein (Küska) that will take place as from 21 -29 June 2019 on Swakopmund.
- (b) That the organizers be granted permission to erect a banner between the palm trees at the corner of Daniel Tjongarero and Tobias Hainyeko Street as from 5 May - 29 June 2019.
- (c) That the organizers be granted permission to host the Narrenwecker in the Main Street (Sam Nujoma Avenue) and that the lane in front of Nedbank will be closed as from 8h00 until 20h00 on 25 May 2019.
- (d) That the General Manager: Health Services avail ten (10) rubbish bins to the organizers.
- (e) That the Mayor indicates her availability to attend one of the evening programs during the carnival.
- (f) That the organizers liaise with the Traffic Services with regard to the closure of the lane in Sam Nujoma Avenue on 25 May 2019 and float procession which will take place on 29 June 2019.
- (g) That Council participates in the float procession at the Swakopmunder Karnevalsverein (Küska) on 29 June 2019.
- (h) That the Isuzu 250 Carrier - N 3546 S be used during the float procession and that six (6) municipal employees voluntarily participate and be provided with refreshments.
- (i) That the funds for the refreshments be defrayed from the Corporate Service's Publicity Vote: 102010212700 where N\$58 297.34 is available and for the decorations from the Promotional Items Vote: 102010212000 where N\$76 510.81 is available.

Due to the voluminous content - the attachments are available on file.

11.1.7 **APPLICATION FOR LAND FOR ESTABLISHMENT OF A QUARRY**
(C/M 2019/04/25 - G 4/1/1)

Ordinary Management Committee Meeting of 11 April 2019,
Addendum 7.8 page 54 refers.

A. The following item was submitted to the Management Committee for consideration:

1. **Introduction**

The following item was discussed by the Planning Forum on 12 March 2019 under item 5.3 and is now submitted to the Management Committee for consideration.

A letter dated 22 May 2018 (received on 22 June 2018) was received from Mr Hambelela Anyolo applying to either lease or purchase a portion of land measuring approximately 8ha for the establishment of a quarry. The application letter and map is attached as Annexure "A".

The area applied for is located close to the northern boundary of the townlands, east of the Chinese satellite station.

2. **Current Situation**

2.1 A memorandum dated 03 July 2018 was addressed to the General Manager: Engineering Services and the General Manager: Health (Annexure "B").

The following issues were raised:

1. Location of the current quarry site measuring 308,4153 hectares being leased to Onganja Mining Company (Pty) Ltd trading as Quarry Ventures for a lease period ending 31 May 2027.
2. Location of the proposed quarry claims by Gecko Investment Nine (Pty) Ltd, owners of Portion 23 of Farm 163, Swakopmund.
3. Environmental impacts and health risks associated with the proposed venture. Possible impacts ranging from dust pollution, noise pollution, rehabilitation and effects on the subterranean stability.
4. The effect an additional quarry site will have on the eastward development of the town.
5. The Environmental Act, Act 7 of 2007 requires an Environmental Assessment to be conducted by the applicant on development projects such as quarrying and submit a report to the Ministry of Environment and Tourism; whereafter an Environmental Clearance Certificate must be issued to authorize the proposed activity. An Environmental Impact Study will also be required by the Chief Inspector of Explosives, NAMPOL, under whose authority quarrying operations reside.

2.2 Council currently leases land for quarry purposes to Onganja Mining Company (Pty) Ltd trading as Quarry Ventures. Council on 2 February 2016 under item 11.1.1 approved the renewal of the lease period which will lapse on 31 May 2027.

2.3 While considering objections against the establishment of an aggregate quarry by Noridas Industria (Pty) Ltd, Management Committee on 10 January 2019 passed the following resolution under item 8.8:

That the application for the consent by Nonidas Industria (Pty) Ltd to establish an aggregate quarry on Portion 23 of Farm 163, Swakopmund be kept in abeyance until the Strategic Structural Plan is approved by Council.

Quoted from the submission tabled to the Management Committee the following evaluation was done by the Engineering Services Department:

"In addition to prior statements, the Swakopmund Municipal Council is in process of formulating its long term Structure Plan, which will direct and guide developments in the near future. The Structure Plan will specify what type of development should be earmarked where and possible by what time.

Having quarries surrounding the town would make the extension of the town impossible and costly as these mining pits have to be rehabilitated first before development can take place. The mining quarry may impact considerably on future town development in Swakopmund, with most of the impact expected to both increase development cost and to introduce possible hazardous practices within, or in close proximity to planned future urban areas.

It is the intention of the Council to develop towards the north and east of the town. It should also be noted that several large institutional and national developments are planned for the area just to the north and west of the proposed mining area, including a long term rehabilitation centre (Ministry of Health) and new premises for the Ministry of Safety and Security, Directorate of Correctional Services. Given the proximity of these institutional developments to the proposed mining area, the proposed mining quarry is not supported."

- 2.4 Thirty-Eight objections were received against the application of Nonidas Industria (Pty) Ltd. The basis of the objections are issues such as noise pollution, dust and air pollution, negative structures, environmental impacts, cracking of the building and potential instability of structures, negative impact on tourists and tourism activities, blasting and the impact of construction of the proposed plant to the surrounding areas.

The objectors stressed that the proposed quarry location is within a sensitive environmental area in which protected species of lichen can be found.

- 2.5 The same issues can be raised in respect of the application of Mr H Anyolo.

3. Proposal

It is proposed that Mr Hambelela Anyolo be informed of the resolution passed by the Management Committee on 10 January 2019 under item 8.8 for a similar application by Nonidas Industria (Pty) Ltd.

- B. After the matter was considered, the following was:-

RECOMMENDED:

That Mr Hambelela Anyolo be informed that his application to establish a quarry will be kept in abeyance until the Strategic Structural Plan is approved by Council.

Figure 1: Aerial view of the area of interest (red polygon)



Figure 2: Coordinates table for the area shown

Point No	Latitude (UTM 0600000000)	Longitude (UTM 0600000000)
1	22.59670853	34.58029511
2	22.59324044	34.51978889
3	22.59296111	34.62768944
4	22.54918078	34.58176388

Due to the voluminous content - the attachments are available on file.

11.1.8 **PERMISSION TO CONDUCT SEGWAYS TOURS IN SWAKOPMUND**
(C/M 2019/04/25 - N 8/15/5, 16/2/8/1/3)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 7.10 page 63 refers.

A. The following item was submitted to the Management Committee for consideration:

Introduction

Two applications (one from Messrs Kool Segway Tours Annexure "A" and the other from Messrs Absolute Adventure Namibia Annexure "B") have been received, seeking Council's permission to conduct Segway tours in Swakopmund. These applicants made presentation to the Planning Forum on 29 January 2019, where it was resolved that,

- (a) That the presentations by Mr Loido Mubunga of Messrs Kool Segway Tours CC and Mr Sam Nyambo of Messrs Absolute Adventure Namibia CC be noted.
- (b) That the Community Development Department in liaison with the Engineering Services Department conducts a proper assessment of the application and submits to the Management Committee.
- (c) That the following be clarified:
 - Site / route identification
 - Public sensitization on the business venture

Background

Segway refers to a two-wheeled self-balancing electric device used as a convenient way to travel around in towns and cities. The device uses gyroscopes to remain upright and is controlled by the direction in which the rider leans.

The aim is to cater for local and foreign tourists who would like to experience Swakopmund particularly the beach area in the shortest possible time available. The tours will be conducted as guided tours and users will undergo a 25-30 minutes Segway safety demonstration and training before the tour. Users will be required to wear helmets for safety reasons and minimum age for the tour operation will be from 16 years and above. Segway weighs 47 kg and has a height of 117cm and a width of 65cm, hence will not require a large portion cycle lane/ walk.

The outlined advantages of segways are as follows:

- The device is battery powered
- It is ideal and cost effective for shorter distance to travel
- It does not use fuel and are thus inherently non-polluting
- Encouraging environmental friendly tours
- Promotion and Marketing of Tourism activities in Swakopmund
- Providing working opportunities
- Expanding broader knowledge of historic tourism sites and activities

Previous Council Resolutions related similar applications.

For ease of reference, below is resolution passed in the past with reference to application to conduct tours with electric scooters in Swakopmund.

- (a) That Council approves the application by Messrs Arthur Lofy-Eaton to conduct

tourism tours with electric scooters in the identified streets.

- (b) That the applicant be informed to obtain all relevant licences and authorities from any other external stakeholders required.
- (c) That the applicant registers at the Health Services Department as a business as prescribed by the General Health regulations.
- (d) That the operator shall indemnify Council from all and any claims in respect of damages to property or injury to people, which may arise from the tours.

According to the Traffic Section that handled the application of Messrs Arthur Lofty-Eaton, the proposed tourism tours with scooters is currently not operational. It is said the applicant stated that the business venture is not working as there seems to be not much interests from the target audience.

Discussion

After discussion of the two presentations with Engineering Services and Traffic Section, it was proposed that the bicycle lane in the Strand Street from Würstbude up to the Aquarium be utilized for segways tours.

Safety is very important when dealing with tourist, local residents and vehicle traffic, therefore the proposed business endeavor should work closely with all stakeholders to adhere to the traffic rules for its clients. The following safety aspects have to be considered when these kinds of tours are conducted by wearing protective helmets and reflective vests. Furthermore the tours must be led by a tour guide to minimize vehicular traffic interference.

If the application is considered the drivers should comply with the same regulation applicable to motorcycle, as prescribed in the Road Traffic and Transport Act, Act 22/1999 under regulation 343 which is as follows:

- (1) A person may not drive a motorcycle on a public road unless his or her feet are resting on the front foot-rests suitable for the purpose and, where the design of the motorcycle makes it possible to do so, he or she is seated astride on the saddle of the motorcycle.
- (2) A person may not carry a passenger on a motorcycle on a public road unless it has an engine with a cylinder capacity exceeding 50 cubic centimeters and unless the passenger is seated in a side-car or astride on a pillion attached to the motorcycle and, in the latter event, the feet of the passenger are resting on foot-rests suitable for that purpose.
- (3) Subject to sub regulation (2), not more than two persons may ride on a motorcycle on a public road, excluding a person riding in a side-car attached to the motorcycle.
- (4) Not more than two adult persons may be carried in a side-car attached to a motorcycle on a public road.
- (5) No person, animal or object may be carried on a motorcycle on a public road in front of the driver thereof, but an object of a non-bulky nature may be so carried if securely attached to the motorcycle or placed in a suitable carrier fitted thereon for that purpose and carried in such a way as not to obstruct the driver's view or prevent him or her from exercising complete control over the motorcycle.
- (6) Persons, other than traffic officers in the performance of their duties, driving motorcycles on a public road, must drive in single file except in the course of overtaking another motorcycle, and two or more persons driving motorcycles may not overtake another vehicle at the same time, and where a public road is divided into traffic lanes, each lane is, for the purposes of this paragraph, regarded as a public road.
- (7) A person driving a motorcycle on a public road or seated on a motorcycle may not take hold of any other vehicle in motion.
- (8) Any person driving a motorcycle on a public road must do so with at least one

- hand on the handlebars of the motorcycle*
- (9) *Any person driving a motorcycle on a public road must do so in such manner that all the wheels of the motorcycle are in contact with the surface of the road at all times.*
- (10) *For the purposes of this regulation, "motorcycle" excludes a motor tricycle or motor quadricycle.*

These types of ventures are supported because they enhance amusement and promote tourism activities in Swakopmund. It is however advisable to operate these devices in the identified street with a very a low traffic volume, and should not operate during peak hours in order to minimize the risks of accidents.

The applicants will require a site which will serve as a base or starting point of the tour. Messrs Absolute Adventure Namibia indicated that they would need a site to place a container with electrical connection for Segway battery recharge. A parking area at the Aquarium / Ministry of fisheries would be ideal, however there seems to be limited parking spaces already in that area. Thus the parking area behind the Tennis court would be a better alternative. It is further proposed that routes for such activities be considered in the structural plan of the town for future use.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That both applications from Messrs Kool Segway Tours and Messrs Absolute Adventure Namibia to conduct tours with segways devices in Swakopmund on bicycle lane in Strand Street from Wurstbudde up to the Aquarium be approved.
 - (b) That the applicants be requested to obtain all relevant licences and permissions as may be by other external authorities.
 - (c) That the Engineering Services Department identifies a suitable site for the placement of the segways charging facilities.
 - (d) That the applicants indemnify Council from all and any claims in respect of damages to property or injury to people, which may arise from the tour activities.
 - (e) That the Engineering Services Department considers routes for such activities in the Structure Plan of the town for future use.
-

Due to the voluminous content - the attachments are available on file.

11.1.9 **AUDITED FINANCIAL REPORT FOR 2016 / 2017 FINANCIAL YEAR**
(C/M 2019/04/25 - D 11)

Ordinary Management Committee Meeting of 11 April 2019,
Addendum 8.1 page 03 refers.

A. The following item was submitted to the Management Committee for consideration:

Attached hereto is the audit report of the Auditor General on accounts of Council for the 2016 / 2017 financial year.

Most of the findings contained in the report are due to non-compliance with internationally recognised accounting framework, below the comments from General Manager: Finance in respect of the findings.

Finding 5.1 - Accounting Policies - The accounting policies will be addressed with the implementation of the appropriate reporting standards.

Finding 5.2 - Presentation of financial statements, the financials as submitted by Council is in compliance with the Local Authority Act 23 of 1992 as amended, the recommendations will be addressed with the adoption of the reporting standards.

Finding 5.3 - Property, plant and Equipment - The future depreciation of Council's assets will be dealt with in line with adoption of the new reporting standards.

Finding 5.4 - Asset register - the asset register module on the Solar financial system will be developed for utilisation thereof.

Finding 5.5 - Understatement of provision for severance pay - the provision will be increased accordingly.

Finding 5.6 - Under provision for bad debts - the provision will be increased accordingly.

Finding 5.7 - Appropriation account - future handling of Council's funds will be dealt with in line with the new reporting standards.

Finding 5.8 - LA Surcharges - Council is provided with the full details of how the monthly royalties are calculated and paid to Council.

Finding 5.9 - Mass Housing funds balance - Council has received N\$94 million in total from central government during the 2017 / 2018 financial year.

Finding 5.10 - Houses on stock - houses and its values were reduced during the 2017 / 2018 financial year.

Finding 5.11 - Inventory- inventory of refuse bins, water works emergency stock were included with 2017 / 2018 financial year.

Finding 5.12 - Loan redemption, the internal charges will be dealt with in terms of the new reporting standards.

Finding 5.13 - Airfield revenue and controls, the control measures were addressed with the relevant Head of Department for implementation of the corrective control measures.

Finding 5.14 - Cleaning of wards - corrective actions were implemented immediately, and the service providers are now submitting invoices.

Finding 5.15- Tourism debtors, the debtors' information are being scrutinised for updating of the correct information on the Innkeeper system.

Finding 5.16 - Going concern (review of surplus for the year) - Council's financial position is sound.

The attached report is submitted to Council in terms of Section 87 of the Local Authorities act (Act 23 of 1992, as amended).

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That the report of the Auditor General for the financial year 2016 / 2017 in terms of Section 87 (1) (3) of the Local Authorities act (Act 23 of 1992) be noted.
 - (b) That the General Manager: Finance gives a presentation to Councillors regarding the audited report on a date to be determined by the Chief Executive Officer.
-

Due to the voluminous content - the attachments are available on file.

11.1.10 **ADOPTION OF NEW REPORTING STANDARDS**
(C/M 2019/04/25 - D 11, D 12/1)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 8.2 page 20 refers.

A. The following item was submitted to the Management Committee for consideration:

Council have for the past two (2) consecutive financial years received adverse audit opinion due to non-compliance with internationally recognised reporting framework and as such Council on 27 September 2018 resolved as follows:

- (a) That Council approves the adoption and implementation of the International Public Sector Accounting Standards (IPSAS) reporting standards.
- (b) That the Accounting Officer obtains approval from the line Minister to approve the adoption of the IPSAS reporting standards for the Municipality of Swakopmund.
- (c) That after the adoption of the reporting standards in (a) above, proposals for the implementation of IPSAS be invited in terms of the Public Procurement Act of 2015.

Numerous attempts were made with our line Ministry to obtain their approval, but to no avail.

Council is currently making use of the Solar Financial System for its operations since 1999 as provided by Messrs Business Connexion Namibia, of which the financial reporting is still on Institute for Municipal Financial Officers (IMFO) standards, which is based on fund based accounting.

The IMFO reporting standards are no longer in compliance with any international recognised reporting frameworks.

The financial reporting modules within the current Solar system is compliant with the International Public Sector Accounting Standards (IPSAS), thus only the current accounts structure needs to be changed, as confirmed through attached e-mail correspondence.

This will result in Council submitting financial reports in line with the required IPSAS reporting framework.

The purpose of this submission is to seek Council's approval:

1. That the current account structure of Solar Financial system be changed to be in compliance with IPSAS reporting framework.
2. That the required changes on the Solar System be implemented in phases.
3. That the Financial Reporting Module be dealt with first, to be followed by the Assets Register.
4. The anticipated cost of the structure changes was not available at the time of the submission.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Council approves the change of the account structure for the Solar Financial system to be in compliance with the IPSAS reporting framework standards.
 - (b) That the changes be implemented in phases.
 - (c) That the cost of the system changes be incorporated as part of the current agreement with Messrs Business Connexion, as it will be within allowable 15% limit as prescribed in section 62 (3) of the Procurement Act.
 - (d) That the costs be defrayed from surplus funds.
 - (e) That the costs of the account structure be submitted to the Procurement Committee for approval thereof.
-



Republic of Namibia

Ministry of Urban and Rural Development

Enquiries: Ms. P. N. Sindeni
Tel: (+264-61) 293-5283
Fax: (+264-61) 234-131

Government Office Park
Luder Street

Private Bag 11289
Windhoek, Namibia

Our Ref:
Your Ref:

Date: 21 June 2018

The Chief Executive Officer
Swakopmund Municipality
P. O. Box 53
Swakopmund

Attention: Mr. Swarts

SUBJECT: ADOPTION OF NEW REPORTING STANDARDS FOR LOCAL AUTHORITIES WITHIN NAMIBIA

We acknowledge, with thanks, receipt of your letter dated 19 June 2018. Your letter has been forwarded to Mr. Lameck Uyysa, Director: Regional & Local Government and Traditional Authorities Coordination for consideration and advice. Mr. Uyysa can be reached at 061 297 3285/3805 and email luyysa@murd.gov.na.

Yours Sincerely,


NGWENJIA DANIEL
PERMANENT SECRETARY



Cc: Mr. Lameck Uyysa, Director: Regional & Local Government and Traditional Authorities Coordination

Due to the voluminous content - the attachments are available on file.

11.1.11 APPLICATION TO ESTABLISH A FLEA MARKET AS A COLLABORATIVE INITIATIVE WITH THE SWAKOPMUND MUNICIPALITY
(C/M 2019/04/25 - G 4/1/1)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 8.4 page 37 refers.

A. The following item was submitted to the Management Committee for consideration:

1. Introduction

This item is submitted to Council to seek approval for the establishment of flea market at the Thomas Amunyela amphitheatre during **May 2019**, free of charge.

2. Background

An application was received from Messrs Ndeshi Fikameri (Annexure 'A') seeking Council approval to host a flea market at the Palm gardens Amphitheatre including the parking where the summer holiday fair is held annually.

The applicant has identified that there is lack of platforms to bring creative artists together to network and exhibit talents. To combine the abundance of talent with locals and visitors interested in the arts scenes, Messrs Ndeshi Fikameri would like to establish a flea market in Swakopmund as a collaborative initiative with the Municipality of Swakopmund. The flea market will provide the following socio-economic benefits to the town and its residents:

- Celebrate culture and creativity of all forms of arts, be artefacts, comedy, poetry, live band music and cultural group performances.
- Support the local economy
- Build community by encouraging creativity and innovation particularly among the youth.

The flea market is proposed to take place on **04 May 2019** from 09:00 to 22:00. The event will be free of charge to the public, however exhibitors will be required to pay a minimal participation fee (i.e. N\$350.00 for products and services stall & N\$500.00 for a food stall) to cover the cost of management of the event, security and ensuring that the event meets all the public health and safety requirements.

3. Requested Council assistance

The applicant has indicated in the email correspondence (Annexure "B") that, they would like the Municipality to avail the area free of charge and also provide wheelie bins and disposal of waste during the event. The Amphitheatre is leased out for daily rate of N\$309.00 plus a refundable deposit of N\$724.00.

2. Discussion

Swakopmund is faced with a challenge of seasonal tourist, short duration of stay of the overseas tourists and low occupancy rates of accommodation facilities. One of the attributing factors to these challenges is lack of activities that can motivate tourists to stay longer in

our town. The economic Development Offices fully supports the proposal from Messrs Ndeshi Fikameni, as it is believed that it will make a positive impact on our informal traders, SMEs and the tourism sectors in Swakopmund. In our tourism growth and development strategy, one of the challenges outlined, is lack of events that can promote cultural tourism. The proposed street market is a step in the right direction and if successful has a positive impact on socio-economic emancipation.

4. Proposal

The fact that the event is only taking place in one day, and exhibitors are going to be charged a participation fee, it proposed that Messrs Ndeshi Fikameni should be charged for the Amphitheatre. Council can therefore assist with availing free wheelie bins and disposals for waste.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Council approves the request of Messrs Ndeshi Fikameni's to organise a flea market on 04 May 2019 at palm garden Thomas Hamunyela Amphitheatre including the parking area where the summer holiday fair is annually held, at a daily rental fee of N\$309.00 plus refundable deposit of N\$724.00.
 - (b) That the Health Services Department avails enough wheelie bins free of charge to assist with the disposal of waste for the duration of the flea market (04 May 2019).
 - (c) That the applicant indemnifies Council against all and any claims in respect of damage to property and / or bodily injury to / loss of life of people that may arise from the utilization of the property.
 - (d) That Messrs Ndeshi Fikameni ensures that there is security during the event, and that the site be restored to its original state after use.
 - (e) That Messrs Ndeshi Fikameni ensures that that there is sufficient power supply for the event, and should additional electricity be required, it be supplied at her cost.
 - (f) That Messrs Ndeshi Fikameni provides adequate ablution facilities during the event.
-

Due to the voluminous content - the attachments are available on file.

11.1.12 **REQUEST FOR SPONSORSHIP: WOMEN ROCK SHOW**
(C/M 2019/04/25 - 7/2/3, 14/2/7/1/2, 5/5/1)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 8.5 page 42 refers.

A. The following item was submitted to the Management Committee for consideration:

Attached letter received from Mr Joel Nambahu, from Messrs Windhoek Spin City. They are planning to host the 3rd Annual Women's Spin Show - Women Rock Show on 1 June 2019 in Swakopmund. What makes this show unique is that it caters strictly female spinners

Messrs Windhoek Spin City is a motorsport club affiliated with the Namibia Motorsport Federation. Their main focus is to take spinning all over the country.

Messrs Windhoek Spin City dedicates the Women Rock Show to female spinners so that they can shine on a platform that is created especially for them. Their mission is to motivate and uplift women in motorsport. They would like to show potential female spinners that spinning is not just for men.

Messrs Windhoek Spin City is hereby requesting the presence of the Mayor of Swakopmund, Her Worship P Nashilundo at the official opening of the event on 1 June 2019.

Messrs Windhoek Spin City seeking the following sponsorship from Council:

Description of service	Total cost of service	Remark
Four (4) A-frame chalets for the South African spinners	N\$7 144.00	A provisional booking for the accommodation at the Municipal rest camp was made for the four (4) A-Frame chalets for two nights.
Provision of six (6) loose pavilions at the Swakopmund Spin City arena	N\$1 224.00 (Rental cost is N\$204.00 per pavilion, per day)	Transportation of the pavilions is not included in the total cost.
Traffic escort (preferably female Traffic Officers) for the parade. The parade will start from Vrede Rede street (Sheil Vineta) and ends in Mandume Ya Ndemufayo Street - Sheil Mondesa	N\$399.39 = N\$133.15 x 1.5 = N\$199.72 x 2.	Messrs Windhoek Spin City must apply for the Traffic escorts prior to the date of the parade and payment should be done at the Traffic section.

Due to the limited funds that are available in the Corporate Services Publicity vote, it is proposed that Council should consider contributing only half of the cost (total is N\$7 144.00) for the accommodation at the Municipal rest camp for the female spinners.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That the request for sponsorship from Messrs Windhoek Spin City for the hosting of the 3rd Annual Women's Spin Show scheduled to take place in Swakopmund on the 01 June 2019, be noted.
 - (b) That the Mayor and the female Councillors attends the official opening of the event on 1 June 2019.
 - (c) That Messrs Windhoek Spin City be informed to apply for the Traffic escorts with the Traffic Services Section for the parade prior to the event and be responsible for the payment of the overtime charges of the Traffic Officers.
 - (d) That Messrs Windhoek Spin City be responsible for the transportation of 6 pavilions, if required, to and from the venue at their cost.
 - (e) That permission be granted for the Fire Brigade to be present and on standby.
 - (f) That the applicant confirms in writing the sponsorships obtained from other sources.
-

Due to the voluminous content - the attachments are available on file.

11.1.13 **REQUEST FOR SPONSORSHIP: SWAKOPMUND FOOD, MUSIC AND FASHION FESTIVAL**

(C/M 2019/04/25 - N 7/3/4, 14/2/2/1/3, N 7/3/1/2, 14/2/7/1/1)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 8.6 page 49 refers.

A. The following item was submitted to the Management Committee for consideration:

1. Attached (Annexure A) letter was received from Mr R Shalulu requesting for sponsorship towards the hosting of the Swakopmund Food, Music and Fashion Festival on **20 April 2019**.
2. It will be the first time that such a "combined" event will take place in Swakopmund. The aim of this festival is provide a widespread business empowerment in numerous sectors, especially to promote and expose the SMEs.
3. The event is scheduled to take place on Saturday, **20 April 2019**, which will fall during the Easter holiday. Although Swakopmund is always full of visitors during Easter holidays, this event will draw more holiday makers, exhibitors, designers, music lover, etc. Music, Food and Fashion shows of such nature bring people together as most people travel from all corners of the country and beyond the borders to attend these events, which will contribute positively towards the economic growth in the tourism industry and other businesses in Swakopmund. The event will only be hosted for one day and the organisers want it to be an annual event, should it be a success.

Mr R Shalulu requested for accommodation for ten (10) music artists at the Municipal Rest camp from **19-20 April 2019** (two nights) as part of the sponsorship from Council. It should be noted that the Municipal Rest camp was almost fully booked (up to 85%) during the period requested but we managed to reserve three (3) Spitzkoppe chalets (A-Frames) and the total cost for the chalets is **N\$6 936.00**. Council can also consider contributing only 50% for the accommodation and the applicant should pay the other half of the cost which is **N\$3 468.00**.

4. Mr R Shalulu also requested to utilize the Vineta North Sport Stadium as the other part of the sponsorship. The venue has been reserved accordingly and the cost thereof is as follows:

Refundable deposit	N\$ 17 742.00
Rent	N\$ 5 914.00
Total	N\$ 23 656.00

5. Due to the limited funds that are available in the Corporate Services Publicity vote, it is recommended that Mr Shalulu be exempted from paying the refundable deposit (N\$17 742.00) for the venue and only be responsible for the payment of the venue's rental cost of **N\$5 914.00**.

Gates will open at 11H00 and close at 01H00. Mr Shalulu is hereby requesting permission to be granted access to the venue on **19 April 2019** in order to set up and prepare for the event. He is also asking to be exempted from the payment of the event during the set up day.

6. Music festivals and similar events use high powered sound systems that produce excessive sound and vibration which can cause frustrations among some residents especially those living in the vicinity of the sport stadium. Thus, in order to balance the need of the industry and that of the residents, it is essential that the Council enforce strict conditions and guidelines to the organisers of such events.

The noise levels should not be more than 85 dB (Decibel) at the noise source (thus the speakers) and not more than 60 dB at a distance of 200m. Should valid complaints be received, permission can be withdrawn forthwith.

7. In appreciation of the sponsorship, the organiser are offering the following to Council:
- Opportunity for naming rights
 - Complimentary tickets
 - Exhibition space for Council
 - Swakopmund Municipal logo will be included all printed media and marketing material as recognition as one for the major sponsors.
8. With regards to the exhibition space that Council will be offered as a sponsor, it is proposed that the Swakopmund Municipal Sports & Social Club be granted this opportunity to exhibit at the festival in order to raise funds for the NALASRA games that will take place during May 2019.
9. **Attachments:** Booking confirmation from the Municipal Rest camp and the Food, Music & Fashion festival proposal from Mr R Shalulu.

- B. After the matter was considered, the following was:-

RESOLVED: (For Condonation By Council)

- (a) That the request for sponsorship towards the hosting of the Swakopmund Food, Music and Fashion festival that is scheduled to take place on 20 April 2019 in Swakopmund be noted.
- (b) That Mr R Shalulu pays for the rental cost of N\$5 914.00 for the venue (Vineta North Sport Stadium) and be exempted from paying the refundable deposit of N\$17 742.00.
- (c) That permission be granted to Mr R Shalulu to have access to the venue from 19 April 2019 in order to set up and prepare for the event and be exempted from the payment of the venue during the set up period.
- (d) That the exhibition space which will be offered by the organisers to Council be granted to the Swakopmund Municipal Sports & Social Club to exhibit at the festival in

order to raise funds for the NALASRA games.

- (e) That the noise level of the music not to be more than 85 dB (Decibel) at the noise source (thus the speakers) and not more than 60 dB at a distance of 200m and should valid complaints be received, permission can be withdrawn forthwith.
 - (f) That Mr R Shalulu ensure that the facilities including the parking area are cleaned within 24 hours and be restored to its original conditions and to the satisfaction of the Swakopmund Municipality after the event.
 - (g) That Council be indemnified against any claims that may arise from using the stadium.
 - (h) That Mr R Shalulu be responsible for the provision and arrangement of public ablution facilities on site, if required.
 - (i) That the gates be closed by 02:00 AM and no person should overnight on the premises, except for the security personnel.
 - (j) That Council reserves the right to cancel the use of the stadium should Council needs it for its own purposes.
 - (k) That Mr R Shalulu make prior arrangements with Erongo-RED for electricity connection at their own cost should it be required.
 - (l) That Mr R Shalulu submit proof that the following arrangements have been made:
 - *Emergency Services*
 - *Traffic Control and Parking*
 - *Waste removal*
 - *Security Services*
 - *Liquor license (if required)*
-

Due to the voluminous content - the attachments are available on file.

11.1.14 **REDUNDANT VEHICLES OF THE FIRE BRIGADE BY PUBLIC AUCTION**

(C/M 2019/04/25 - A 1/3/B, L 2)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 8.7 page 68 refers.

A. The following item was submitted to the Management Committee for consideration:

The following vehicles have become redundant and therefore need to be written off.

<i>Fleet No.</i>	<i>Reg No</i>	<i>Make</i>	<i>Model</i>
RD 0087	N 2800 S	Colt 4X4	1995
FB 0191	N 15352 S	Big Boy Quad Bike	2010
FB 0091	N 1159 S	Jurgens Caravan	1976

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That the following redundant items from Community Development Services Department be written off:

<i>Fleet No.</i>	<i>Reg No</i>	<i>Make</i>	<i>Model</i>
RD 0087	N 2800 S	Colt 4X4	1995
FB 0191	N 15352 S	Big Boy Quad Bike	2010
FB 0091	N 1159 S	Jurgens Caravan	1976

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

11.1.15 **WRITING OFF OF OLD AND REDUNDANT VEHICLES - HEALTH SERVICES DEPARTMENT**

(C/M 2019/04/25 - A 1/3/6, L 2)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 8.8 page 69 refers.

- A. The following item was submitted to the Management Committee for consideration:

The following old vehicles have become redundant in the Cleansing Section and therefore needs to be written off:

Vehicles:

No	Reg No	Make	Year Model	Fleet No	Engine No	Remarks
1.	N86505	Hino Compactor	2012	CL0241	J08 CF 22203	Engine faulty, repair costs exceeds N\$100,000
2.	N159995	Hino Compactor	2012	CL0216	FE6214195 C	P.T.O and hydraulic pump faulty
3.	N22995	Hino Compactor	2008	CL0191	J08CT730543	Gear selector faulty and truck is too old
4.	N117985	Mercedes Atego	2008	CL0104	90491100490357	Mechanical problems, P.T.O and hydraulics slow

- B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That the following redundant vehicles from the Health Services Department be written off:

No	Reg No	Make	Year Model	Fleet No	Engine No	Remarks
1.	N86505	Hino Compactor	2012	CL0241	J08 CF 22203	Engine faulty, repair costs exceeds N\$100 000.00
2.	N159995	Hino Compactor	2012	CL0216	FE6214195 C	P.T.O and hydraulic pump faulty
3.	N22995	Hino Compactor	2008	CL0191	J08CT730543	Gear selector faulty and truck is too old
4.	N117985	Mercedes Atego	2008	CL0104	90491100490357	Mechanical problems, P.T.O and hydraulics slow

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

11.1.16 **PERMISSION TO TRANSFER FUNDS FROM 2018 / 2019 TO 2019 / 2020 FINANCIAL YEAR**

(C/M 2019/04/25 - N 7/2/1)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 8.9 page 70 refers.

A. The following item was submitted to the Management Committee for consideration:

The projects listed below were scheduled to be completed during the 2018 / 2019 financial year and the funds were allocated for these projects. These projects however require designs to be completed before the services to complete can be procured. During consultations with the Engineering Services Department regarding the finalization of the designs it was advised that the position for a Draughtsman was advertised in **December 2018** but there were no suitable candidates and that the designs of the projects could therefore not be finalized.

PROJECT	VOTE NR	AMOUNT	REASON
Construction of new public toilets, showers and dressing rooms at mole	104031633300	1 500 000.00	Project could not be completed due to delays experienced with the finalization of the design of the projects.
Construction of new public toilets at Kijety	104031633400	1 500 000.00	Project could not be completed due to delays experienced with the finalization of the design of the projects.
Mobile Bins Storage facility	301034027200	500 000.00	Project could not be completed due to delays experienced with the finalization of the design of the projects.
Washbay for Refuse Trucks	301034027400	600 000.00	Project could not be completed due to delays experienced with the finalization of the design of the projects.
Clock and alarm System at Cleansing Section Restrooms	301034027300	300 000.00	Delays experienced with Procurement of defined products.

It is unlikely that these mentioned projects will be concluded by the close of the financial year 2018 / 2019 and therefore the request for approval to transfer the funds allocated to the financial year 2019 / 2020.

B. After the matter was considered, the following was:-

RECOMMENDED:

That permission be granted to the General Manager: Finance to transfer funds of the following projects in the Health Services Department to the new financial year as continuation projects:

PROJECT	VOTE NO	AMOUNT	REASON
Construction of new public toilets, showers and dressing rooms at Male	104031633300	1 500 000.00	Project could not be completed because the draughtsman was not appointed by the Engineering Services Department.
Construction of new public toilets at Klip Jetty	104031633400	1 500 000.00	Project could not be completed because the draughtsman was not appointed by the Engineering Services Department.
Mobile Bins Storage facility	301034027200	500 000.00	Project could not be completed because the draughtsman was not appointed by the engineering department.
Wash bay for Refuse Trucks	301034027400	600 000.00	Project could not be completed because the draughtsman was not appointed by the engineering department.
Clock and alarm System at Cleansing Section Restrooms	301034027300	300 000.00	Delays experienced with Procurement of defined products.

11.1.17 **APPLICATION FOR AN ADDITIONAL EXTENSION OF TIME TO SECURE PURCHASE PRICE: NAMIBIA DESERT GIANT (PTY) LTD**
(C/M 2019/04/25 - Erf 365, M4)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 10.1 page 03 refers.

A. The following item was submitted to the Management Committee for consideration:

1. Introduction

The purpose of this submission is for Council to consider a second extension period for Namibia Desert Giant Group (Pty) Ltd to secure the purchase price of Erf 365 Mile 4.

An unsigned letter incorrectly dated **26 March 2018** was received from Mr Caswell Hindjou of Namibia Desert Giant Group (Pty) Ltd requesting that Council considers extending their payment due date for 10 months from **31 March 2019** until **31 January 2020**. The only motivation given is that they have approached their financiers and hope the process will be finalized in due course. No explanation is given for the 10 month period or what efforts have been made to date to ensure compliance with the contractual conditions.

2. Background

Council on **27 April 2017** approved the sale of the following two erven located in Extension 1, Mile 4 by private treaty

Erf	Entity	Item Number of Council resolution passed on 27 April 2017	Purchase Price Approved	Council Resolution Approving the Purchase Price
Erf 365	Namibia Desert Giant Group (Pty) Ltd	11.1.35	N\$825.00/m ² x 8 993m ² = N\$7 419 225.00	Item 11.1.24 of 28 March 2018
Erf 406	Yrecon Development (Pty) Ltd	11.1.31	N\$1 800.00 x 4 203m ² = N\$7 565 400.00	Item 11.1.3 of 28 June 2018

Messrs Namibia Desert Giant Group (Pty) Ltd was informed of the purchase price and 120 days payment period in writing on **19 April 2018**.

The proposed sale was advertised as required in terms of the Local Authorities Act 23 of 1992 under Notice 32/2018. At the closing date of **01 June 2018** no objections were received. The closing date for objections is regarded as the date of sale from which date the 120 days are being calculated.

The deed of sale was signed on **29 June 2018**. In terms of the deed of sale if the purchase price is not secured by **01 October 2018** the purchaser will receive 21 days' notice to rectify the breach. If not rectified the transaction is automatically cancelled. A letter dated 27 September 2018 was received from Namibia Desert Giant Group (Pty) Ltd requesting an extension of time of six months to secure payment for Erf 365 Mile 4. The motivation was that they were still busy compiling the necessary drawings and preparing a

business plan to finalize funding. At the time they estimated that the required funds would be raised within 6 months.

Council on **27 September 2018** under item 11.1.17 passed the following resolution

- (a) That Messrs Namibia Desert Giant Group (Pty) Ltd be granted an extension of time to secure the purchase price for Erf 365, Extension 1, Mile 4, until 31 March 2019.
- (b) That Messrs Namibia Desert Giant Group (Pty) Ltd be reminded that the purchase price for the property is N\$ 7 419 225.00 and interest calculated from 01 June 2018 until 31 March 2019 amounts to N\$ 646 692.17.
- (c) That Messrs Namibia Desert Giant Group be informed that the purchase price must be secured by 31 March 2019 as no further extensions will be granted, the transaction will be cancelled.
- (d) That an addendum to the deed of sale be compiled effecting the above extension of time.

3. Previous Similar Applications Approved by Council

With reference to an application by Trecon Development (Pty) Ltd for an additional extension of time to secure the purchase price of Erf 406, Mile 4, Council on **31 January 2019** under item 11.1.20 passed the following resolution:

- (a) That Messrs Trecon Development (Pty) Ltd be granted an extension of time to secure the purchase price for Erf 406, Extension 1, Mile 4, until 30 September 2019.
- (b) That Messrs Trecon Development (Pty) Ltd be reminded that the purchase price for the property is N\$7 565 400.00 and interest calculated from 21 September 2018 until 30 September 2019 amounts to N\$813 954.13.
- (c) That Messrs Trecon Development (Pty) Ltd be informed that the purchase price must be secured by 30 September 2019 as no further extensions will be granted, the transaction will be cancelled.
- (d) That an addendum to the deed of sale be compiled effecting the above extension of time.

4. Financial Impacts

If the property was sold at a closed bid Council would have deposited the purchase price and earned compound interest thereon, while also earning rates and taxes as well as consumption of services. Jobs would have been created for the community who could have contributed to the local economy. As it stands now the purchaser can cancel the transaction and Council will have earned nothing after spending so much time.

5. Proposal

It is proposed that Council affords Namibia Desert Giant Group (Pty) Ltd the same consideration as granted to Trecon Development (Pty) Ltd by considering an additional extension of 10 months to secure the purchase price, therefore until **31 January 2020**.

Messrs Desert Giant Group (Pty) has not yet returned the signed first Addendum to the Deed of Sale in terms of which the first extension was granted. The document was sent to them on 11 December 2018 and they

were telephonically reminded to return the signed document before the lapsing of the first extended period on 31 March 2019.

Calculated from the date of sale, the interest levied will be as follows:

01-Jun-18	<i>date of sale</i>
31-Jan-20	<i>extended due date considered by M/C of April 2019</i>
609	<i>Days from date of sale until date of payment</i>
7 419 225.00	<i>Purchase Price</i>
2 134.30	<i>daily interest</i>
779 018.63	<i>total interest for a year</i>
1 299 787.24	<i>interest for 609 days</i>
8 719 012.24	<i>balance of purchase price + interest</i>

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Messrs Namibia Desert Giant Group (Pty) Ltd be granted an extension of time to secure the purchase price for Erf 365, Extension 1, Mile 4, until 30 November 2019, subject thereto that they return the duly signed addendum to the agreement recording the first extension of time.
 - (b) That Messrs Namibia Desert Giant Group (Pty) Ltd be reminded that the purchase price for the property is N\$7 419 225.00 and interest calculated from 01 June 2018 until 30 November 2019 amounts to N\$1 299 787.24.
 - (c) That Messrs Namibia Desert Giant Group (Pty) Ltd be informed that the purchase price must be secured by 30 November 2019 as no further extensions will be granted, the transaction will be cancelled.
 - (d) That an addendum to the deed of sale be compiled effecting the above extension of time.
 - (e) That the purchaser provides proof of attempts to obtain funding.
-

Due to the voluminous content - the attachments are available on file.

11.1.18 **APPLICATION FOR PARKING RELAXATION TO PROVIDE PARKING ON ANOTHER SITE IN LIEU OF ON-SITE PARKING**

(C/M 2019/04/25 - E 210)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 10.2 page 07 refers.

A. The following item was submitted to the Management Committee for consideration:

The matter was discussed during a meeting of the Planning Forum on 12 March 2019 under point 5.5.

1. Purpose

The purpose of this submission is for Council to consider the application to construct parking on another site in lieu of on-site parking.

2. Introduction and Background

An application has been received from Messrs Mackintosh Lauterbach Architects applying on behalf of the owners of Erf 210 Swakopmund, Messrs Anita Charlotte Gossow Trust, for relaxation of on-site parking. The application has been attached hereto as **Annexure A**.

3. Locality, Zoning and Size

Erf 210, Swakopmund is situated in the Swakopmund Central Business District (CBD), in Nathanael Maxullli Street. It is zoned "General Business" with a bulk factor of 2.0 and is 1136m² in extent.

4. Ownership

The ownership of Erf 210 Swakopmund vests with the Anita Charlotte Gossow Trust.

5. The Proposal

The property owners are desirous to create a pedestrianized arcade through their property linking Nathaniel Maxullli Street via the new Atrium development (the old Atlanta Hotel) with Hendrik Witbooi Street, which then in turn link up with the existing Brauhaus Arkade and Tobias Haiyeko Street to the west of the Central Business District (CBD).

The owners further intend to register "right of way" over Erven 210 and 211 Swakopmund, to ensure the success of the arcade.

According to the conceptual drawings submitted, the total built up area for the proposed development measures 661.7m². The Council parking requirements are 3 parking per 100m² for commercial uses on "General Business" zoned land. The proposed development of a floor area of 661.7m² will require 20 parking bays.

6. Discussion

In the request, the applicant indicated that the on-site parking is limited to two (2) parking bays only, housed in a garage. There is no space to contain all twenty required parking bays on site; hence the application to construct the outstanding eighteen (18) parking bays somewhere else.

The developer has singled out the construction of parking bays at the Tug and Jetty area. They would like to tie in and contribute to the construction of these parking bays in partnership with Council. It would be proposed that should Council choose to opt for this option, then the construction of the parking bays must not be in collaboration with Council but rather be entirely on the developer's account.

It is also suggested that construction of parking at the Tug area should be done before the inspection of the excavations on Erf 210, Swakopmund. No completion or occupation certificate should be issued before adequate parking provision to the satisfaction of the General Manager: Engineering Services is made.

6.1 Town Planning Scheme - Parking special provisions

The Swakopmund Town Planning Scheme made special provisions for parking in terms of Clause 8.20.3 and it reads as follow:

Notwithstanding the provisions of this Scheme, the Council may relax the parking requirements applicable to any zone and enter into a written agreement with the owner of the erf concerned whereby the owner shall either:

- (a) *pay an amount to the Council which in the opinion of the Council is sufficient to enable it to provide and maintain the same number of parking spaces within reasonable walking distance from the erf as are required in terms of the parking requirement for that zone, or*
- (b) *transfer a suitable site to the Council and pay an amount to the Council which will, in the opinion of the Council, be sufficient to enable it to construct and maintain the number of parking spaces required in terms of the parking requirement for that zone; or*
- (c) *construct and maintain the number of parking spaces required in terms of the parking requirement for that zone on any other property which is considered to be suitable by the Council."*

Council currently does not have available parking to be allocated and purchased by the developer; therefore option (a) of the Town Planning Scheme provisions is out of consideration

Various parking requirements for land use activities listed under "general business" in terms of the Swakopmund Town Planning Scheme are illustrated on the table below.

TABLE D1: Provision of Parking

Residential buildings	1 per dwelling unit
Hotels, Pension & Bed & Breakfast	1 per 50m ² of floor area A minimum of 2 plus 1.5 per room
Shops and Offices	1 per 33,33m ² of floor area, or as arranged with Council according to Clause 8.D/7/2
Places of Public Worship and Places of Instruction	1 parking bay per 10 seats or 10 members Min: 15 bays for funeral chapels; 8 bays for other uses
Institutional	1 per 2 beds or as determined by Council
Service Stations	At least one parking bay per 50 m ² of the total floor area provided that the parking bays be clearly indicated for visitors.
All other uses	1 per 33,33m ² of floor area

In 2014, Council resolved "that in future Council adopts a policy whereby, for the conservation area, business enterprises may acquire / develop alternative parking (constructed to specification by Engineering Services Department) at a cost and location to be determined by Council, in lieu of on-site parking."

7. Evaluation

The Municipality of Swakopmund has an antiquated policy which accepts payment for missing parking bays. In January 2017, Council sold three parking for the development on Erf 776, Swakopmund, at N\$ 4 750.00 per parking bay. See **Annexure B**. This money is supposed to then be used to replace the deficit with parking at another nearby place.

At the time, an engineering estimate suggested that costs to replace a parking bay is possible N\$26 000.00 if placed on open land that can be purchased at about N\$800.00 per square metre or N\$100 000.00 to N\$125 000.00 per bay if they must be provided in a multi-story parking garage.

In 2017, Council turned down the application for the relaxation of parking on erf 776 Swakopmund and the developer was expected to ensure that the parking requirements as stipulated in the Swakopmund Town Planning Scheme were adhered to.

In another case, an application for relaxation of on-site parking on Erf 204, Swakopmund was recently presented before Council at its meeting held on **22nd November 2018** and Council under item 11.1.23 resolved as following:

- (a) That the developer take note that it is his responsibility to provide parking for the proposed development, preferably on-site.
- (b) That the application for relaxation of the parking requirements on Erf 204, Swakopmund and compensation of the deficiency be turn down.
- (c) That no building plans be approved if parking provision is insufficient.
- (d) That the developer buy land at a mutually agreed location in the CBD and build parking bays to cover the deficiency or construct parking garage on a suitably located Municipal erf to the satisfaction of the general Manager Engineering Services.
- (e) That development proposal on Erf 204, Swakopmund only be considered on condition that the developer agrees to point (d) above.

Given the two cases presented above, it is evident that Council currently does not have available parking to be allocated and purchased by developers. Council can also not afford accepting money and obligation for the provision of parking.

It should be the responsibility of the developer to provide adequate parking for proposed developments. Developers are however be afforded an opportunity to provide the deficit in parking elsewhere in accordance with section 5.2 (c) above as quoted from the Swakopmund Town Planning Scheme.

The following options are suggested as potential remedies to the deficiency in parking on Erf 210 Swakopmund:

- (i) That the proposed development be scaled down in order to ensure that adequate on-site parking is provided in terms of Table D 1 of the Swakopmund Town Planning Amendment Scheme.

OR

- (ii) That the developer buy land at a mutually agreed location within the Central Business District (CBD) in close proximity to the proposed development and build parking bays to cover the deficiency or construct parking garage on a suitably located Municipal erf to the satisfaction of the General Manager: Engineering Services.

8. Conclusion

The responsibility for the provision of on-site parking should be that of the developer.

In terms of Clause 8.20.3 (c) of the Swakopmund Town Planning Scheme, it is the responsibility of the developer to provide on-site parking. The developer should therefore be advised to either scale down the proposed development in order to ensure that adequate parking is provided or alternatively, should they agree, to provide the deficiency elsewhere by either buying a site for parking or constructing parking on a suitably located Municipal Erf to the satisfaction of the General Manager: Engineering Services.

B. After the matter was considered, the following was:-**RECOMMENDED:**

- (a) That the application by Messrs Mackintosh Lautenbach Architects to construct parking bays at the Tug and the Jetty area in lieu of on-site parking be turned down as Council has already committed to construct parking bays at the Tug and Jetty area.
- (b) That the developer takes note that it is his responsibility to provide parking for the proposed development, preferably on-site.
- (c) That no building plans be approved if parking provision is insufficient.
- (d) That the proposed development be scaled down in order to ensure that adequate on-site parking is provided as per the requirements of the Swakopmund Town Planning Scheme.
-



Due to the voluminous content - the attachments are available on file.

11.1.19 **BEACH HOUSE OWNERS OF MOLEN WEG STREET: APPLICATION TO PURCHASE OPEN SPACE LOCATED ON THE NORTHERN AND SOUTHERN SIDE OF THE PROPERTIES**

(C/M 2019/04/25 - G 4/2/2/2, 16/1/4/2/1)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 10.3 page 15 refers.

A. The following item was submitted to the Management Committee for consideration:

The following item was discussed by the Planning Forum on 26 March 2019 under item 5.5 and is now submitted to the Management Committee for consideration.

1. Introduction

An application dated 10 January 2019, attached as Annexure "A" was received from Van Der Westhuizen Town Planning and Properties on behalf of the beach house owners in Molen Weg Street to purchase the open spaces on the northern and southern side of their properties in Molen Weg Street. The application was acknowledged on 22 January 2019.

A locality plan is attached as Annexure "B" and a subdivision site plan indicating the proposed open spaces between the beach houses is attached as Annexure "C".

2. Background

The application from the Molen Weg property owners was dealt with by Council on numerous occasions. Council on 30 September 1999 in principle approved the application as follows under item 10.1.12:

- (a) That Council in principle supports the idea to alienate the spaces of land between the beach plots to adjacent plot owners at N\$ 250/ha, subject to the following conditions:
- (i) All beach plot owners must participate in this venture and take up the portion on the northern side of their properties.
 - (ii) All costs for the project, i.e. relocation of services-, advertisement-, street closure-, subdivision of land- and transfer costs, be for the account of the plot owners.
 - (iii) A retaining wall parallel to the sea must be erected for the account of the beach plot owners.
 - (iv) The new portions of land to be consolidated with the existing plots within one year after the date of sale.
- (b) That all income derived from the sale of these portions be deposited into the Property Development Fund.

At the time the beach house owners did not manage to co-ordinate the sale to all owners. The matter remained dormant until another application was received from a property owner during 2007 (Ms M Lamprecht).

After the matter was referred to the Planning Forum of 31 July 2007 for discussion and it was resolved that the matter be referred to Management Committee with the following addition to the existing resolution of 1999 viz:

The owners must make adequate provision for high spring tides when constructing the eastern boundary walls on the new portions. Relaxation of the building lines be permitted on condition that no double storey be constructed on the boundary.

Council on 2 October 2007 resolved the following under item 11.1.5:

That the alienation of the land between the beach plots be alienated to the owners subject to the following conditions:

- (i) All beach plot owners must participate in this venture and take up the portion on the northern side of their properties.
- (ii) The portion of land between erven 3558 and 3559 (Beach Plots 13 & 14) remain open space to leave direct access for pedestrians from Sam Nujoma Avenue
- (iii) That three (3) sworn valuers be appointed to provide Council with a guideline in determining the purchase price for the land.
- (iv) All costs for the project, including, but not limited to i.e. relocation of services, advertisement, street closure, subdivision of land and transfer costs, be for the account of the plot owners.
- (v) The owners must make adequate provision for high spring tides when constructing the western boundary walls on the new portions. Relaxation of the building lines be permitted on condition that no double storey be constructed on the boundary.
- (vi) The new portions of land to be consolidated with the existing plots within one year after the date of sale.

The safety aspects in the area are the main reason to purchase the open spaces. During this time all owners were in favour of the proposal.

3. Latest Application

Van Der Westhuizen Town Planning and Properties submitted the application (**Annexure "A"**) on behalf of the property owners in Molen Weg Street to purchase the open spaces on the northern and southern side of their existing properties. They confirmed that not all the owners are interested to purchase the portions of land whereas some intends to purchase both open spaces to the north and south.

Van Der Westhuizen Town Planning and Properties also requested that Council repeal point (a) (i) of the Council resolution passed on **30 September 1999** under item 10.1.12 that reads:

- (i) All beach plot owners must participate in this venture and take up the portion on the northern side of their properties.

They also requested that Council consider allowing the owners who intend to purchase the said portions of land to purchase both north and south since not all owners intend to purchase the portions of land.

Van Der Westhuizen Town Planning and Properties motivate their application by numerous house breakings and the open spaces serve no real purpose. The criminal factors use the said spaces to enter the properties and as hiding place. It happened that some residents appointed 6 guards to patrol the area at night.

They further confirmed the open spaces between Erf 3558 and 3559 will remain open for access to the beach from Sam Nujoma Avenue as previously discussed and agreed. Currently 10 of the 15 home owners

had indicated their intention to purchase the open spaces to consolidate it with their property within a year.

Van Der Westhuizen Town Planning and Properties will submit a final list of intended purchasers once Council approved the sale.

4. Purchase Price

With reference to point (iii) of the Council resolution of **2 October 2007**, valuations were obtained and on **04 December 2007** Council passed the following resolution under item 11.1.12:

That Council approves the valuation for the sale of the land between the beach plots in Molen Weg for the selling price of N\$1 900.00/m² to the beach plot owners subject to the following conditions:

- (i) *All beach plot owners must participate in this venture and take up the portion on the northern side of their properties.*
- (ii) *The portion of land between even 3558 and 3559 (Beach Plots 13 & 14) remain open space to leave direct access for pedestrians from Sam Nujoma Avenue.*
- (iii) *All costs for the project, including, but not limited to i.e. relocation of services, advertisement, street closure, subdivision of land- and transfer costs, be for the account of the plot owners.*
- (iv) *The owners must make adequate provision for high spring tides when constructing the western boundary walls on the new portions. Relocation of the building lines be permitted on condition that no double storey be constructed on the boundary.*
- (v) *The new portions of land to be consolidated with the existing plots within one year after the date of sale.*

From the date of approving of the purchase price 12 years have lapsed and in terms Clause 7.5 of Council's Property Policy the following is applicable:

- (ii) *should a period of more than five years lapsed since approval by Council of the purchase price, fresh valuations be obtained and submitted to Council for approval.*

Upon approval of the sale of the open space to the intended beach house owners, fresh valuations will be obtained to reconsider a purchase price and submitted to Council for approval together with the final list of all intended purchasers.

5. Comparisons

No comparison can be made of sales of open spaces along the ocean. However, an application to purchase a public open space (Erf 411, Mile 4, Extension 1) was submitted to the Management Committee meeting of **14 March 2019** whereafter it will be submitted to Council for consideration. The average from the two valuers for this Erf amounts to N\$1 375.00/m².

6. Conditions of Sale

Due to the length of this submission it is proposed that the conditions of sale approved by Council on **30 September 1999**, item 10.1.12, **2 October 2017**, item 11.1.5 and **4 December 2007**, item 11.1.12 remain the same, subject to the amendments listed under point 7.

In addition to the said conditions, the conditions in the recommendation also be applicable.

7. Discussion

Currently the open spaces of land between the existing beach houses in Molen Weg Street is dormant land and serve no real purpose, other than as access to the properties for criminals and as hiding place.

It is propose that Council approves the application by Van Der Westhuizen Town Planning and Properties on behalf of the beach home owners of Molen Weg to sell the open spaces of land on the northern and southern side of their properties to the intended owners.

(A) Repealing and Amending of Resolution

It is further proposed that the following 2 resolutions be repealed:

Current Wording:

☞ point (a) (i) of the Council resolution of **30 September 1999**, item 10.1.12:

(i) All beach plot owners must participate in this venture and take up the portion on the northern side of their properties.

☞ point (a) (i) of the Council resolution of **2 October 2007** item 11.1.5:

(i) All beach plot owners must participate in this venture and take up the portion on the northern side of their properties.

Amended Wording for Both Points above :

(i) That only interested beach plot owners participate in sale to purchase the open spaces of land north and south of the existing property.

(B) Deletion of Resolution

Lastly that point (a) (ii) of Council resolution dated **30 September 1999**, item 10.1.12 that reads:

(ii) A retaining wall parallel to the sea must be erected for the account of the beach plot owners.

be deleted, since point (v) of the Council resolution of **2 October 2007** makes adequate provision that:

(v) The owners must make adequate provision for high spring tides when constructing the western boundary walls on the new portions. Relaxation of the building lines be permitted on condition that no double storey be constructed on the boundary.

The said point was also included under point (iv) of the Council resolution passed on **4 December 2007**, item 11.1.12.

☞ Access to the Beach

It should be noted that the interested purchasers accept Council's decision that the portion of land between erven 3558 and 3559 remains open to leave direct access for pedestrian from Sam Nujoma Avenue. This decision based in support of Council's undertaking to the community that "The sea front is a fundamental

part of the uniqueness of Swakopmund and it should be accessible to, and thus "owned" by all of the inhabitants of this town in perpetuity."

8. **Conclusion**

Should the open spaces be consolidated with the existing erven of the beach house owners, it will increase the total size of the each property and also the value of the newly created erf.

It is therefore recommended that the open spaces be sold to the interested beach house owners and it be consolidated with the erven of the purchasers. The purchaser will bear the costs of the statutory process such as, the closure of the street and consolidation, relocation of services, etcetera.

The Engineering Services Department was requested to provide a map indicating whether services are located on the portions, but none was received on date of compiling this submission.

In terms of Section 5 of the Environmental Management Act, Act 7 of 2007 as amended "the rezoning from an open space (street) to any other land use is listed in the new Environmental Management Act (Gazetted on **06 February 2012**) as an activity requiring an environmental clearance certificate".

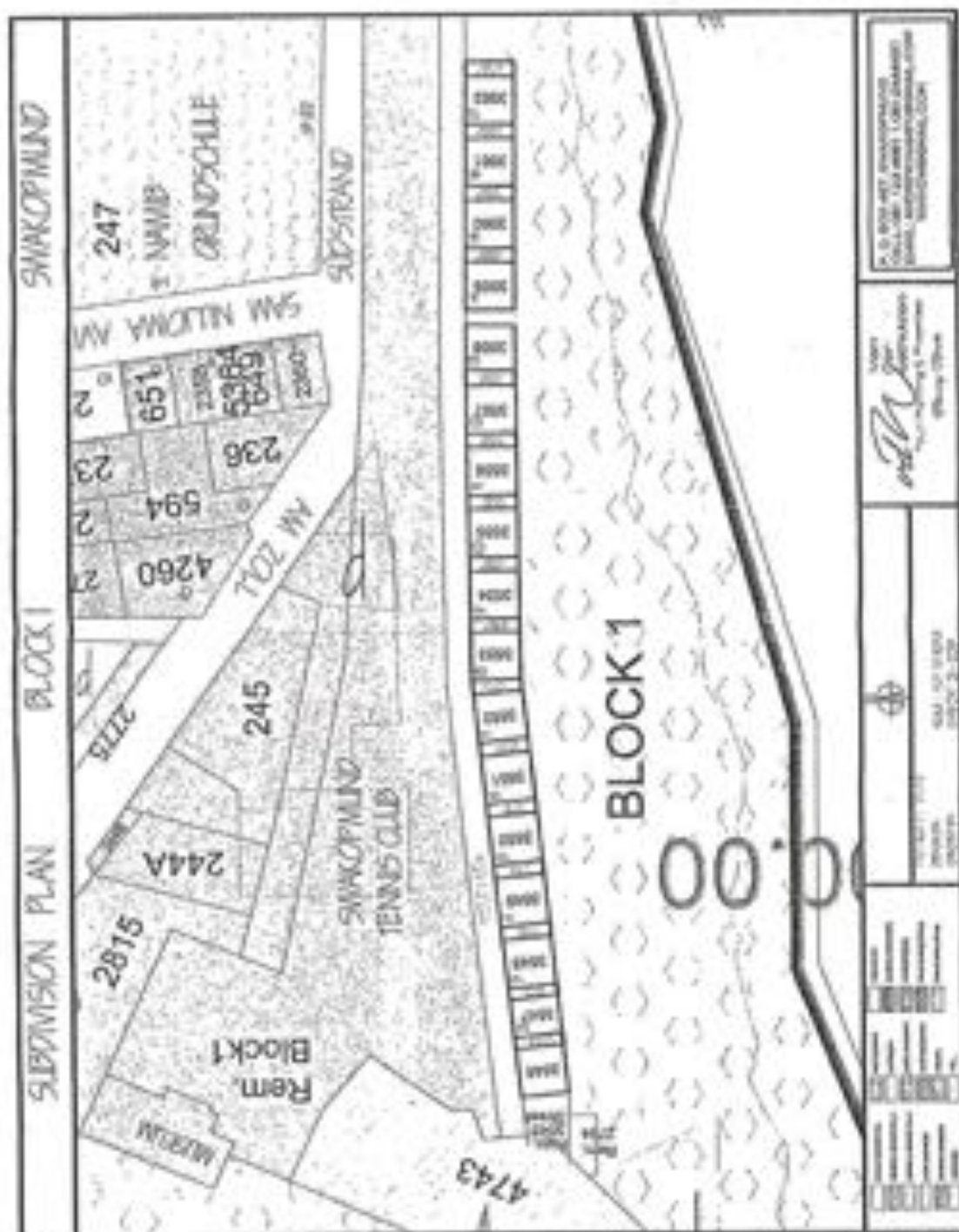
The price be determined in accordance with the stipulations of the Property Policy which calls for valuations by Council's valuator and 2 additional valutors.

B. **After the matter was considered, the following was:-**

RECOMMENDED:

That the sale of the open spaces located on the northern and southern sides of the beach house owners in Molen Weg Street, to the interested beach house owners be turned down.

Annexure "C"



Due to the voluminous content - the attachments are available on file.

11.1.20 **EXTENSION 2, MATUTURA, SALE OF 26 OCTOBER 2018:
CANCELLATIONS**
(C/M 2019/04/25 - G 3032, 3036, 334, 336, 342, 344, 345, 348, 349, 350, 351, 352, 376,
378, 390, 391, 392, 396, 401, 407, 408, 409, 411, 413, 417, 420, 422)

Ordinary Management Committee Meeting of 11 April 2019,
Addendum 10.4 page 27 refers.

A. The following item was submitted to the Management Committee for consideration:

1. INTRODUCTION

The purpose of this submission is to submit the non-performance of the bidders listed under point 2 to Council in terms of the Council resolution passed on **31 January 2019** under item point (d) of Item 11.1.3 is quoted:

(d) That, in future, all close bid auction cancellations be submitted to Council for approval.

Council had a public closed bid sale on **26 October 2018** of 94 erven mostly located in Extension 2, Matutura. The outcome of the sale was reported to the Management Committee of **8 November 2018** under item 10.13.

2. CURRENT SITUATION

The due date to secure the purchase price was **25 February 2019**.

A notice was issued to the non-performers of which the due date was **25 March 2019**. The conditions of sale provide for 10.5% interest to be levied from **26 February 2019** until date of transfer (in cases where the purchase price is secured by a bank guarantee); or until date of receipt of payment if paid in cash.

On the 25th of March the progress was as follows:

94	total erven sold on 26 Oct 2018
3	pending second allocations
52	paid in cash / transferred
13	guarantee on file in time
1	guarantee provided after due date
19	no response
8	request extension of time / have bank loan letter on file
0	

Therefore 26 purchasers did not comply with the contractual conditions of securing the purchase price by the due date. In this regard, the deed of sale stipulates as quoted from Paragraph 3 and 5 of Annexure "B" of the Deed of Sale:

...this Agreement shall be deemed to have been cancelled and shall be of no further force and effect, without any obligation on the SELLER to place the PURCHASER on terms to make payment and without the obligation on the SELLER to inform the PURCHASER that the agreement has indeed become cancelled.

List of the 26 purchasers:

	Erf	Surname	Name	Comments	Purchase price	
	4	8995	Peterse	Llewellyn Rainer	No payment. Submitted an application dated 25 March 2019 for 1.5 month extension. Annexure "A"	395 871.63
	6	534	Amukwa	Jason Shipepe	no payment	250 000.00
	8	538	Khulisebi	Albertus Ansis	no payment	400 799.00
	14	540	Sam	Magy	Home loan application (not guaranteed) was provided on 21 Feb 2019.	362 500.00
	16	544	Ishua	Cesar	no payment	290 999.99
	17	545	Ahikane	Lorraine	no payment	253 000.00
	20	548	Affua	Mokahua	no payment	299 999.99
	21	548	Gwenesi	Anna	no payment	326 010.00
	22	550	Mutola	Edual	no payment	200 000.00
	33	561	Moyra	Moses	no payment	275 000.00
	37	565	Van Hyl	Jerome Martino	No payment. Submitted an application dated 28 March 2019 for an extension. Annexure "B"	300 900.00
	48	578	Tjipua	Marilyn	No payment. Submitted an application dated 26 March 2019 requesting extension of time until 26 March 2019. Intends to pay cash. Annexure "C"	200 000.00
	51	579	Dassan	Ramona Geneva	Guarantee received day after the due date on 26 March 2019.	220 000.00
	62	590	Hendricks	Malcolm	no payment	289 999.99
	63	591			No payment. Letter from bank dated 01 March on file. Annexure "D"	280 000.00
			Aseb	Frederick		
	64	592	Lukas	Paulina	no payment	210 999.99
	69	599	Nangombe	Devil	no payment	300 010.99
	71	601	Zaenika	Benedictin Pebara	no payment	300 000.00
	77	607	Ndeutala	Shafashike	no payment	232 000.00
	78	608	U-Noses	Christina	no payment	164 000.00
	79	609	Pabula	Maria Felicidade	No payment. Submitted a letter from the bank on 26 March 2019. Annexure "E"	171 111.10
	81	611	Vabekwelo	Israel Ngashigile	no payment	253 999.99
	83	613	Gontes	Brighte	no payment	160 000.00
	87	617	Kuzajika	Edmund Lafont	no payment	250 000.00
	90	620	Sheurje	Josua Hivapo	no payment	200 805.35
	93	623	Hponzika	Aivi Ndinelapo	No payment. Submitted a letter dated 08 March 2019 requesting an extension to pay until August 2019. Annexure "F"	244 400.00

Various bidders are listed as next qualifying bidders for the above even.

3. RECENT DECISIONS PASSED WITH REFERENCE TO EXTENSION 2

The following decisions were passed with reference to two applications of extension of time to secure the purchase price:

Management Committee of 14 March 2019 under Item 8.1 (Erf 613)

- (a) That Council remains with the conditions of sale for the sale of 94 even zoned "Single Residential" located in Extension 2, Mabutha i.e. requiring the purchase

prices to be secured by the final due date of 25 February 2019 (an additional 21 days' notice period will be issued), by either a cash payment, or electronic fund transfer or bank guarantee.

- (b) That Ms B Gordon be informed that the purchase price for Erf 613, Extension 2, Matutara must be secured by cash payment or an electronic fund transfer or a bank guarantee (subject to penalty interest being levied from 26 February 2019).
- (c) That failure to secure the purchase by 30 April 2019 will result in cancellation of the transaction.
- (d) That Council honours its undertaking to the next qualifying bidders and that the Property Section continues with the allocations of the cancelled transactions accordingly.

Council of 28 March 2019 under item 11.1.26 (Erf 543)

- (a) That Council remains with the conditions of sale for the sale of 94 erven zoned "Single Residential" located in Extension 2, Matutara i.e. requiring the purchase price to be secured by the final due date of 31 July 2019, by either a cash payment, or electronic fund transfer or bank guarantee.
- (b) That Mr Sabel T Ekondo be informed that the balance of the purchase price for Erf 543, Extension 2, Matutara must be secured by cash payment or an electronic fund transfer or a bank guarantee (subject to penalty interest being levied from 28 February 2019), by 25 March 2019.

4. CONDITIONS OF SALE

With reference to securing the purchase price the standard conditions of sale provide that the purchase price be secured by either:

- Ⓐ A cash payment or
- Ⓑ An electronic fund transfer or a
- Ⓒ Bank guarantee (subject to penalty interest being levied should the property not be transferred by the lapsing of the 21 days' notice period to be issued after 25 February 2019).

The conditions further provide as follows:

No negotiations will be entered into after the bids have been opened and prospective purchasers are cautioned to make adequate provision with their financial institutions prior to the proceedings, as no other arrangement will be accepted than indicated herein.

The conditions of sale does not provide for payment in instalments or being secured after the due date.

5. APPLICATIONS FOR EXTENSION OF TIME TO SECURE THE PURCHASE PRICE

Council in the past, and most recently on 31 January 2019, approved various applications for the extension of time for private treaty sales. Applications for public sales of small numbers of erven zoned "General Business", "Industrial" and "General Residential" were also approved in the past.

6. SIMILAR ISSUE FOR A PREVIOUS SALE OF ERVEN ZONED "SINGLE RESIDENTIAL"

On 28 September 2017 Council considered a similar request by Mr Ashipala for Erf 8996, Matutara and passed the following decision under item 11.1.25:

- (a) That Council remains with the conditions of sale for Extensions 34 and 35 i.e. requiring the purchase price to be secured by the final due date of 20 September 2017, by either a cash payment, or electronic fund transfer or bank guarantee.
- (b) That the transactions for those purchasers who have not complied with the contractual requirement be cancelled.
- (c) That Council honours its undertaking to the next qualifying bidders and that the Property Section continues with the allocations of the cancelled transactions accordingly.

The basis of the above decision is that the Property Section has interpreted the timelines and conditions strictly and implemented them 100% consistently to be fair to all the participants at the closed bid. Council has built up a very good relationship with the public over a number of years as a result. This is due to the open and transparent manner that the process of the public sale is conducted. The consistent communication with as well as the regular consultations has caused the public to believe the officials and to trust the process. Part of the process is that if a person has not complied with the time periods the transaction will be cancelled and allocated to the next qualifying bidder. If we do not adhere to this process we risk losing the public's trust and breaking down the relations which need to be maintained considering the large number of erven to be sold.

In addition to the above, the public was assured that next qualifying bidders will be considered for allocation immediately after the final due date for payment lapses. This also provides a measure of certainty for the Finance Department to be able to do financial forecasting and plan accordingly.

All bidders for each erf were listed according to the bid amounts and are therefore eligible for consideration in cases where the initial purchaser did not perform in terms of the conditions of sale. The allocation of erven to the next qualifying bidders is also a condition of the sale document.

7. DISCUSSION

The decision of **28 September 2017** was consistently applied by Council to the transactions of the following "Single Residential" erven:

	Date	Erven
1	27 Jan 17	50 single residential erven in Ext 34 & 35
2	24 Feb 17	50 single residential erven in Ext 34 & 35
3	31 Mar 17	49 single residential erven in Ext 34 & 35
4	28 Apr 17	50 single residential erven in Ext 34 & 35
5	02 Jun 17	59 single residential erven in Ext 34 & 35
6	15 Dec 17	34 single residential erven in Ext 1, Mile 4
7	02 Feb 18	36 single residential erven in Ext 1, Mile 4
10	26 Oct 18	94 Erven in Ext 35 and Ext 2
11	09 Nov 18	4 Replacement Houses in Mordosa
13	14 Dec 18	43 Erven in Ext 8 and Ext 14

The transactions of non-performers were cancelled as stipulated in the deed of sale and the erven were allocated to the next qualifying bidders in terms of the standard conditions of sale.

B. After the matter was considered, the following was:-

RESOLVED: (For Condonation By Council)

- (a) That the transactions in respect of the following erven sold on 26 October 2018, be extended until 30 April 2019:

	Erf	Surname	Name	Comments	Purchase price
4	8998	Pieterse	Llewellyn Rainer	No payment. Submitted an application dated 25 March 2019 for 1,5 month extension.	395 871.63
6	534	Amukwa	Jason Shippe	no payment	250 000.00
8	536	Khulwizob	Albertus Amos	no payment	400 199.00
14	543	Sam	Blagy	Home loan application (not guaranteed) was provided on 21 Feb 2019.	362 500.00
16	544	Ihutha	Oscar	no payment	290 999.99
17	545	Ahikaner	Lorraine	no payment	252 000.00
20	548	Aifeyi	Mokahwa	no payment	299 999.99
21	549	Gowanas	Anna	no payment	326 010.00
22	550	Mutola	Estkel	no payment	200 000.00
33	581	Mlayira	Moses	no payment	275 000.00
37	585	Van Wyk	Jerome Martino	No payment. Submitted an application dated 25 March 2019 for an extension.	330 900.00
48	578	Tjiposa	Mwlyn	No payment. Submitted an application dated 26 March 2019 requesting extension of time until 26 March 2019. Intends to pay cash.	200 000.00
51	579	Classon	Ramona Geneve	Guarantee received day after the due date on 26 March 2019.	220 000.00
62	590	Handricks	Malcolm	no payment	289 999.99
63	591	Azeb	Frederick	No payment. Letter from bank dated 01 March on file.	280 000.00
64	592	Lukas	Paulina	no payment	270 990.99
69	599	Nangombe	David	no payment	300 010.99
71	601	Zaruska	Bonethelm Pekara	no payment	300 000.00
77	607	Nkvetala	Shafashike	no payment	232 000.00
78	608	U-Nuses	Chrisanlis	no payment	164 000.00
79	609	Pahula	Maria Felicidade	No payment. Submitted a letter from the bank on 26 March 2019.	171 111.10
81	611	Volokweleni	Israel Ngashipola	no payment	253 999.99
83	613	Gontea	Erigitte	no payment	160 000.00
87	617	Kuzajike	Edmund Lafrenz	no payment	250 000.00
90	620	Steunje	Josua Hwapo	no payment	200 805.35
93	623	Mpondoka	Aini Ndinetago	No payment. Submitted a letter dated 04 March 2019 requesting an extension to pay until August 2019.	344 400.00

- (b) That the purchasers be requested to provide reasons for their non-performance in writing.

Due to the voluminous content - the attachments are available on file.

11.1.21 **REQUEST FOR ADDITIONAL FUNDS: PROVISION OF SECURITY SERVICES**
(C/M 2019/04/25 - E 1 / 12, 14/2/1/2)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 10.5 page 44 refers.

A. The following item was submitted to the Management Committee for consideration:

1. During the financial year 2018 / 2019, an amount of N\$3 500 000.00 was budgeted for the Provision of Security Services Vote: 102010214900. The Finance Department advised, recently, that the funds are depleted and that an additional N\$1 300 000.00 will be required for the remainder of the current financial year.
2. The minimum wage provision contribute to the high costs for the services. Provisions were not made in the current contract to verify whether the security guards are remunerated in terms of the legal requirements. However, the new contract makes provision for a representative of Council to inspect the payslips of the security guards, if and when required.
3. In terms of the Government Gazette No. 6414 of 15 September 2017 the minimum wage for entry level security officers is determined at the following:
 - (i) The minimum wage for the entry level of Security Officers shall be N\$8.75 per hour effective from 1 January 2017.
 - (ii) The wages of Security Officers who are currently earning N\$6.75 to N\$7.00 per hour will be adjusted to a minimum of N\$8.75 per hour as from 1 January 2017.
 - (iii) As from 1 July 2017 the minimum wage for all Security Officers who have, at that time, been employed with their current employer for a cumulative period of no less than 12 months, shall be N\$10.00 per hour.

4. The rate per security guard is as follows:

Service Provider	Current Rate	Previous Rate
Katjipana Investment CC	11.00	12.00
Maya Security Services CC	11.44	13.50

It is clear that there is a significant reduction in cost per security guard, in comparison to the previous contract. However, the increase in sites to curb illegal occupation around the DRC Informal Settlement as well as illegal dumping has contributed to the total cost escalation. Council is also guarding the Mass Housing Project houses, however, the cost is reimbursed by the Ministry of Urban and Rural Development. Attached is a list of all the sites.

B. After the matter was considered, the following was:-

RECOMMENDED:

That permission be granted to the General Manager: Finance to transfer an amount of N\$1 300 000.00 from the Surplus Funds to the Provision of Security Services Vote: 102010214900.

Due to the voluminous content - the attachments are available on file.

11.1.22 **AMENDMENT TO THE PROPERTY POLICY: ALLOCATION OF STAFF ERVEN**

(C/M 2018/04/25 - C 3/1, G 4/1)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 10.7 page 60 refers.

A. The following item was submitted to the Management Committee for consideration:

The following was discussed at the Senior Management Meeting on 26 March 2019 and is now submitted to the Management Committee for consideration.

1. Introduction

The purpose of this submission is to consider an amendment to the Property Policy with reference to the purchase price for the allocation of erven to staff members.

After the allocation of 15 staff erven located and reserved as such in Extension 3, Tamariskia; Ministerial approval was applied for in writing to proceed with the allocation per letter dated 07 July 2015.

As per attached Annexure 'A' the Ministry of Regional and Local Government, Housing and Rural Development (known at the time as such and hereinafter referred to as MURD) replied as follows on 31 August 2015:

"I wish to bring it to your attention that the Hon Minister has directed that the practice of Local Authorities reserving or allocating erven to exclusively for or to their employees, as it is the case with this submission, must be stopped with immediate effect. A directive from the Minister in this regard is on its way to all Local Authorities."

To date no directive was received from MURD.

2. Correspondence addressed to the Ministry of Urban and Rural Development

Following the above letter, MURD was informed in writing of Council's Property Policy prescribing various restrictive clauses with regard to the sale of erven to staff members at lower purchase prices.

The content of the letter was discussed at Council's Planning Forum on 22 September 2015 whereafter the following was concluded and addressed to MURD per letter dated 01 December 2015:

- (a) That the General Manager: Corporate Services and HR obtain reasons from the Permanent Secretary of the Ministry of Urban and Rural Development Planning regarding the Ministerial Directive.
- (b) That the General Manager: Corporate Services and HR informs the Ministry of Urban and Rural Development of Council's conditions to qualify for allocation of a staff erf i.e.
 - (i) That Council does not lose any money / income.
 - (ii) That the erven reserved are only a small percentage of the total erven available to the public.
 - (iii) That it is the only way Council can compete with the private sector to retain / attract well qualified staff.

- (c) That the Ministerial directive be forwarded to the Union for deliberations and their input.

In addition to the above, an extract from Council's Property Policy of the strict conditions to comply with in order to be considered for the allocation of a staff erf was attached.

MURD was requested to provide reasons for the prohibition on the sale of erven to staff members in order to report such to Council and consider the amendment of the conditions of service and property policy.

Another letter was addressed to MURD dated **13 January 2016**. A reminder was sent on **24 February 2016**.

On **12 March 2018 (Annexure "B")** another reminder was sent.

As no feedback / directive was received from MURD it is difficult to determine the short coming in Council's Property Policy to amend.

The Management Committee passed the following resolution on **11 October 2018** under item 8.1.

That the Mayor requests the Minister of Urban and Rural Development to revise the directive which ordered Council not to allocate erven to its staff members.

A letter dated **29 October 2018** was addressed to MURD from the Office of the Mayor requesting clarification (**Annexure "C"**). No correspondence was received in reply.

3. Current Situation

Walvis Bay Municipality recently placed a notice in the newspaper publishing for objections to the sale of erven to staff members. The Manager, Corporate Services of the Walvis Bay Municipality (Mr Jan Kruger) confirmed that their policy for the sale of staff erven was approved by MURD providing that staff erven are not sold at a preferential price, but equal to the price it would have been offered to the public.

This comment is in line with the contents of a letter from MURD dated **13 November 2007** stating as follows:

"Approval for the sale of erven to staff members cannot be granted. The Ministry cannot support any policy which made provision for a special arrangement to acquisition of property by staff members."

Following the above letter, Council's Property Policy was amended and approved by Council on **31 January 2013** under item 11.1.15. The purchase price was amended from the recovery of non-remunerative services to a purchase price equal to the cost for installation of services.

Council's Property Policy was sent to MURD for approval. However upon enquiry a ministerial official advised that they do not need to approve the policy.

4. Property Policy

Currently the Property Policy provides as follows with reference to the determination of the purchase price:

3. Purchase Price

At a purchase price no less than development cost (the cost for the installation of services).

The complete section with reference to the sale of staff even is attached as Annexure "D".

It is proposed that the Property Policy be amended to read that the purchase price of the even reserved for staff members be sold at the upset price offered to the public for a specific extension (neighbourhood).

In this regard, the Property Policy provides as follows:

7.5.2 Sale of Land by Public Auction

- (i) **Commercial Auction:** the upset price is determined by Council, but not less than the cost for the installation of services + at least 25%.
- (ii) **Community Auction:** the upset price is determined by Council, using the cost for the installation of services as reference. Council reserves the right to reduce the upset price at its' discretion.
- (iii) **First Time Property Owner Auction:** the upset price is determined by Council, but not less than the cost for the installation of services + at least 10%.

Note: This will tie-up with what the Directive says as it is no longer at a preferential price.

B. After the matter was considered, the following was:-

RECOMMENDED:

That Section 6 point 3 of Council's Property Policy be amended to provide that even reserved for staff members be sold at the upset price approved for a specific extensions / neighbourhood in which such even are located as set-out in section 7.5.2:

- (i) **Commercial Auction:**
The upset price is determined by Council, but not less than the cost for the installation of services + at least 25%.
 - (ii) **Community Auction:**
The upset price is determined by Council, using the cost for the installation of services as reference. Council reserves the right to reduce the upset price at its' discretion.
 - (iii) **First Time Property Owner Auction:**
The upset price is determined by Council, but not less than the cost for the installation of services + at least 10%.
-

Due to the voluminous content - the attachments are available on file.

- 11.1.23 APPLICATION FOR THE SUBDIVISION OF THE REMAINDER OF PORTION B OF THE SWAKOPMUND TOWN AND TOWNLANDS NO. 41 INTO PORTION 164 AND REMAINDER, THE TOWNSHIP ESTABLISHMENT ON PORTION 164 OF SWAKOPMUND TOWN AND TOWNLANDS NO. 41 AND APPROVAL OF THE PROPOSED TOWNSHIP LAYOUT
(C/M 2019/04/25 - G 3/2/2)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 10.11 page 01 refers.

A. The following item was submitted to the Management Committee for consideration:

1. Purpose

2. The purpose of this submission is to obtain Council approval for the subdivision of the Remainder of Portion B of the Swakopmund Town and Townlands Number 41 in terms of Section 21 of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) into Portion 164 and Remainder. Need and Desirability for the Township establishment in terms of Section 5(5) (a) (i) of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963), as amended, on Portion 164 of Swakopmund Town and Townlands Number 41 and the approval of the layout for the township establishment on Portion 164 of Swakopmund Town and Townlands Number 41.

3. Background and Motivation

An industrial society is a society driven by the use of technology to enable mass production whilst supporting a large population with a high capacity for division of labour. Furthermore, industrial development plays an integral role in the economic growth of any area and Swakopmund is no exception.

The Swakopmund Municipality is proactive in its provision for General Industrial erven; however, the demand for small scale (light industrial) erven has increased to great extent. Additionally, the Swakopmund Airport boundaries also need to be formalised so as to improve security and attract investments.

It is against this background that the Swakopmund Municipality is establishing a light industrial township in response to the shortage of light industrial erven as well as to formalise the Airport boundaries.

4. Zoning, Locality and Size

Portion 164 of Portion B of the Swakopmund Town and Townlands Number 41 is zoned "Undetermined" and is located east of Swakopmund Extension 10 as depicted on the attached locality plan. It is approximately 282.1472 Hectares in extent.

5. Ownership

The Remainder of Portion B of the Swakopmund Town and Townlands No. 41 vests with Swakopmund Municipality as per the Government Grand No. 25/1935.

6. Environmental Clearance

An Environmental Impact Assessment is being undertaken and the Environmental Clearance Certificate would be submitted with the application to Townships Board.

7. Need and Desirability

Swakopmund is a fast growing town and being surrounded by the mines and in proximity to the nation's main harbour, the demand for light industrial erven and the formalisation of the Airport constitute is a major need for the proposed development. There is a need to extend the current Airport boundaries resulting from ample applications to lease hangars at the airport. Currently, there are no new hangars available for leasing. More space can then be made available for an additional row of hangars.

The proposed development will also provide for industrial choices within the town. This in turn will ensure that the Town makes optimal use of its scarce resources by allowing for increases in the quantity and quality of goods manufactured by different industries. In addition, the provision of these light industrial erven would increase the chances of employment, contribute to reducing the high unemployment rate challenging the country at large and improve the local economy.

8. Proposed Development

The proposed development is indicated on the attached layout plans. It comprises of a range of erf sizes as well as land uses in order to provide for choices and contribute to balanced viable developments. The design is conscious of the need to supply light industrial erven and complies with the Swakopmund Long Term Plan.

8.1 Access and Street Width

The proposed development will be accessed via Swakopmund Extension 10, Mondesa, Extension 6 as well as the Trunk Road to Windhoek. The development accommodates one major road which measures 30 metres and the rest of the internal roads measure 25 metres. The width of the roads has been chosen in order to provide for easy movement of trucks.

8.2 Infrastructural Provision

There are water pipes currently running through the proposed development and the rest of the services will be provided by extension of the existing networks.

8.3 Servitudes

There are a number of services currently accommodated on Portion 164 of Swakopmund Town and Townlands Number 41. These services include a Namwater waterline, an underground telecom cable, as well as Erongo Red's electrical cables and substations.

Provision is made in the proposed development to accommodate these services by registration of servitudes in favour of the parastatals.

The thirty two (32) meters wide servitude will be surveyed and registered over the proposed Erf 122 of Portion 164 of Swakopmund Town and Townlands No. 41 in favour of Namwater.

Another three (3) metres wide servitude will be surveyed and registered over the proposed Erven 1, 93, 101, 102, 110, 111, 113, 118, 119, 122, 123 and 125 of Portion 164 of Swakopmund Town and Townlands No. 41 in favour of Telecom Namibia.

A three (3) metres wide servitude will be surveyed and registered over proposed Erven 1, 82, 83, 84, 85, 100, 101, 102, 103 and 123 of Portion 164 of Swakopmund Town and Townlands No. 41 in favour of Erongo RED.

8.4 Light Industrial

There is a total of one hundred and thirteen (113) erven ranging from 1500m² to 12 334m² in extent. The light industrial erven makes up the majority of the proposed development.

8.5 General Business

A commercial node has been created at the southern entrance of the establishment in order provide and create an activity node in the area as well as supplement the stock of business sites in the town.

8.6 Local Authority

A number of Local Authority sites have been provided. Most of these sites currently accommodate existing facilities that belong to the Municipality such as the water reservoirs.

8.7 Public Open Space

Public open spaces have been created to serve multi-purpose areas for extensive recreational activities. Because of the size of the airport which is approximately 207,6679 ha, the percentage for the open spaces only amounts to 3% of the total area. However, for an industrial area, the open spaces provided for a sufficient to serve the general public and local off-duty employees.

9. Aviation

Given the location of the proposed development, an approval from the Namibian Civil Aviation Authority was required. After their review of the proposal, the following condition was set:

- (a) The maximum building heights in Portion 164 should not exceed 5 metres considering the Obstacle Limitation Surfaces of Swakopmund Aerodrome.

10. Conditions of Establishment

- A. The following conditions shall be registered against the title deeds of all erven except those reserved as public open space and those zoned Local Authority:

The erf must only be used or occupied for purposes which are in accordance with and the use or occupation of the erven shall at all

times be subject to the provision of the Swakopmund Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954) as amended.

- B. The following conditions be registered against the title deeds of Light Industrial Erven:

The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least Equal the municipal valuation of the erf.

- C. The following conditions shall be registered against the title deeds of Business Zoned Erven:

The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four (4) times the municipal valuation of the erf.

11. Conclusion

The proposed development is in line with the long term vision of Council and should be supported. In the view of the motivation, it is recommended that Council favourably consider the need and desirability for the subdivision of the Remainder of Portion B of Swakopmund Town and Townlands No. 41 into Portion 164 and the Remainder, the township establishment on Portion 164 of Swakopmund Town and Townlands No. 41 and approval of the proposed layout on the aforesaid portion.

- B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That the Remainder of Portion of Portion B of the Swakopmund Town and Townlands Number 41 be subdivided into Portion 164 (approximately 282.1472 ha) and Remainder in terms of Section 21 of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963), free of conditions.
- (b) That the Need and Desirability for the township establishment on Portion 164 of Swakopmund Town and Townlands Number 41 in terms of Section 5(5) (a) (i) of Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) be approved.
- (c) That approval be granted for application to be made in terms of Section 5 of the Township and Division of Land Ordinance No. 11 of 1963 for the establishment of an extension of Swakopmund (to be allocated by Surveyor General) on Portion 164 as shown on the subdivisional layout plan (on file).
- (d) That the Engineering Services Department be authorized to make minor changes to the layout, to accommodate infrastructure, improve layout dimensions or meet Townships Board and NABPAB requirements should it be necessary.
- (e) That a thirty two (32) metres wide servitude be surveyed and registered over the proposed Erf 122 of Portion 164 of the

Remainder of Portion B of the Swakopmund Town and Townlands No. 41 in favour of Namwater.

- (f) That a three (3) metres wide servitude be surveyed and registered over the proposed Erven 1, 93, 101, 102, 110, 111, 113, 118, 119, 122, 123 and 125 of Portion 164 of Swakopmund Town and Townlands No. 41 in favour of Telecom Namibia.
 - (g) That a three (3) metres wide servitude be surveyed and registered over the proposed Erven 1, 82, 83, 84, 85, 100, 101, 102, 103 and 123 of Portion 164 of Swakopmund Town and Townlands No. 41 in favour of Erongo RED.
 - (h) That the zoning shown on the layout plan tabled at the meeting be approved.
 - (i) That the maximum building heights in Portion 164 should not exceed 5 metres.
 - (j) That the conditions of Establishment be as follows:
 - (i) *The following conditions shall be registered against the title deeds of all erven except those reserved as public open space and those zoned Local Authority:*

The erf must only be used or occupied for purposes which are in accordance with and the use or occupation of the erven shall at all times be subject to the provision of the Swakopmund Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954) as amended.
 - (ii) *The following conditions be registered against the title deeds of Light Industrial Erven:*

The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least Equal the municipal valuation of the erf.
 - (iii) *The following conditions shall be registered against the title deeds of Business Zoned Erven:*

The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four (4) times the municipal valuation of the erf.
-

Due to the voluminous content - the attachments are available on file.

- 11.1.24 **QUINTESSENTIAL TRADING CONSULTANCY CC: BUILDING CONTRACT FOR PORTION 141 A PORTION OF PORTION 137] OF THE TOWN AND TOWN AND TOWNLANDS NO.41**
(C/M 2019/04/25 - G 3/9/15, A 2/3/15, G3/9, H5, H5/4, H5/7)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 10.13 page 69 refers.

- A. The following item was submitted to the Management Committee for consideration:

1. **Introduction**

Council resolved on 31 May 2018 as follows:

- (a) That Council remains with its resolution of 30 November 2017 under item 11.1.22
(b) That ...
(c) The following be approved:

1.1.1. ...

Proper **Troobisa Uvavali and Quintessential Trading & Consultancy CC**

1.1.1.1. Erven and Layout

- This extension consists of a mixture of single residential, general residential, Business, Local Authority, Public Open Space erven.
- This extension is targeted for Medium income Level.
- The compilation of erven is illustrated in the Table below.

Zoning	Total Number of Erven
Single Residential	214
General Residential 1	0
General Residential 2	4
Local Business	8
General Business	2
Public Open Space	3
Institutional	1
Local Authority	0
Undetermined	0
Private Open Space	0

1.1.1.2. Distribution of Erven

- Council remains the owner of the property during the development of the extension and the developer will not be allowed to transfer the land in their name. The transfer of land ownership will be done at the end of the whole project to the beneficiary.
- The developer will return a portion of the serviced land as well as the entire infrastructure back to the Swakopmund Council.
- The distribution of return land will be at a minimum of 23.33% of the Single residential erven for Council, but Council to receive the full return on the institutional, Local Authority, Public Open Space, Private Open Space and Undetermined erven.
- The Business and General Residential erven will be returned on a portion base as stipulated in the table below.

Zoning	Total Number of Erven	Erven Sharing Ratio	
		Developer	Council
Single Residential	214	143	71
General Residential 1	0	0	0
General Residential 2	4	2	2

Local Business	3	5	4
General Business	2	1	1
Public Open Space	3	0	3
Institutions	1	0	1
Local Authority	0	0	0
Undetermined	0	0	0
Private Open Space	0	0	0

1.1.1.3. Cost Distribution

- In order to keep the cost of the project as low as possible and to ensure that targeted consumers of Swakopmund are reached by this project, the developer will not pay for the land and will not be charged a premium for the land.
- The developer will use own funds or funds from financial institutions to develop the extension, but Council will not contribute financially to the construction and installation of services and houses on this extension.

1.1.1.4. Specification of Services and Houses

- The area will be fully serviced with gravel roads/streets with kerb stone only defining the intersections with bladed gravel sidewalks, water, sewer and electrical infrastructure up to the erf boundary.
- The specifications for the services will be supplied and construction monitored by the Engineering Services Department of the Swakopmund Council.

1.1.1.5. Specification of Services and Houses

- The Houses to be constructed shall consist of one (1) to two (2) to three bedroom houses, but structures to the value of not less than N\$500 000.00 but not more than N\$800 000.00. This excludes the cost of the land.
- The specifications for the houses will be supplied and construction monitored by the Engineering Services Department of the Swakopmund Council.

3.2.8 Serviced Land

(d)

(e)

(f)

(g)

The draft building Agreement attached as **Annexure "A"** is accordingly submitted for consideration.

2. Contract Conditions to be settled

The proposed agreement sets out the terms and conditions as proposed by Council in the Action Plan which was submitted to the Minister and subsequently approved by him at a meeting with a Council delegation.

It is unclear how far council wants to regulate the number of each type of house to be built by the developer on the erven that will be transferred to them in lieu of payment. If Council wants to do so, one of the conditions is that Council needs to agree with the developer on the number of each type of houses to be built. Since this will require an assessment of the type of house as well the financial ability of the purchasers, it is proposed that such agreement be reflected in an annexure to the agreement so that

it doesn't hold up the signing of the contract and the commencement of the project.

The value of the one bedroom houses will probably fall below the threshold of N\$500 000.00 set in the Council resolution and will have to be amended to accommodate that the minimum is in accordance with the conditions of establishment.

3. Transaction

Once the Building Contract for Portion B is approved by Council and the necessary exemption from the Procurement Act has been obtained the deed of sale will be signed and the developers can commence with the project.

The developer has proposed that they also develop erven belonging to Council as well as how the erven should be allocated (Annexure "B"). It is recommended that the offer to build houses on Council's erven be declined and that the erven be divided and the type and number of each house be agreed to and added as an addendum to the agreement.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Council approves the Building Agreement (on file).
- (b) That the type and number of each house be agreed to and subsequently added as an addendum to the agreement.
- (c) That the developer's offer to build houses on Council's erven be declined.
- (d) That Council's resolution of 31 May 2018 paragraph 1.1.5.5 be amended from:

(a) The Houses to be constructed shall consist of one (1) to two (2) to three bedroom houses, but structures to the value of not less than N\$500 000.00 but not more than N\$800 000.00. This excludes the cost of the land.

To read:

(b) The Houses to be constructed shall consist of two (2) to three bedroom houses, but structures to the value of not less than the value provided for in the township establishment but not more than N\$800 000.00 including the cost of the land.

Due to the voluminous content - the attachments are available on file.

11.1.25 **BLOCK 9 ENDOWMENT TRUST: APPROVAL OF THE AGREEMENT OF SALE**

(C/M 2019/04/25 - G 3/8/9)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 10.16 page 129 refers.

A. The following item was submitted to the Management Committee for consideration:

1. Introduction

The purpose of this submission is for the Management Committee to approve the agreement to be entered into by and between Council and Block Nine Endowment Trust for the development and sale of Extension 39.

Attached the agreement (**Annexure "A"**).

2. Brief Background

Council's resolved on **28 February 2019** under item 11.1.24 as follows:

- (a) That Council takes note that the Minister of Urban and Rural Development has approved the sale of Extension 39 measuring approximately 101 224m² to Messrs Block Nine Endowment Trust at a total purchase price of N\$17 000 632.00 (N\$168.00/m²) subject to the Council resolutions passed as follows:
- (i) Item 11.1.7 of 28 January 2014
 - (ii) Item 11.1.15 of 27 February 2014
 - (iii) Item 11.1.2 of 31 July 2014
- (b) That Council takes note that the General Plan for Extension 39, Swakopmund was approved by the Surveyor General on 28 August 2018.
- (c) That the size of saleable land of Extension 39, Swakopmund be corrected in all Council resolutions to read 95 072m² as per approved General Plan.
- (d) That the application of Messrs Block Nine Endowment Trust to waive the 5% per annum escalation and also to waive the condition to obtain new valuation after 27 February 2019 (being 5 years after the purchase price was approved) be approved.
- (e) That Council waives the escalation and the requirement to obtain new valuations, due to the 3 year plus delay caused by the Ministry and the cost the developer has expended already i.e. that the purchase price is calculated at N\$168.00/m² and that it be motivated to the Ministry accordingly.

Following the Council resolution, the following actions were executed:

A letter dated **14 March 2019** was addressed to the Ministry of Urban and Rural Development to consider the amendments approved by Council, at the request of the purchaser, with the result that the purchase price remained unchanged at N\$168.00/m² as determined originally and waiving the increment required in the following resolutions:

- (i) Item 11.1.15 of 27 February 2014
- (ii) Item 11.1.2 of 31 July 2014

To date no reply was received from the said Ministry.

On **01 April 2019** Council's conveyancer was requested to compile an agreement for the development and sale of Extension 39 pending the approval being granted by the Ministry of Urban and Rural Development. A draft agreement was provided on **05 April 2019**.

The above request for the compilation of the agreement was done subsequent to a request by the developer on **26 March 2019** to expedite the matter (**Annexure "B"**). The developer has paid a deposit of N\$50 000.00 from which all relevant costs incurred by Council can be deducted.

Instructions to draft the agreement were given to avoid any unnecessary delays from Council's side and to ensure that the developer can commence immediately with the installation of services. All costs incurred in the process is at the risk of the purchaser and subject to the Minister's decision mentioned above.

The agreement will be forwarded to the purchaser to peruse and may be subject to further changes.

- B. After the matter was considered, the following was:-**

RECOMMENDED:

That Council approves the agreement (on file) for the sale and development of Extension 39 to Block Nine Endowment Trust, subject thereto that the Minister of Urban & Rural Development approves Council's request contained in the letter dated 14 March 2019.

Annexure "B"

From: Marco Swarts
Sent: 29 March 2019 12:04 PM
To: Afeus Benjamin; Andre Plootje
Cc: Clarence McClune
Subject: RE: EXTENSION 39, SWAKOPMUND

Colleagues

Note that the instructions will be given but be aware these type of contracts should not be rushed because if anything should go wrong the applicant will just turn around and blame administration. All Council resolutions and Ministerial communications together with the Engineering requirements will be forwarded to our legal team.

Thank you

From: Afeus Benjamin
Sent: 29 March 2019 11:31 AM
To: Marco Swarts; Andre Plootje
Cc: Clarence McClune
Subject: FW: EXTENSION 39, SWAKOPMUND

Colleagues,

This project need to commence. I thus direct that we prepare a draft agreement that we can submit to SMC (including other items also) to get permission for the developer to start (at own risk) whilst awaiting the Ministerial approval.

Regards

From: Silvanus T Kathindi [mailto:bobbob@me.com]
Sent: 26 March 2019 12:47 AM
To: Afeus Benjamin
Cc: Annalize Swart; Johannes Heita; hika@kinglaw.com.na; van Wyk Christo
Subject: EXTENSION 39, SWAKOPMUND

Dear Mr. Benjamin,

I refer to our discussion regarding the above subject-matter.

Thank you very much for Council approval regarding our request as per our letter of 12th February 2019. Your endeavor to fast-tracking the approval process of Extension 39 with the Ministry of Urban and Rural Development ("Ministry") is highly appreciated.

Since Council recent approval, we wish in the meantime to record the following progress below from our side:-

1. The registration of the general plan and the opening of a township register in the Deed Office, Windhoek have been fulfilled on the 5th March 2019;

2. The proclamation of the township is expected to be published shortly;
3. We are now obliged to deliver service-erven by no later than 1st November 2019 (within 7 months) in terms of our Deed of Sales ("**resolutive condition**") with our clients;
4. Given point 3 above, we have no choice but to appoint Nexus Construction on the 13th March 2019 to attend to the construction of the civil works on site. Nexus indicated that it would be moving on site within the next 7 days;

With the above in mind while we are still awaiting Ministerial approval to Council's latest approval, we humbly request your good office to provide us with a draft Deed of Sales Agreement soonest for our input and conclusion thereof. Our financial institution would like to have sight of the duly concluded terms in the Deed of Sales Agreement so that it can finalize our funding requirements for the project.

I wish to thank you for your kind consideration and should you require any further enquiries, I am available to meet in person at your convenience.

Kind regards,

Silvanus T Kathindi

email:- bobboh@me.com

mobile:- +264 81 128 1116

[skype:-](#) kathindi



MUNICIPALITY OF SWAKOPMUND

☎ (064) 4104400
 ☎ (064) 4104125
 ✉ Fax/Email: 0660018117
 📍 51 Swakopmund
 NAMIBIA
 🌐 www.swakopmund.com.na
 📧 towneng@swakopmund.com.na

Ref No: O 30/9

Enquiries: C McClure

3 April 2019

Block Nine Endowment Trust
 P O Box 4087
 SWAKOPMUND
 13001
 Namibia

✉ totobola@ma.com

Attention: Mr S T Kattindi (Trustee)

Dear Sir

EXTENSION 39 – REQUEST FOR PERMISSION FOR CONTRACTOR TO MOBILISE ON SITE AND COMMENCE WITH CONSTRUCTION AND INSTALLATION OF MUNICIPAL INFRASTRUCTURE

The meeting held on the 01 April 2019 in the office of the Chief Executive Officer between Mr. S T Kattindi, the Chief Executive Officer and the General Manager, Engineering Services bears reference.

Your request for permission from Council to allow your contractor, Messrs Nexus Construction to mobilise on site (Extension 39) and start with the construction and installation of Municipal Infrastructure has been considered, but it needs to be mentioned:

- that no response have been received from the Honourable Minister of Urban and Rural Development on Council's letter dated 14 March 2019, requesting the Honourable Minister of Urban and Rural Development to amend the approval granted on 25 February 2019,
- after the review of the designs and layouts, a number of corrections was identified and communicated to your Consulting Engineer, Messrs Windhoek Consulting Engineers.

Taking the above into consideration approval is herewith granted but given with the understanding and condition that the developer and the team will be mobilising and working **at own risk** until such time that the Honourable Minister of Urban and Rural Development has granted approval on the amendment request and the corrections

made on the design/layouts of the development's infrastructure to the satisfaction of the General Manager, Engineering Services.

For any further queries please do not hesitate to contact the General Manager, Engineering Services, Mr C. McClune, at telephone number (064) 4104400.

Yours faithfully,



A Benjamin
CHIEF EXECUTIVE OFFICER

CCM/om

cc

General Manager, Engineering Services

Due to the voluminous content - the attachments are available on file.

11.1.26 **BUILDING CONTRACT FOR SOCIAL GRANT HOUSES**
(C/M 2019/04/25 - G 3/9/15, A 2/3/15, G3/9, H5, H5/4, H5/7)

Ordinary Management Committee Meeting of 11 April 2019,
Addendum 10.17 page 158 refers.

A. The following item was submitted to the Management Committee for consideration:

1. Introduction

Council resolved on 31 May 2018 as follows:

(h) That Council remains with its of 30 November 2017 under item 11.1.22.

(i) That ...

(j) The following be approved:

1.1.2. ...

1.1.2.1. ...

3.2.8 Serviced Land

The Honourable Minister directed that 40 Erven should be allocated to each contract. Attached is a list of contractor for selection.

3.2.9 Power Ovens

The Council resolution of 31 May 2017 under item 11.1.24. is on file

(k) That it be recorded that 1 956 serviced erven are available in the Matubura Area

(l) That consideration be given to allocate 40 erven to each local / Swakopmund based developer and that the surplus be equitably distributed to the remaining developers from outside Swakopmund taking their date of application into account.

(m) That Developers be required to construct 2 (two) show houses to the satisfaction of Council before consideration is given for further allocation.

(n) That Extension 36 on the layout map be amended to read Extension 38 and that the Council Resolution of 30 November 2017 under item 11.1.22 be amended accordingly...

The draft Building Agreement in respect of Social Grant Houses attached as Annexure "A" is accordingly submitted for consideration.

2. Contract Conditions to be settled

The proposed agreement sets out the terms and conditions as proposed by Council in the Action Plan which was submitted to the Minister and subsequently approved by him at a meeting with a Council delegation.

Messrs Kinghorn caution Council against allowing a contractor on site before they have signed the agreement and complied with all suspensive conditions. As mentioned during the discussion of this item, Council does not have funds to pay for all of the houses to be built during this project however efforts are underway to raise the required funds. The agreement

will provide that should Council not be able to raise the funds the agreement can be suspended or terminated.

3. Transaction

Once the Building Agreement is approved by Council and the necessary exemption from the Procurement Act has been obtained the deed of sale will be signed and the developers can commence with the project.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That Council approves the pro forma Building Contract (on file) for the construction of Social Grant Housing.
 - (b) That a clause be added to the contract to allow / permit Council to terminate the contract should Council's available funds be depleted.
 - (c) That in order to avoid a scenario where land is saddled with houses which cannot be sold, the Community Development Services Department identifies qualifying purchasers for each house before it is constructed.
-

Due to the voluminous content - the attachments are available on file.

11.1.27 CAPITAL AND OPERATIONAL BUDGETS FOR 2019 / 2020 FINANCIAL YEAR
(C/M 2019/04/25 - D 2/1)

Ordinary Management Committee Meeting of 11 April 2019, Addendum 10.10 page 00 refers.

A. The following item was submitted to the Management Committee for consideration:

The Capital and Operational budgets for the 2019 / 2020 Financial Year are herewith submitted for Management Committee's further consideration.

1. Capital Budget

Attached hereto (**Annexure A**) the capital projects amounting to **N\$237 153 100.00** of which the amount of **N\$97 058 100.00** has been earmarked for continuation projects and the remaining balance of **N\$140 095 000.00** will be for the new projects.

*Motivations for the new projects are also attached (**Annexure B**) hereto for ease of reference.*

The submitted capital projects exceed our total cash reserves, and as per directive from the line Ministry, our budget will not be approved.

2. Operational Budget

The draft operational budget is reflecting a surplus of **N\$330 630.00**, summarised version is attached as (**Annexure "C"**).

The costs as contained in the operational budget, has increased with **10.56%**, hence the reason for below proposed percentage increases for the service related tariffs.

2.1 Water Supply 8%

The Messrs Namibia Water Corporation Ltd is levying Council **N\$14.75** for our bulk water purchases as from **January 2019**, hence also the recommendation that the current basic charges be increased accordingly.

The current basic charge for water is **N\$101.15**, which will now be increased to **N\$125.70**.

The costs for the water supply services have increased with **10.92%** mainly attributed by the costs of water purchases, hence the recommendation that the water related tariffs be increased with **8%**.

Therefore, we are recommending that the below tariffs be considered for the below listed staggered tariffs:

(i) Staggered tariffs Swakopmund & Smallholdings:

Tariffs	Current Tariff (N\$)	Proposed Increased Tariff
---------	----------------------	---------------------------

		(N\$)
9m ³ - 30m ³	14.80	16.00
31m ³ - 60m ³	20.90	22.50
61m ³ and above	32.25	34.80

(ii) **Special tariff (Agricultural) - Smallholdings:**

Tariffs	Current Tariff (N\$)	Proposed Increased Tariff (N\$)
9m ³ - 30m ³	14.80	16.00
31m ³ - 60m ³	16.00	17.30
61m ³ and above	17.85	19.30

2.2 Sewerage Increase: - 8%

The annual increases in tariff for sewerage services is necessitated to align the operation and maintenance cost for the new sewage processing plant and pump stations, over and above the cost to operate and maintain the existing pump stations and reticulation, as the activated sludge processing plant is much more energy intensive than the old biological trickling plant.

The operational costs in respect of the sewer related services have increased with 10.87%, proposed increases sewerage tariffs is 8%.

2.3 Assessment Rates - 8%

It is recommended that Council considers increasing the rates and taxes with 8% for the budget year under review.

2.4 Refuse removal Services - 7%

It is recommended that Council considers increasing the refuse removal tariffs with 7%.

The costs of refuse removal related services have increased with 8.66%

The above increases are also aimed at subsidizing increases in other non-remunerative services.

Below inserted are increases of the past 4 financial years also for ease of reference:

Service Type	2015 / 2016	2016 / 2017	2017 / 2018	2018 / 2019
Rates and Taxes	Factor adjusted	10%	10%	8%
Refuse removal	7.5%	10%	10%	8%
Sewerage	20%	17.5%	10%	8%
Water	5.5% - 7.5%	5.5% - 7.5%	5.5% - 10%	5.5% - 11.75%
Tourism	10% - 12%		2% - 10%	
Other Tariffs	10%	10%	10%	10%

It is further recommended that the Management Committee considers the above proposed cost recovery tariff increases.

2.5 Other Tariffs

The list of all other tariffs is also attached (Annexure D) for Management Committee's approval.

B. After the matter was considered, the following was:-

RECOMMENDED:

- (a) That the capital budget amounting to N\$237 153 100.00 be approved.
 - (b) That the Operational budget reflecting a surplus of N\$330 630.00 approved.
 - (c) That the service related tariffs be increased as indicated below:

(1) Rates and Taxes	-	8%
(2) Refuse removal	-	7%
(3) Sewerage	-	8%
(4) Basic water increased from N\$101.75 to N\$125.70		
(5) Staggered tariffs:		
9m ² - 30m ²	-	8%
31m ² - 60m ²	-	8%
61m ² and above	-	8%
(6) Special tariff (Agricultural) - Smallholdings		
9m ² - 30m ²	-	8%
31m ² - 60m ²	-	8%
61m ² and above	-	8%
 - (d) That all other tariffs as per attached schedule be approved.
 - (e) That General Managers ensures availability of funds prior to embarking upon approved major projects.
-

Sivakapamund Municipality
Capital Projects 2019 - 2025

Project Descriptions	Continuation Projects	2019/2020		Vote Number
Grants: 11-23				
Office Furniture	-	80 000		
Sub Total	-	80 000		
Human Resources: 15-17				
Office Furniture	-	30 000	1103 311 029 00	
Sub Total	-	30 000		
General Services: 35-38				
Office Furniture	-	88 000	1103 311 029 00	
Sub Total	-	88 000		
Finance: 19-21				
Office Furniture	-	90 000	1103 311 029 30	
Money Counter Machine (New Building Office - CP Budget)	-	-	-	
Installation of a Camera (Cash Hall - CP Budget Public Buildings)	-	-	-	
Installation of a Camera (Stores - CP Budget Stores)	-	-	-	
Printer Jack - CP Budget Stores	-	-	-	

Seokopmand Municipality
Capital Projects 2019 - 2023

Project Descriptions	Continuation Projects	2019/2020		Vote Number
Purchase of New Vehicle	100 000	-	-	1035 328 274 00
Purchase of New Vehicle	100 000	-	-	1035 325 195 00
Purchasing Office	70 000	-	-	1035 330 331 00
Statute Projects	300 000	-	-	1035 345 049 00
Sub Total	600 000		60 000	
Engineering Services 32-38				
Office Furniture	-	150 000	1030 310 039 00	
Asset Survey to update GIS map overlay (add V&T)	-	500 000		
Upgrade / New server for building plan application software	-	350 000		
New Vehicle LDV	-	375 000		
Printing and Design Software	-	500 000		
Sub Total	-	1 875 000		
Town Planning				
Town Planning and Survey - New Developments	1 867 000	-	-	1035 340 205 00
Township Establishment on Portions 161, 162 & 163	-	-	-	1035 340 244 00
Environmental Impact Assessments - Portions 161, 162 & 163	375 000	-	-	1035 340 245 00
Submission and delivery of the title deed of Portions 161, 162 & 163	250 000	-	-	1035 340 246 00
Collective survey of Townships on Portions 161, 162 & 163 of Seokopmand Townlands	150 000	-	-	1035 340 246 00
Light Industrial Township Development	-	-	-	
Need and Feasibility Establishment of Industrial Township, 0698 80000	660 000	-	-	1035 340 247 00
Environmental Impact Assessment for the Industrial extension Portion 164	-	-	-	

Swanepoort Municipality
Capital Projects 2019 - 2020

Project Descriptions	Continuation Projects	2019 / 2020		Vote Number
Survey of the older figures (Part 1) 154	127 400	-	-	
Survey of Eriem 2019, 2019 & 2020	350 000	-	-	
Review of the Town Planning Scheme	1 000 000	-	-	10300 349 205 00
Review of the Town Planning Scheme	348 000	300 000	-	
Formulation of the Swanepoort Structure Plan	1 687 000	-	-	10300 349 205 00
Wagon Wheel Mine & Block Developments	-	150 000	-	
Surveying of Partion 195 / 196 (Ext 1)	-	-	-	
Sub Total:	7 264 600	500 000	500 000	
Health Services: 16-23				
Office Furniture	-	30 000	-	1040 316 335 00
Car-nut and Repair of Vehicles - OP Budget	-	-	-	
Sub Total:	-	30 000	30 000	
Muth, Pat & Brand: 31-40				
Made - Breakwater Protection & Jetty Assessment	1 000 000	1 000 000	-	1040 316 335 00
Made & Beach Upgrade	642 200	-	-	1040 316 335 00
New Public Toilets / Showers / Dressing Rooms at Molen	1 000 000	-	-	1040 316 335 00
New Public Toilets at Klipgat	1 500 000	-	-	1040 316 335 00
Extend Paved Walkway along the beach	-	1 600 000	-	
Sub Total:	4 642 200	2 600 000	2 600 000	
Parks and Gardens: 24-33				

Shekspitmund Municipality
Capital Projects 2019 - 2020



Project Descriptions	Continuation Projects	Vote Number	
		2019 / 2020	
Development of Netball, Tennis and Volleyball Courts on (r.f.3) Murokela (r.f.3)	-	600 000	
Renovating of Volley ball & Tennis Courts (r.f.3)	-	400 000	
Development of Public Clean Spots	86 600	250 000	1045 318 340 00
Development of New Gardens	211 300	250 000	1045 318 341 00
Renovating of New Gardens	248 000	250 000	1045 318 342 00
Renovating of New Gardens	108 000	250 000	1045 318 343 00
Renovating of New Gardens	-	-	1045 318 344 00
Connect Local Office to Purified Effluent - On Budget 30-30	-	100 000	
Upgrade road for 1479 N 18773 B - On Budget	-	120 000	
Upgrade 3.5 Ton (r.f.3) (r.f.3) - N 18773 B	-	60 000	
2 x New 1700-gallon Heavy Duty Motors	-	250 000	
New 1700-gallon (r.f.3) (r.f.3)	-	60 000	
Lights & Sign Inside at (r.f.3) (r.f.3)	-	60 000	
Sanctuary (r.f.3)	-	60 000	
New Foot-catcher	800 000	-	1045 318 337 00
Additional Dressing Rooms at Virena Central	1 543 600	3 279 000	
Sub Total:	1 543 600	3 279 000	
Graveling 20-20			
Construction of Boundary Wall (r.f.3) at Tamaris Cemetery	-	1 900 000	
Replacement of the Cemetery of Isara - N 18773 B	-	300 000	
Purchasing of the Excavator for digging graves	250 000	1 600 000	2025 318 356 00
Gravel Safety Equipment	-	-	
Sub Total:	250 000	3 780 000	

Sarabopmund Municipality
Capital Projects 2019 - 2026

Project Descriptions	Combination Projects	2019/2020		Vote Number
Purchasing of the Resourcer	-	400 000		
Fire Brigades: 2E-12				
	-	600 000		
Sub Total				
Streets: 20-18				
Shoos and Narrow Streets	1 000 000		1 000 000	2019 319 302 00
Subsided Stormwater	113 900		113 900	2019 319 303 00
Traffic Calming and Regulation Measures	293 600		293 600	2019 319 304 00
Upgrading of Storm Water Systems	1 300 000		4 000 000	2019 343 293 00
Sealing of Streets and Roads	4 316 500		5 000 000	2019 343 293 00
Upgrading Road Between Hill, Debossmond and Mavutika Street	8 600 000		8 000 000	2019 329 117 00
Revisions Forging 161, 162 and 163 Maitshing	2 305 000		-	
Resurfacing of Streets and Roads	473 000		1 900 000	2019 329 111 00
Facilities (pothole repairs)	-		150 000	
Maintained Road Marking System	-		150 000	
New Heavy Duty Pave Compactor (Pothole repairs)	-		80 000	
Manual Comp Spreader	-		100 000	
Mulcher Machine	-		90 000	
Street Sweeper Truck	-		800 000	
Sub Total	16 321 900		30 345 000	

Siwalopamund Municipality
Capital Projects 2019 - 2020

Project Descriptions Treff: 20-38	Contribution Projects	2019/2020		Vote Number
Office Furniture	-	80 000	2020 319 829 00	
Long distance car rental (12)	-	352 000		
Death Care Centres (12)	-	75 000		
Training: Accident Investigation and Dangerous Goods - GP Audit	-	-		
Sub Total	=	475 000		
Public Buildings: 20-38				
Construction of Makuru Teen Hall	-	7 600 000		
Purchasing of Tables and Chairs for Teen Halls	-	490 000		
Construction of Emergency Shelter	-	890 000		
Construction of Social Housing in Makuru	-	30 000 000		
Renovation of Makuru Roof	340 000	180 000	2019 340 200 00	
Additional Offices at Makuru	348 800	180 000	2019 340 204 00	
Development (Planning) - Makuru Community Hall & Emergency Shelter	600 000		2019 340 218 00	
Renovation of Business Roof	-	6 000 000		
Repairs 200 Down Spill (Energy Saving)	-	120 000		
Structural Inspection 200 Down Spill Office Abolition Blocks	-	100 000		
Walk-behind Mechanical Scrubber/Drill	-	110 000		
Mobile Indoor Chem-Applier (one main 10)	-	120 000		
Renovation E of 616	-	1 000 000		
Multi Purpose Centre - Consultation of Works and Renovation	2 209 000		2019 320 109 00	
Furniture - Multi Purpose Centre	300 000		2019 340 047 00	


Seakopmund Municipality
Capital Projects 2019 - 2020

Project Descriptions	Continuation Projects	Vote Number	
		2019/2020	Vote Number
	3 809 200	41 833 000	
Sub Total:			
Background Assistance: 25-28			
Upgrading of the Admin Office	-	400 000	
		400 000	
Sub Total:			
Cleaning Services: 29-31			
1 x New Refuse Removal Computer Truck	1 000 000	-	3079 349 271 00
1 x New Refuse Removal Compactor Truck	1 000 000	-	3079 349 126 00
Wash Bay for Refuse Trucks	800 000	-	3079 349 274 00
2 000 x Mobile Refuse Bins	2 900 000	-	3079 349 127 00
Mobile Refuse Bin Storage Facility	500 000	-	3079 349 272 00
Wash Bay for Refuse Trucks	500 000	-	3079 349 274 00
Chock / Alarm System at Cleaning Rooms	300 000	-	3079 349 273 00
2 x Refuse Removal Trucks	-	4 900 000	
2 500 x Mobile Refuse Bins	-	3 000 000	
200 x Hoop Bins	-	300 000	
1 x Tyres For Trucks	-	150 000	
Sub Total:	7 800 000	7 800 000	

Swakopmund Municipality
Capital Projects 2019 - 2020

Project Descriptions	Construction Projects	2019/2020		Vote Number
		2019	2020	
Item Expenditure	1 220 000	-	-	3015 340 277 00
	Sub Total	1 220 000	-	
Structural works 2019				
Renovation Old Plant	365 000	1 000 000		3020 340 201 00
Clean and repair Raw Water Pump	3 000 000	-		3020 300 130 00
Map Block Streets Highpoint Dr IV (Mondipa)	4 094 500	2 600 000		3020 320 128 00
Construction of Lining Station for Industrial Area	3 000 000	6 000 000		3020 320 120 00
Map-Block Sewers Replacement PH 01 (Germansburg)	6 868 000	2 000 000		3020 320 110 00
Re location of the Power Supply Cables to Pump Station 16	800 000	-		3020 320 114 00
Additional Store Rooms at new WWTP - Critical Spares	150 000	150 000		3020 300 120 00
Additional Critical Spares	369 500	350 000		3020 340 231 00
Additional Critical Spares	2 320 000	-		
Services Puffers 101, 102 and 103 Main/PH	-	3 000 000		
Emergency Generation for Pumps 4, 6, 15	-	400 000		
Additional to Supply System	-	150 000		
Manhole Cover Replacement Program	-	180 000		
Backflow Valves	-	120 000		
Regulate Jetted High Pressure Hoses	-	400 000		
New LED	-	100 000		
Replace Valve Trains / Valve Pipe	-	150 000		
Upgrade Pump Station 15 - Control Room with VSD Drive	-	60 000		
Replace Flow To Town Flow Meter	-	60 000		

Swakopmund Municipality
Capital Projects 2019 - 2025



Project Descriptions	Continuation Projects	2019 / 2025		Vote Number
Upgrade Sewerage Treatment	-	2 000 000		
Small Muck Tank Leader / Back Acker	-	500 000		
Replace Rotary Assembly old K255 Seepage Pumps	-	60 000		
The integration of the Degreaser into Existing Plant 55-00A	-	90 000		
Additional Sludge Drying Beds	-	200 000		
Maintenance of New Plant	-	5 000 000		
Upgrading of Pumpstations	1 000 000	-	3035 340 219 50	
Sub Total:	22 799 200	26 030 000		
Capital Expenditure 20-25				
Extension of Purifier Effluent Network	145 700	1 000 000	3035 340 282 00	
Sub Total:	145 700	1 000 000		
Business, Skills and Marketing 20-25				
Construction of 3000 Industrial / Parks - Erf 4194	13 200 000	5 000 000	3035 315 191 00	
Renovation and Upgrading of Open Market - Erf 3215	1 500 000	-	3035 340 282 00	
Development of 5000 Brick Making Area	2 000 000	-	3035 340 284 00	
Design and Construction of Business Trading Facility Erf 1059 Monrovia	1 000 000	-	3035 340 285 00	
Sub Total:	17 700 000	5 000 000		
Labour Cost (Wards): 20-25				


Project Descriptions		Continuation Projects	Vote Number	
			2019 / 2020	
Aluminium Scaffold System		-	80 000	
Trailer-mounted storm water pump / honey bucket		-	200 000	
2 x 3' Mobile Water pumps complete		-	80 000	
Chemical Neutral N 50/10 - GP Budget		-	-	
New Rollup Arm, Eyes & Roll Encoder		-	80 000	
Supply and seal Workshop Door		-	70 000	
Sub Total:		-	610 000	
Workshop & Millwright Services 1.25-33				
Ragless Steam Cleaner			150 000	
Variable Speed Air Compressor			30 000	
Supply and seal Workshop Door			120 000	
Cabling for Work Stations			150 000	
Sub Total:		-	430 000	
Trucks 30-38				
New 3.0 Tm DCCable Tigger		-	780 000	
Demolition 3173 B - GP Budget		-	-	
New Truck Tyres - GP Budget		-	-	
Sub Total:		-	780 000	
Graders 32-33				

Project Descriptions		Continuation Projects	2019 / 2020		Vote Number
New Gender Toym : GP Budgets					
Sub Total:		-			
Road Paving: 20-49					
Complete Ball Road Huber		-	1 600 000		
Complete Ham Huber		-	120 000		
Sub Total:		-	1 920 000		
Water Tanker: 35-41					
Complete MAN Water Tanker Sprinkler Bar Pump		-	100 000		
Complete Water Tanker W10303		-	120 000		
Sub Total:		-	220 000		
Electricity Supply: 40-48					
Complete Purlins 101, 102 and 103 Manukura Street Lights		2 325 000		1 900 000	
		-			

Brakopansund Municipality
Capital Projects 2019 - 2020

Project Descriptions	Sub Total	Continuation Projects \$ 325 000	2019 / 2020		Vote Number
				\$ 596 000	
Water Supply: 40-20					
Water Meter Installation		7 600 000	10 000 000	4000 300 118 00	
Water Meter Replacement Program		-	2 000 000		
Pipe Replacement Program		-	2 000 000		
Re-location of residential water lines		-	700 000		
Upgrading and additions to fire stands systems		-	600 000		
Installation of automatic water meter system		-	700 000		
Waterless reduction program		-	660 000		
Service Payers 101, 102 and 103 Malutane		2 325 000			
Sub Total	9 925 000	9 925 000	18 960 000		
Community Development: 80-83					
Lending of Motor Cycles in the CIBC Settlement (capital budget)		-	-		
Sub Total	-	-	-		
Tourism: 80-80					
Construction of a Garage for Staff Vehicles		-	500 000		
Construction of a Second Pay Point		-	150 000		
for - Modelling/ Re-engineering of Fish, Decoy, Spillways and (re)installing Riprap Houses		-	500 000		

Swakopmund Municipality
Capital Projects 2019 - 2029



Project Descriptions	Contribution Projects	2019 / 2020		Vote Number
Purchasing of Dustbins	-	90 000		
Replace Gyroscopes "Stops"	-	150 000		
Repair and Repaint Durus Heat Houses	-	800 000		
Replacement of roof lifts at Durus and houses	-	600 000		
Installation of Solar Dryers for a Second phase	1 000 000	1 800 000		6000 219 213 00
Replacement of Electrical Panels around the Heat camp -C&F Budget	-	-		
Anti-Rust Treatment of Vehicle	60 000	-		6000 350 358 00
Replacement of Small Heat Exchangers in the Heat Pump Rooms	-	-		6000 340 288 00
Supply Brass Facilities at Fish, Oats and Waterfalls	250 000	-		6000 316 328 00
Sub Total:	1 316 000	3 490 000		
			140 095 000	
			227 153 100	
Total Capital Budget				

Due to the voluminous content - the attachments are available on file.