

AGENDA

Ordinary Council Meeting

on

THURSDAY

26 SEPTEMBER 2019

at

19:00



MUNICIPALITY OF SWAKOPMUND

**MUNICIPALITY OF SWAKOPMUND**

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Enquiries: Aloysia Kahuika

18 September 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, 26 SEPTEMBER 2019 AT 19:00,

A Benjamin
CHIEF EXECUTIVE OFFICER

AKL

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1. OPENING BY PRAYER, IF SO DESIRED

2. ADOPTION OF THE AGENDA OF THE MEETING OF COUNCIL

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4. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING OF COUNCIL
(C/M 2019/09/26 - A 2/3/5)
- 4.1 Minutes of an Ordinary Council Meeting held on 29 August 2019.
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5. OFFICIAL ANNOUNCEMENTS, STATEMENTS AND COMMUNICATIONS

6. INTERVIEWS WITH DEPUTATIONS OR PERSONS SUMMONED OR REQUESTED TO ATTEND THE MEETING OF A COUNCIL
- 6.1 Long Service Awards.

7. PETITIONS
None.

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 ACT
- 10.1 REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY MANAGEMENT COMMITTEE DURING SEPTEMBER 2019

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12. **REPORTS AND RECOMMENDATIONS OF COMMITTEES OR THE CHIEF EXECUTIVE OFFICER**

None.

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

None.

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MINUTES

of an Ordinary Council Meeting held in the Council Chambers, Municipal Head Office, Swakopmund on Thursday, 29 August 2019 at 19:00.

PRESENT:

Councillor P Nashilundo	:	Mayor
Councillor E Shtana	:	Chairperson of MC
Councillor K N Jason	:	Alternate Chairperson of MC
Councillor N N Salomon	:	Member of Management Committee
Councillor W O Groenewald	:	Alternate Member of MC
Councillor E K Hangula	:	Member of Council

OFFICIALS:

Mr A Benjamin	:	Chief Executive Officer
Mr M P C Swarts	:	GM: Corporate Services & HR
Mr H Nauseb	:	GM: Finance
Mr C Lawrence	:	GM: Health Services
Mr M Cloete	:	Acting GM: Community Development Services
Mr A Louw	:	Acting GM: Engineering Services
Mr A Plaastje	:	Manager: Corporate Services
Mr U Tjurutse	:	Corporate Officer: Admin

ALSO PRESENT:

Also present was the Swakopmund Constituency Councillor, Honourable Juso Kambueshe, Two (2) staff members receiving long service awards, One (1) members of the Media, and Fifteen (15) Members of the public.

1. OPENING BY PRAYER

Pastor Kevin Mwashuma opened the meeting with scripture reading and a prayer.

2. ADOPTION OF THE AGENDA OF THE MEETING OF COUNCIL

On proposal of Councillor W O Groenewald seconded by Councillor E Shtana it was:

RESOLVED:

That the agenda be adopted.

<p>CC: A GM: CS&HR</p>

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

Councillor M Eliago	-	Approved
Councillor A M Marsh	-	Approved
Alderman E Nkomo	-	Approved

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3.2 Declaration of Interest:

Councillor P Nashilundo - Item 11.1.17

4. CONFIRMATION OF MINUTES

(C/M 2019/08/29 - A 2/3/5)

4.1 MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 25 JULY 2019

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

RESOLVED:

CO: A GM: CS&HR

That the minutes of the Ordinary Council Meeting held on 25 July 2019, be confirmed as correct.

5. OFFICIAL ANNOUNCEMENTS, STATEMENTS AND COMMUNICATIONS

(C/M 2019/08/29 - A 2/3/5)

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

Honourable Councillors, Pastor Kevin Mwashuma, The Chief Executive Officer, Mr Alfous Benjamin, General Managers, Managers, Officials, Members of the Community, Members of the Media, Ladies and Gentlemen, All Protocol observed

Good evening and welcome to the August Council Announcement. Please allow me to express my gratitude to each and every one of you, who made the commitment to join us this evening.

I would like to share a bible verse with you from the book of Philippians Chapter 4 verse 8. "Fix your thoughts on what is true and honorable and right. Think about things that are pure and lovely and admirable. Think about things that are excellent and worthy of praise"

Ladies and Gentlemen

The Office of the Mayor is tasked with various official engagements, therefore, the Mayor and the Councillors attended to the following engagements during August 2019:

- Stakeholders meeting on HIV sensitization at the Ministry of Health and Social Services.
- Welcoming remarks at the Commemoration of the World Day against trafficking in persons organized by the Ministry of Gender Equality and Child Welfare.
- Groundbreaking ceremony of the 40/40 Housing initiative with Power Oyeno
- All Female Councillors and two staff members attended the 13th Women Summit in Windhoek
- Welcoming Remarks at the Welcoming dinner of the International Social Security Association and Social Security Commission during the business processes workshop held in Swakopmund
- Regional Labour and employment workshop organized by the Ministry of Labour, Industrial Relations and Employment Creation
- Motivational message at the Team Karate High Performance Training Handing over ceremony
- Focus Group discussions for the Swakopmund Structure Plan
- Women's Day Celebration held in honour of Female staff of the Municipality.
- Facilitation support visit by the City of Windhoek
- Welcoming remarks at the 13th /Coa iHaob Social Event hosted by the Kaitiame NBC radio station.

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- National Heroes Day Commemoration held in Ojwarongo
- Various in-house meetings

Thank you Honourable Councillors for your dedication and commitment in fulfilling some of the duties of the Mayoral Office.

Honourable Councillors, Ladies and gentlemen,

Fire accidents are one of the undesirable issues affecting the community of Swakopmund. The Fire Brigade Department receives about 3-5 cases of fire reports on a monthly basis and this as we all know affects our community negatively as victims are left in destitute. The Municipality tries to assist the fire victims with food hamper and on a continuous basis, the mayoral office receives requests for financial assistance by the victims. As much as we would like to assist everyone, we cannot do so due to external limitations.

Ladies and gentlemen, we would like to thank the community members who remain committed to assisting their fellow residents in need. From time to time, second hand clothes have been dropped off anonymously and we further distribute this clothes to those in need.

In its efforts to mitigate the causes associated with fire accidents, the Health Services and Fire Brigade Departments is planning to host a fire safety awareness day. This event will cover awareness about fire safety, the factors contributing to fire incidents and the measures to be taken during these emergencies. We would like to call on residents to please attend this event. The date of this event will be announced in due course.

Honourable Councillors, Ladies and gentlemen

The Municipality of Swakopmund's Health Services Department wishes to announce the Clean-Up Campaign which will take place on 21 September. The annual event which was initiated by His Excellency, Dr Hage Geingob in 2016, is aimed at mobilizing the community and Municipal staff to promote environmental cleanliness within Swakopmund and Namibia at large. The involvement of the community is of vital importance and therefore, we would like to urge the residents to participate during this clean-up campaign. Community groups can register during 27 August to 13 September at the Municipality of Swakopmund offices.

Ladies and gentlemen, as we all know, our town is one of the cleanest, if not the most cleanest town in Namibia and this has been so because of the collective role that each and everyone plays in maintaining this title. I hope that during this year's campaign, we will show up in large numbers and promote cleanliness and hygiene for our town.

Honourable Councillors, Ladies and gentlemen

Food Safety and Security remains the key principles at the Municipality of Swakopmund and thus, Council is continuously working on initiatives that assure good health and wellness of its residents. One of the major concerns that has been on Council's table is the need to improve the conditions under which residents of Swakopmund, are selling food products on pavements and street corners as a means of ensuring their livelihood.

As a result, the Mondesa Pilot Hawkers market will be launched during the first week of September. The purpose is to improve hygienic conditions for the sale of street food as the current practice gives rise to various Health risks, including the possible spread of the HEPATITUS E, virus which is mainly spread by unhygienic personal habits.

A total of 50 food vendors have been identified in the Mandume Ya Ndemufayo Street. These food vendors will be provided with training on safe food practices and personal hygiene in order improve hygiene and upgrading of their stands from which they are selling.

Ladies and gentlemen, through this initiative, Council foresees the improvement in quality of products sold in the informal sectors. This will result in clean, healthy and affordable products being sold to the residents. Council further envisages creating facilities that can provide a safer environment for the display of these products.

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Ladies and Gentlemen, Fellow Councilors

On behalf of Council, I would like to give notice to all pet owners, specifically, dogs and cats, for free dipping and rabies immunization at the following venues and dates:

1. Municipal Head Office on 16 September
2. Mondesa Modurety Hall on 17 September
3. Tamaratika Town Hall on 18 September
4. DRC Fire Station on 19 September
5. DRC Fire Station on 20 September

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

6.1 Long Service Awards

Ladies & Gentlemen

We hereby would like to acknowledge the following staff member and present him with the long service award.

50 YEARS SERVICE

Mr Iyabo Haludlu

Mr Haludlu has been serving the Municipality of Swakopmund in the Health Services Department. Today, as we acknowledge his years of service, we would like to thank him for the dedication and commitment he has shown towards his work. On behalf of Council, I would like to express our sincere gratitude for the time and important role that you played in your position.

Furthermore, we wish to recognize Mr. Jason Shingula, who will be retiring from the Municipality of Swakopmund. He has served the Council for 35 years and 4 months. On his departure, we wish him a good rest and a peaceful retirement. Thank you very much for all your hard work and loyalty shown towards the Council.

Ladies & Gentlemen

Thank you for your undivided attention.

Pauline Nashifundo
MAYOR

7. **PETITIONS**

None.

8. **MOTIONS OF MEMBERS**

None.

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

None.

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10. REPORT OF THE MANAGEMENT COMMITTEE REFERRED TO IN SECTION 26(1)(E) OF THE ACT
- 10.1 REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY MANAGEMENT COMMITTEE DURING AUGUST 2019
10. Minutes of Ordinary Management Committee meeting held on 08 August 2019 and Special Management Committee meetings of 13 August 2019 and 20 August 2019.

11. RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE
- 11.1 ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 08 AUGUST 2019 AND SPECIAL MANAGEMENT COMMITTEE MEETINGS HELD ON 13 AUGUST AND 20 AUGUST 2019

- 11.1.1 REPORT ON ISSUES CONCERNING OVAHIMBA CULTURAL VILLAGE AT MARTIN LUTHER HISTORICAL SITE
(C/M 2019/08/29 - 13/3/1/5)

RESOLVED:

CO: P GM: CSEHR

- (a) That the current lease agreement entered between Council and the Ovahimba Cultural Group be cancelled.
- (b) That the Ovahimba Cultural Group be advised to finalize their leadership constitution within three (3) months.

- 11.1.2 MESSRS KAZAK AFRICAN EXPERIENCE CULTURAL TOURISM CC: CONCERNS REGARDING LEASED LAND
(C/M 2019/08/29 - 19.03.08, E 2747, E

RESOLVED:

CO: P GM: ES GM: CSEHR

- (a) That the complaints received from Messrs Kazak African Experience Cultural Tourism CC, be noted.
- (b) That Council approves the new access for Messrs Kazak African Experience Cultural Tourism CC to the lease area as per Annexure "E" (on file), at no cost to the applicant.
- (c) That the lease period of 9 years and 11 months commences once the access referred in point (b) above is provided and that this amendment be contained in an addendum to the lease agreement.
- (d) That Council waives the outstanding balance on the lease account of Messrs Kazak African Experience Cultural Tourism CC for leasing a portion of Erf 2747 and Erf 1316, Swakopmund as the area had no access when the lease agreement came into operation.

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- (e) That permission be granted to Messrs Kazak African Experience Cultural Tourism CC to fence the common boundary between his lease area and Swakopmund Paintball Adventure Centre with 3 (three) metre high netting at his cost.
- (f) That it be noted that Health Services Department has removed refuse illegally dumped on the site.
- (g) That Messrs Kazak African Experience Cultural Tourism CC be informed that in terms of the Property Policy, Council does not permit the erection of permanent structures on leased properties.

11.1.3 APPLICATION FOR PARKING RELAXATION TO PROVIDE PARKING ON ANOTHER SITE IN LIEU OF ON-SITE PARKING
(C/M 2019/08/29 - E 210)

RESOLVED:

GM: ES

That Council Resolution of 25 April 2019 under item 11.1.18 be repealed and be replaced with the following:

- (a) That the proposed development on Erf 210, Swakopmund is in line with the provisions of the Swakopmund Town Planning Scheme and no parking relaxation is required.
- (b) That the applicant submits building plans for proposed new additions to the Engineering Services for scrutiny and approval.

11.1.4 APPLICATION BY WALTER HUSEB FOR INDUSTRIAL ERF FOR BRICK MAKING PURPOSE
(C/M 2019/08/29 - 13/3/1/11, H 5, E 4866, E 4867)

RESOLVED:CO: P
GM: CSEHR

- (a) That Council takes note that Mr Walther Huseb owes Council an amount of N\$51 914.40 as per Kinghorn Associates statement of June 2019 for arrears rental in respect of a portion of Portion 5.
- (b) That the application of Mr Walther Huseb to be allocated a site at the SME industrial park not be approved as there is no site available for allocation at this stage.
- (c) That Council remains with its resolution of 18 July 2013, item 7.1:
 - (a) That Mr W Huseb be informed that Council will only consider his appeal once the overdue rental has been paid in full.
 - (b) That should it be considered to relocate Mr W Huseb, the other applicants who were referred to the Local Economic Development Officer be assisted first.

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11.1.5 APPLICATION FOR A BUSINESS ERF TO DEVELOP A SWAKOPMUND GENOCIDE MUSEUM

(C/M 2019/08/29 - 16/1/4/2/1/5)

RESOLVED:

CC: P GM: CS&M

- (a) That the application of Messrs Swakopmund Genocide Museum CC to purchase a business erf to construct a museum near the Swakopmund Memorial Park Cemetery in Kramersdorf, be noted.
- (b) That Messrs Swakopmund Genocide Museum CC be informed that Council does not have a business erf available near the Swakopmund Memorial Park Cemetery in Kramersdorf.
- (c) That Council offers to lease Room D 25 at Woerman Haus to Messrs Swakopmund Genocide Museum CC for a period of 5 years subject to the standard lease conditions.
- (d) That the rental be $(19m^2 \times N\$51,80/m^2 = N\$984,20 + N\$147,63 (15\% \text{ VAT}) = N\$1 131,83$ per month; and the rental to escalate annually with 10%.
- (e) That Room D25 at Woerman Haus be withdrawn from the list that Council approved on 30 August 2018 under item 11.1.9 for the calling of proposals.
- (f) That Messrs Swakopmund Genocide Museum CC be informed to submit a complete founding statement of the close corporation.
- (g) That a national museum that will represent the Swakopmund Genocide of 1904-1908, Prisoners of War Graveyard be incorporated in the Three Dimensional (3D) Museum proposal.

11.1.6 INVITATION TO ALL BUSINESS, GENERAL RESIDENTIAL, OFFICE AND INSTITUTIONAL LAND OWNERS IN SWAKOPMUND

(C/M 2019/08/29 - 16/1/4/1/1)

RESOLVED:

GM: ES

- (a) That Council inform and advise all affected and interested business, general residential, office and institutional land owners in Swakopmund of this new option and that those keen to take advantage of it should undertake the rezoning process as set out in Municipal and Government Regulations and the Town Planning Ordinance No. 18 of 1954, including advertising for objections and comments on the rezoning from the existing applicable "bulk factor" zone to a "no bulk factor" zone.

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- (b) That the Council Notice to the affected and interested land-owners read as follows:

"MEDIA RELEASE"

INVITATION TO ALL LAND-OWNERS OF BUSINESS, GENERAL RESIDENTIAL, OFFICE AND INSTITUTIONAL LAND

In a letter dated 31st July, 2018, to WINPLAN Town and Regional Planning Consultants, The Minister of Urban and Rural Development informed the Consultants that the Swakopmund Town Planning Amendment Scheme Number 30 would be approved on condition that the Scheme was amended by the removal of a maximum bulk restriction on all buildings in the following zones:

- General Residential 1 and 2
- General Business and Local Business
- Institutional
- Office

No prior public comment was invited on this instruction.

The Swakopmund Municipality is currently reviewing its Town Planning Scheme and has complied with the Ministerial directive by the inclusion of an option of a "no bulk factor" restriction into a table in the draft revised scheme. The Municipality invites any affected and interested landowners who wish to take advantage of this new option to undertake the rezoning process as set out in Municipal and Government Regulations and the Town Planning Ordinance No.18 of 1954, including the advertising for objections and comments on the rezoning from the existing applicable bulk zone to a "no bulk factor" zone.

Please be informed that a rezoning to the new "no bulk factor" zone does not involve any change in the land-use or density zones, and coverage and building lines will be fixed.

The Municipality is also considering increasing the bulk zone options to include bulk zones of 3 and 4. Comments may be submitted directly to the Municipality on the advisability of these and higher bulk zones before the end of August 2019.

As with all applications for rezoning, in terms of Section 34(1) of the Town Planning Ordinance 18 of 1954, a betterment fee will be requested to cover additional capital costs to the Municipality arising from increased costs for upgrading and supply of infrastructure due to development.

There is no time restriction on when application for rezoning may be made, however if application is made to the Municipality before the 30th September, 2019, the rezoning application will be included in the amendment scheme currently being reviewed. Until such time as a rezoning application is made, the existing bulk factors will remain unchanged."

11.1.7

INVESTMENT PROFILE OF SWAKOPMUND

(C/M 2019/08/29 - A 2/3/15)

RESOLVED:

- (a) That the Investment Profile for Swakopmund be approved, and that it be reviewed after (2) two years.
- (b) That an Investment Incentive Policy for Swakopmund be developed to attract / retain investment to the town.

Acting GM: COS CO: M&C GM: CS&R

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11.1.8 **REQUEST TO DESIGNATE AN AREA TO BURY LOCAL MUSLIM COMMUNITY**

(C/M 2019/08/29 - N/2/1)

RESOLVED:

Acting GM: CDS

That a piece of land at the Tamariskia Cemetery measuring 100m² be reserved as burial space for the Muslim community, once the boundary for the Tamariskia Cemetery is completed.

11.1.9 **REQUEST FOR SPONSORSHIP: //GOA-IHAOB SOCIAL GAMES**

(C/M 2019/08/29 - 14/2/1/1)

 CO: NBC
 Acting GM: CDS
 GM: CS&AF
RESOLVED:

- (a) That the request for sponsorship for the hosting of the //Goa-Ihaob Social Games scheduled to take place from 24-26 August 2019 in Swakopmund, be noted and condoned.
- (b) That Council sponsor the two venues (Vineta North and Mondesa Sport Stadium) to the value of N\$2 984.00.
- (c) That Messrs NBC be responsible for paying the refundable deposit of N\$5 914.00 for the venues.
- (d) The costs for the expenses mentioned above in (b), be defrayed from the Community Services Publicity Vote 500510212700 where N\$48 685.18 is available.
- (e) That Messrs NBC ensures that the facilities including the parking area are cleaned and restored to their original conditions to the satisfaction of the Acting General Manager: Community Development Services within 48 hours after the event.
- (f) That Council be indemnified against any claims that may arise from using the stadiums.
- (g) That Messrs NBC be responsible for the provision of additional public ablution facilities on site, if required.
- (h) That Council reserves the right to cancel the use of the stadiums should Council need them for its own purposes.
- (i) That Messrs NBC make prior arrangements with Erongo-RED for electricity connection at their own cost, should it be required.
- (j) That Messrs NBC submit proof that the following arrangements have been made:
- Emergency Services
 - Traffic Control and Parking
 - Waste removal
 - Security Services

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- Liquor license (if required)

- (k) That, in future, the General Manager: Corporate Services and HR obtain feedback from hospitality establishments and other businesses such as service stations and retailers to determine the effect of such events on the local economy.

11.1.10 **FEEDBACK REPORT OF THE CUSTOMER SATISFACTION SURVEY**

(C/M 2019/08/29 - B 1/1)

CO: M&C
 AG: GMV
 CEO
 GM: CSEHR

RESOLVED:

- (a) That an awareness campaign be launched to encourage clients to use other alternative methods of payments of their Municipal accounts such as EFT, debit order, cellphone banking, etc. to avoid queues at the Cash Hall.
- (b) That employees be encouraged to come to work punctually.
- (c) That the Health Services Department creates an awareness campaign per annum to sensitize residents of Swakopmund and encourage them to keep Swakopmund clean.
- (d) That the residents of Mondesa be educated on water saving methods and monitor water usage to discover water leakages in order to avoid high Municipal accounts.
- (e) That Municipal employees take note of the positive feedback from the public and improve on the negative feedback.
- (f) That Customer Satisfaction Surveys be conducted regularly or as required from time to time.

11.1.11 **FEEDBACK ON THE SALE OF RÖSSING HOUSES BUILT ON MUNICIPAL LAND IN TERMS OF A NOTARIAL LEASE AGREEMENT OF 1978**

(C/M 2019/08/29 - [11191, 1 171, 342, 368, 398, 444, 472, 498, 582, 494, 503])

CO: P
 GM: CSEHR

RESOLVED:

- (a) That Council takes note that the project of the sale of the Rössing house transactions is 84.5% complete, and only 15.5% is still pending.
- (b) That Council takes note of the following Rössing employees that will secure the purchase price of the houses allocated to them on date of retirement:

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No	Erf No	Name	Retirement Date
1	171	Mr Onesimus Shilongo	31 Aug 2021
2	359	Mr Gabriel Seibeb	30 Sept 2019
3	390	Mr Johannes Hangula	1 January 2020
4	444	Mr Petrus Gunrab	30 Sept 2020
5	480	Mr Laurentius Amungela	Jan 2022

- (c) That the purchase price be reviewed and adjusted closer to the retirement of the respective employees in consultation with Rössing Uranium Limited who forms part of the agreement.
- (d) That ministerial approval be obtained once the intention to purchase the erf is received from the relevant employee, whereafter a Deed of Sale be compiled by ENS Africa.

11.1.12 **TRANSFER OF FUNDS - CAPITAL BUDGET 2019 / 2020**
(C/M 2019/08/29 - N 7/3/1/2)

RESOLVED:

Acting GM: CGS
Cdt: F

That the funds budgeted for the capital projects below be transferred to the 2019 / 2020 financial year:

Description	Amount N\$	Vote Number
Purchasing of Bedding - Bungalows	579 000.00	600522012400

11.1.13 **REQUEST FOR PERMISSION FOR SWAKOPMUND MUNICIPALITY TO PARTICIPATE IN SAJMA GAMES 2019 LUSAKA, ZAMBIA**

(C/M 2019/08/29 - J 10/1)

MR: HR
GM: F
CEO
AF: CGS
Cdt: CDE/HR

RESOLVED:

- (a) That permission be granted to members of the Swakopmund Municipal Sport & Social Club to participate in the 2019 SAJMA Games, in Lusaka City, Zambia from 22 - 27 September 2019.
- (b) That permission be granted to participating members to be released from their duties on 20 September 2019 in order for them to depart on Thursday evening 19 September 2019.
- (c) That permission be granted to the Swakopmund Municipal Sport and Social Club to proceed with preparations and organisation for this event.
- (d) That permission be granted for the Municipal minibus (N36958) to be used by Municipal Sports Club members to travel to and from Lusaka City, Zambia for the SAJMA 2019 Games from 22 - 27 September 2019.
- (e) That Council, in principle, grants approval for special leave as per conditions of Employment to the staff members (Club Members) to participate in the SAJMSA

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games, subject to the prior approval of leave by the respective Head of Departments.

- (f) That a Councillor accompanies the group to the SAJMA Games.
- (g) That the subsistence and travelling allowances for the Councillor be defrayed from the Conference Expenses Vote: 100510266500 where sufficient funds are available
- (h) That the General Manager: Finance releases the amount of N\$100 000.00 budgeted for the Swakopmund Municipal Sport Club for expenses to attend the SAJMSA Games, in order to help off-set accommodation and transport expenses as provided for in the Vote: 960120409509.

11.1.14

OLD AND REDUNDANT ITEMS / EQUIPMENT: COMMUNITY DEVELOPMENT SERVICES - CEMETERIES

(CRM 2019/08/29 - N 2/1, L 2)

Acting SM: CDS
CC: A
SM: CS&H

RESOLVED:

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

Quantity	Description
12	Grave Support Female irons
24	Grave Support Male irons
21	Grave Support short board
20	Grave Support long board
2	Old screened notice board
4	Shrub cutter machine
1	Grass trimmer machine
16	Short irons
2	Hand shrub cutter
2	Petrol shrub cutter machine
8	Wheel barrows
1	Window frame
40	chairs
1	Cup board
1	Board
4	Stumps
5	Picks
2	Spades
2	Shovels
1	Wood Pick Handle
1	Garden Hoe
1	Watering pipe
1	Old manually Cooler

- (b) That the household items be retained for distribution to the public during emergency situations.
- (c) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset prices for the above mentioned redundant equipment and items.

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11.1.15

SWAKOPMUND "KWELA DORP VAN DIE JAA

(C/M 2019/08/29 - 14/1/4/2, D 5)

CO: M&C

CEO

All GMs

Dist: CS&M

RESOLVED:

- (a) That Council takes note that Swakopmund is the Kwela Town of the Year 2019 (from 16 June 2019 until 14 June 2020) and that the launch for the Swakopmund KIA Makietie was held on 31 July 2019.
- (b) That permission be granted to use the road reserve adjacent to the Vineta North Sports field free of charge and that the surrounding open spaces / erven be used as parking areas.
- (c) That Council donate N\$20 000.00 towards the expenses of the event and that the funds be defrayed from the Corporate Services Publicity Vote 102010212700 where N\$100 000.00 is available.
- (d) That the Mayor, Councilors, Chief Executive Officer and General Managers attend the Swakopmund KIA Makietie as VIPs from 6-7 December 2019. (Availability of delegation should be confirmed by 5 November 2019).
- (e) That permission be granted to the following officials to serve as Local Event Committee members of the KIA Makietie event:
- | | | |
|----------------------|---|--|
| • Mr Andre Ploetzle | • | Manager Corporate Services |
| • Ms Wandee Nienand | • | Human Resources Practitioner |
| • Ms Ail Sebund | • | Corporate Officer Marketing and Comm. |
| • Ms Reana Dijkunde | • | Local Economic Development Officer |
| • Ms Werika Mungula | • | Event Cleaner |
| • Ms Annaliese Swart | • | Events Coordinator (Office of the CEO) |
- (f) That the Junior Town Councilors be responsible for ticket sales, to control the kiddies park and the queue at the event.
- (g) That the Fire Brigade and Traffic Section be on standby during the event.
- (h) That the work done by the Engineering Services - Work section to design and erect a steel (iron) wind pump on the roof of the municipal head office be condoned.
- (i) That Council approves 20% discount on bookings reserved from between 1 December 2019 until 14 December 2019 for the Dunes, Spitzkoppe and Brandberg units at the Swakopmund Municipal Rest Camp.
- (j) That the LEC provides Council with a feedback report after the event.
- (k) That consideration be given to make this an annual event during the first week of December under a different name.

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11.1.16 **APPLICATION BY NAMIBIA PUBLIC WORKERS UNION FOR EXTENSION OF TIME FOR PAYMENT OF THE PURCHASE PRICE FOR ERF 4336, MONDESA**

(C/M 2019/08/29 - M 4336, 19.03.02)

RESOLVED:

CD: P
GM: CS&HF

- (a) That Council takes note of the request and motivation by Namibia Public Workers Union (hereinafter refer to as NAPWU) and allow them extension of time of 6 months to secure the balance of the purchase (N\$1 576 150.00) for Erf 4336, Mondesa.
- (b) That interest be applicable at a rate of 10.5% for the period 09 July 2019 until date of registration.
- (c) That Council takes note that the interest charge from 09 July 2019 until 31 January 2020 amounts to N\$81 220.07.
- (d) That should the transfer of ownership takes place earlier than 31 January 2020, the interest be recalculated.

11.1.17 **REQUEST FOR EXTENSION OF TIME TO SECURE THE PURCHASE PRICE FOR ERF 7159, MONDESA BY ANGELIQUE INVESTMENT CC**

(C/M 2019/06/29 - E 7159)

During the discussion of this item the Mayor declared interest and left the Chambers.

RESOLVED:

CD: P
GM: CS&HF

- (a) That Council takes note of the application of extension of time by Angelique Investment CC.
- (b) That Messrs Angelique Investment CC be informed that the Property Policy and the Deed of sale signed with Council on 17 January 2018 does not make provisions for payment by way of instalment.
- (c) That Messrs Angelique Investment CC be granted twelve (12) months to settle the purchase price the due date being 01 September 2020 subject to interest calculated from 02 December 2017.
- (d) That no further extension of time will be granted.

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11.1.18 DETERMINATION OF A PURCHASE PRICE: ERF 5002, EXTENSION 14, SWAKOPMUND
(C/M 2019/08/29 - E 5002)

RESOLVED:CO: P
OM: C14/18

- (a) That Erf 5002, Extension 14, Swakopmund (1 324m²) be sold to Ane's Guesthouse CC 1/a Atlantic Villa Guesthouse at a purchase price of N\$650.00 / m² = N\$650.00/m² x 1 324m² = N\$860 600.00.
- (b) That with reference to point (d) of Council's resolution passed on 28 March 2019 under item 11.1.9 the zoning be specified as "Special" with the land usage as parking.

11.1.19 APPLICATION TO LEASE AN OPEN AREA TO HOST A MARKET DAY
(C/M 2019/08/29 - 13/3/15)

RESOLVED:

Acting SAC: COE

- (a) That Council approves the lease of the open area (bigger than 16 m²) adjacent to the Old Little Foot Nursery, to senior citizens of the Welwitchia Park Phase 2 to host a market day on 07 September 2019 at no cost.
- (b) That the following standard conditions of all leases of open land be applicable:
- ⊖ The applicant will be responsible for keeping the area clean at all times.
 - ⊖ Council must be indemnified against any claims that may arise from using the area (attached form (on file) to be completed and returned to the Municipality).
 - ⊖ The area must be restored to its original condition and to the satisfaction of the Swakopmund Municipality after the function.
 - ⊖ Sound must be restricted to the immediate surrounding area. On receipt of any complaints due to noise or misbehaviour, the use of the area will be cancelled immediately.
 - ⊖ The applicant must provide and arrange for public ablution facilities on site.
 - ⊖ The applicant must register with the Health Services Department (if required).
 - ⊖ No one is allowed to stay on the property overnight.
 - ⊖ Council reserves the right to cancel the use of the area should Council need the area for its own purposes.
- (c) That should electricity be required for the event, the applicant make own arrangement with Erongo RED at their own costs and risks.

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11.1.20

PROPOSAL TO DEVELOP SOUTH BEACH AREA

(C/M 2019/08/29 - G/1/3/2)

CD: P
Acting GM: CDL
GM: CS&M

RESOLVED:

- (a) That the Swakopmund Tourism Forum be informed that Council, in principle, supports the proposal.
- (b) That the Swakopmund Tourism Forum submits an implementation plan of this project, including the design and layout for the proposed structures for Engineering Services Department's approval.
- (c) That the Swakopmund Tourism Forum obtains approval from the Aesthetic Committee.
- (d) That the Swakopmund Tourism Forum source for investment / funding as proposed.

11.1.21

DETERMINATION OF SELLING PRICES FOR ERF 3595 AND 3597 EXTENSION 8 (PDA)

(C/M 2019/08/29 - M 3595, M 3597, H 5)

Acting GM: CDL
CD: P
GM: CS
GM: CS&M

RESOLVED:

- (a) That Erven 3595 and 3597, Extension 8, Mondesa be sold to the Shack Dwellers Federation of Namibia at the cost of N\$37 916.11 and N\$37 386.09 respectively.
- (b) That the Shack Dwellers Federation of Namibia attends to all internal subdivisions and services of block Erven 3595 and 3597 Extension 8, Mondesa at their own cost.
- (c) That the Shack Dwellers Federation of Namibia ensures that each and every individual erf to be created, be provided with a separate water and electricity meter and be transferred into the name of the owner.

11.1.22

REQUEST FOR FURTHER EXTENSION OF TIME TO PERFORM: ERF 4108, MONDESA: WATO INVESTMENT CC

(C/M 2019/08/29 - M 4108)

CD: P
GM: CS&M

RESOLVED:

- (a) That Messrs Wato Investment CC be granted an extension of time to secure the purchase price for Erf 4108, Mondesa, until 30 September 2019.
- (b) That Messrs Wato Investment CC be reminded that the purchase price for the property is N\$215 773.50 and be informed that interest calculated from 28 August 2018 until 30 September 2019 amounts to N\$24 704.59.
- (c) That Messrs Wato Investment CC be informed that the purchase price must be secured by 30 September 2019 as no further extensions will be granted.

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13. DRAFT REGULATIONS AND TARIFFS, IF ANY13.1 PARKING METER REGULATIONS

(C/M 2019/08/29 - N 8/15/12)

Acting GM: CDO CO: A GM: CS&HR

RESOLVED:

That the Parking Meter Regulations be approved and be submitted to our line ministry to obtain approval from the Office of the Attorney General whereafter the regulations be gazetted.

The meeting adjourned: 19:48

Minutes confirmed on: 26 September 2019

Councillor P N D Nashitundo
MAYOR

A Benjamin
CHIEF EXECUTIVE OFFICER

UT/

11. RECOMMENDATIONS OF THE ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 12 SEPTEMBER 2019 AND SPECIAL MANAGEMENT COMMITTEE MEETING HELD ON 23 MAY 2019
10. REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY PREVIOUS MANAGEMENT COMMITTEE MEETINGS HELD DURING SEPTEMBER 2019

10 (A) MINUTES OF THE ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 12 SEPTEMBER 2019

2. CONFIRMATION OF MINUTES
(M/C 2019/09/12 - A 2/3/5)

2.1 MINUTES OF AN ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 08 AUGUST 2019

On proposal of Councillor N N Salomon seconded by Councillor W O Groenewald it was:

RESOLVED:

CO: A
GM: CS&HR

That the Minutes of the Ordinary Management Committee meeting held on 08 August 2019 be confirmed as correct.

2.2 MINUTES OF AN SPECIAL MANAGEMENT COMMITTEE MEETING HELD ON 13 AUGUST 2019

On proposal of Councillor K N Jason seconded by Councillor W O Groenewald it was:

RESOLVED:

CO: A
GM: CS&HR

That the Minutes of the Special Management Committee meeting held on 13 August 2019 be confirmed as correct.

2.3 MINUTES OF AN SPECIAL MANAGEMENT COMMITTEE MEETING HELD ON 20 AUGUST 2019

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

RESOLVED:

CO: A
GM: CS&HR

That the Minutes of the Special Management Committee meeting held on 20 August 2019 be confirmed as correct.

5.5 FINANCE5.5.1 TOTAL EXPENDITURE

(M/C 2019/09/12 - D 7/3/2/1)

RESOLVED:

GM: F

That the total expenditure of N\$37 338 256.32 and total revenue of N\$39 559 384.33 for the period 01-31 August 2019 be accepted and approved as correct.

7. MATTERS REFERRED BY PREVIOUS COUNCIL- AND MANAGEMENT COMMITTEE MEETINGS7.1 MINISTRY OF FINANCE RESPONSE TO THE REQUEST FOR EXEMPTION FROM THE PUBLIC PRIVATE PARTNERSHIP ACT NO. 4 OF 2017

(M/C 2019/09/12 - A 2/3/15, 14/1/1/4)

RESOLVED:CO: F
GM: CS&HR

- (a) That the response received from the Minister of Finance advising Council to follow the Public Private Partnership procedures in terms of the provision of the Public Private Partnership Act No. 4 of 2017 be noted.
- (b) That it be recorded that the Minister of Urban Rural Development will visit Swakopmund soon and that this matter be addressed with the Minister during the visit, through the Office of the Mayor.

7.2 APPLICATION FOR A BUSINESS ERF TO DEVELOP A SWAKOPMUND GENOCIDE MUSEUM

(M/C 2019/09/12 - 16/1/4/2/1/5)

RESOLVED:CO: F
CEO
All GMs
GM: CS&HR

- (a) That Messrs Swakopmund Genocide Museum CC be informed that Council does not have a business erf near the Swakopmund Memorial Park Cemetery.
- (b) That the confidentiality of Management Committee decisions be re-emphasised.
- (c) That Messrs Swakopmund Genocide Museum CC be informed to withdraw unsubstantiated and threatening statements made in the letter.
- (d) That it be recorded that the following clients are prohibited from entering Municipal Offices and that any communication with them will be done through the Office of the Chief Executive Officer only:
- Mr Ismeal Isak #Naweeab of Messrs Kazak African Experience Cultural Tourism CC.
 - Mr Kasli Kennedy of Messrs Black River Investments (Pty) Ltd.
 - Mr Laidlaw Peringanda of Messrs Swakopmund Genocide Museum CC.

- 7.5 **EDEN FARMING - JOJOBA PLANTATION: APPLICATION FOR LAND**
(M/C 2019/09/12 - G 2, 13/3/1/5)

RESOLVED:

CO: P GM: CS&HR

That the applicant be invited for an audience with the Management Committee, and that the applicant deal with issues of land, location, terms of payment, availability of services e.g. water and access.

- 7.6 **REQUEST TO EXCHANGE MHDP HOUSE FOR A HOUSE UNDER THE 40/40 HOUSING PROJECT**
(M/C 2019/09/12 - 19.03.12, M 7704)

RESOLVED: (For Condonation By Council)

Acting GM: CDS

That the request from Ms Emilia Shinombedi to return Erf 7704, Swakopmund in exchange for an erf under the 40/40 housing project NOT be approved as she has already benefited from the Mass Housing Development Programme.

- 8.9 **TRANSFER OF FUNDS - CAPITAL BUDGET 2019 / 2020**
(M/C 2019/09/12 - 3/1/1/1)

RESOLVED: (For Condonation by Council)

Acting GM: CDS GM: F

That the funds budgeted for the capital projects below be transferred to the 2019 / 2020 financial year.

Description	Amount N\$	Vote Number
Long distance car radios	90 000.00	202023070100 (RFA subsidy)

- 8.10 **REPORT: TIMELINES OF DECISIONS PASSED SINCE 2015**
(M/C 2019/09/12 - 13/3/4/1)

RESOLVED:

CO: P CEO ALL GMS GM: CS&HR

That the various ongoing transactions / developments approved since 2015, be noted.

- 8.11 **FEEDBACK ON IASIA 20-19 CONFERENCE**
(M/C 2019/09/12 - 5/1/1)

RESOLVED:

CEO ALL GMS

That Council studies the report (on file) for purposes of enriching the knowledge, sharing and managing innovation approaches, meanwhile, looking far ahead to foresee the future challenges and problems and find solutions to them today.

8.12 WRITING OFF OF MAYORAL VEHICLE, N 18754 S
(M/C 2019/09/12 - 16/2/6/1)

CEO
CO: A
GM: CS&HR

RESOLVED: (For Condonation by Council)

- (a) That the redundant Mayoral vehicle be written-off:

Registration No	Make	Color	Year Model	Odometer Reading	Fleet No
N 18754S	Mercedes Benz	Black	2012	198 780 KM	FC0250

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

9. PERSONAL MATTERS

9.1 SUBMISSION OF THE FURTHER AFFIRMATIVE ACTION REPORT
(M/C 2019/09/12 - B 1/10)

RECOMMENDED:

- (a) That the 2019 Further Affirmative Action Report with the required attachments (on file) be forwarded to the Employment Equity Commissioner.
- (b) That the General Manager: Corporate Services & HR outline the Affirmative Acting Profile on the organogram.
- (c) That efforts be made during the recruitment process to implement the Affirmative Action Profile as determined in the report.

9.2 TRAINING AND DEVELOPMENT PLAN
(M/C 2019/09/12 - 4/5/1/3)

M: HR
GM: CS&MT

RESOLVED:

- (a) That the Training and Development Plan (on file) be approved.
- (b) That the Training Needs Assessment result Matrix (on file) be noted.
- (c) That the identified Training needs for implementation (on file) be approved.

9.3 INVITATION: 3RD JOINT ALAN, 8TH AMICAALL, 1ST REFELA & GENDERLINKS ANNUAL GENERAL ASSEMBLY
(M/C 2019/09/12 - A 43/3/1/2/1, 5/6/1)

RESOLVED:

CEO

That the invitation for the Councillors and Chief Executive Officer to attend the 3rd Joint ALAN, 8th AMICAALL, 1st REFELA & Gender Links Annual General Assembly be turned down.

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

10.1 **PROGRESS REPORT REGARDING THE BUILD TOGETHER PROGRAMME**

(MC 2019/09/12 - H 5/3)

RESOLVED:

Acting GM: CD5

That the feedback report regarding the Build Together Programme be noted.

10.2 **FIRST PUBLIC SECTOR INTERNAL AUDITORS CONFERENCE & FORUM**

(MC 2019/09/12 - 11/2/1/3)

RESOLVED:

CFO

- (a) That permission be granted to the Chief Executive Officer and the General Manager: Finance to attend the Public Sector Internal Auditors Conference to be held on 30 September 2019 at NIPAM Campus, Windhoek.
- (b) That attendance fee as well as the subsistence and traveling allowance of N\$3 800.00 be defrayed from the Council's Conference Expenses Vote: 100510206500 where N\$400 000.00 is available.
-

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**
- 11.1 **ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 12 SEPTEMBER 2019 AND SPECIAL MANAGEMENT COMMITTEE MEETING HELD ON 23 MAY 2019**
- 11.1.1 **CURRENT STATUS: SALE OF ERF 4883, SWAKOPMUND TO MESSRS O'B DAVIDS PROPERTIES CC**
(C/M 2019/09/26 - E 4883)
- Special Management Meeting of 23 May 2019, Addendum 5.11 page 03 refers.

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

1. **Introduction**

This submission is tabled to report on the current status of the sale of Erf 4883, Swakopmund to O'B Davids Properties CC.

Following Council's latest resolution passed on **22 November 2018** under item 11.1.1 (quoted under point 2 below), O'B Davids Properties CC was informed of the decision per letter dated **23 November 2018**. A reply dated **17 December 2018** was received from them objecting against the purchase price approved. They requested an audience with Council as well as the Minister of Urban and Rural Development.

Following the above, Council received a copy of a letter addressed to the Deputy Minister of Urban and Rural Development (**Annexure "A"**).

Subsequent to the above, a letter was received from the Ministry of Urban and Rural Development scheduling a meeting for **14 March 2019**.

Following the above meeting, the Ministry of Urban and Rural Development has not requested further information from Council to clarify the concerns raised by O'B Davids Properties CC; therefore O'B Davids Properties CC is currently still leasing Erf 4883, Swakopmund.

2. **Council Resolutions**

For ease of reference, the latest two Council resolutions regarding the approval of the purchase price is quoted below:

28 June 2018 under item 11.1.18:

(a) That the sale of Erf 4883, Swakopmund to Messrs O'B Davids Properties CC be approved at a purchase price of N\$3 572 052.60 (N\$ 354.30/m² x 10 082m²) + 15% VAT to the amount of N\$ 535 807.89, amounting to a total amount of N\$4 107 860.49.

(b) That the following three Council resolutions be amended as per the conditions below:

- 27 February 2014 under item 11.1.8

- 27 October 2016 under item 11.1.2
- 30 November 2017 under item 11.1.2

- (f) That Messrs O'B Davids Properties CC be informed that Erf 4883 is zoned "General Industrial" and that brickmaking is regarded as a noxious industry and should brickmaking be their intended venture, they must apply for consent use.
- (g) That all costs relating to the transaction be for Messrs O'B Davids Properties CC, including but not limited to the advertising cost, compilation of the agreement of sale, as well as any legal costs that may arise from this transaction.
- (h) That upon acceptance of the purchase price for the erf by Messrs O'B Davids Properties CC, Council's intention to sell Erf 4883, Swakopmund to Messrs O'B Davids Properties CC be advertised for possible objections as required in terms of the Local Authorities Act, Act 23 of 1992, as amended, at the cost of the purchaser.
- (i) That the property may not be alienated within 48 months from date of transfer or a completion certificate is issued in respect of the structural improvements, whichever is the earlier. This restraint of alienation is to be registered against the title deed of the property. In this case, "alienate" shall include the alienation of the equity in the corporate entity, or any part thereof, or the beneficiaries, but not the registration of the bond in favour of a bank.
- (j) That the following standard conditions be applicable:
- (i) That Messrs O'B Davids Properties CC must 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.
 - (ii) That the property be sold voetstoots or "as is" with 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.
 - (iii) That Council does not warrant that the services installed at the property is suitable for the use intended by the purchaser.
 - (iv) That the purchaser verifies that the installed electricity, sewage and water connections are suitable for the intended use of the property.
 - (v) No development or construction will be permitted to commence until the statutory processes have been completed and the erf transferred.
 - (vi) The agreement of sale must be concluded and signed within:
 - (a) 12 months from the closing date for objections, should none be received; or within
 - (b) 3 months from date of approval of the transaction by the Minister of Urban and Rural Development, in cases where objections were received; failing which Council's offer will lapse.
 - (vii) The agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of being requested to do so.
 - (viii) The purchase price and 15% VAT shall be secured by means of a bank guarantee payable on date of transfer; should transfer not be registered on / before the 120th day interest shall accrue from date of sale until date of transfer.
 - (ix) The purchaser is not permitted to cede, assign or alienate their right or interest in the property or alienate the property to a 3rd party in any way before all the relevant conditions contained in the agreement of sale are fulfilled.
 - (x) That purchaser indemnifies Council against any claims resulting from blasting, should blasting need to be done.
- (k) That the lease agreement for Erf 4883, Swakopmund with Messrs O'B Davids Properties CC lapses on date of transfer of the Erf.

22 November 2018 under item 11.1.1

That Council remains with its decision passed on 28 June 2018 under item 11.1.1B and that point (f) be repealed and deleted as Erf 4883, Swakopmund is already developed.

(f) — That the property may not be alienated within 48 months from date of transfer or a completion certificate is issued in respect of the structural improvements, whichever is the earlier. This restraint of alienation is to be registered against the title deed of the property. In this case, "alienate" shall include the alienation of the equity in the corporate entity, or any part thereof, or the beneficiaries, but not the registration of the bond in favour of a bank.

4. Proposal

That it be noted that following the meeting of 14 March 2019 the Ministry of Urban and Rural Development has not requested further information from Council to clarify the concerns raised by Messrs O'B Davids Properties CC.

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

That Messrs O'B Davids Properties CC be informed that Council remains with its decision of 28 June 2018.

Annexure "A"

Deputy N. Jansen (njansen@afrika.co.za)

18 January 2019

The Honorable Deputy Minister
Ministry of Urban and Rural Development
Private Bag 12209
Cape Town

Dear Sir

Re: Purchase of 4951 Development (subject matter purchase price offered
of 4951 Development - attached report) (see)

We would like to thank your Honorable, for the time we have been granted by yourself
to read through our objection against the purchase price, the Municipality of
Swakopmund offered us as well as the report of of 4951 Development without any
issues and we therefore are of the opinion that our transaction has been treated
objectively and procedurally unfair in today.

In order to understand our objection we would like to give you a brief background of our
transaction with the Municipality of Swakopmund with regard to
of 4951 Development.

2004

- Lease agreement (land of 12' (of 16) in the industrial area) of Swakopmund
Town and Townships No. 4 (later registered as of 4951 Development - also
see attached lease agreement)

2005

- Approved application to purchase of 4951 Development - Council resolution
CN 2005/1024 - C-4703
- a) "That the 12' (of 16) in the industrial area) of Swakopmund Town and
Townships No. 47 be purchased from the seller in full for the new
industrial area.
- b) "That the 12' (of 16) in the industrial area) be offered to Swakopmund
Property (Pty) Ltd for the purchase price obtained for the area at
the auction."

2018

- After 2 (two) audiences and several correspondence with Council, E/F 4883 (Development) has been offered to us for N\$ 305,500m² + VAT, which we feel is unfair taking in consideration the above. (see attached)

E/F 4883 DEVELOPMENT

2019

- On 23 November 2019 Council approved the sale of E/F 4883 (Development) to O'B Davis Properties co. (see attached)

2014

- We received a letter from Council that E/F 4883 (Development) which were approved in Council Resolution of 20 November 2010, has now been rejected without any reason provided to us.

2016

- Our rejected e/f 4883 (Development) was sold to Namibia Construction for N\$ 375m², fully serviced by Council.

Request

The principle of the matter is, taking all of the above facts in consideration, that the Council resolution of 24/11/2009 has not been fulfilled as it states that we should be offered the average price of the seven being sold at the auction and the seven auction took place on 04 October 2013.

From what we understood and was confirmed by the acting C.E.O during the audience we had with Council on the 17th of May 2018, that the average price obtained was N\$ 220m², which is the price we are willing to pay.

However, we are of the opinion that the resolution passed by Council in 2009, 2009/11/09 must be fulfilled. The same resolution has not been repealed and is thus still effective.

We therefore wish to have an audience with Council as well as your Honorable in this regard where both parties, ourselves and the Municipality of Swakopmund take turns in developing and address the Namibia Prosperity plan, regarding delivery of affordable housing with Swakopmund and surrounding area's.

Yours in development



O'B Davis
Chief Executive Officer

Cc: The Honorable, Major P M D Nambumba, Councillor E Sidiwa, The Chief Executive Officer, Swakopmund Municipality, Mr. A Benjamin

11.1.2 **AMENDMENT OF THE PURCHASE PRICE OF ERF 610, TAMARISKIA**
(C/M 2019/09/26 - T 610, 19.03.03)

Ordinary Management Meeting of 12 September 2019, Addendum 7.3 page 30 refers.

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

1. Purpose

The purpose of this submission is for Council to consider the amendment of the improvement value of Erf 610, Tamariskia as N\$2 384 000.00 as per Valuation Certificate approved by the General Manager: Finance not N\$2 385 000.00 as previously approved by Council.

2. Introduction

Messrs Erongo Development Foundation (hereinafter referred to as EDF) has offered to sell Erf 610, Tamariskia to Council at the purchase price of N\$2 891 000.00 (land value N\$506 000.00 + improvement N\$2 385 000.00).

EDF made an offer to Council to purchase the erf since Council has the first right of refusal to repurchase erf from them in terms of the preference right registered in the title deed.

The Management Committee on **12 July 2018**, under item 7.3 resolved as follows:

- (a) That Council declines the application of Messrs Erongo Development Foundation to sell Erf 610, Tamariskia.
- (b) That the General Manager: Engineering Services does an assessment of the cost of repair to bring the property to functional condition.
- (c) That the purchase price be calculated based on the improvement value in the valuation roll less the cost of repairs.

With reference to point (c) above, municipal valuations for the erf were submitted to Council to consider the purchase price. The improvement value was erroneously typed as N\$2 385 000.00 instead of N\$2 384 000.00 being the current municipal value of the property as indicated in the general valuation roll 2015. Due to the error, the value was increased with an N\$ 1000.00 and the incorrect value was then approved by Council on **22 November 2018**, under item 11.1.31:

- (a) That the presentation by Messrs Erongo Development Foundation with reference to the sale of Erf 610, Tamariskia be noted.
- (b) That Messrs Erongo Development Foundation be offered the following for the purchase of Erf 610, Tamariskia by Council:

• Land value	=	N\$506 000.00
• Improvement	=	N\$2 385 000.00
Total	=	N\$2 891 000.00

Subsequent to the above resolution, EDF confirmed acceptance of the purchase price as per letter dated **18 January 2019**.

On **28 February 2019**, under item 1.1.17 Council passed the following resolution:

- (a) That Council takes note that Messrs Erongo Development Foundation has accepted Council's offer to purchase Erf 610, Tamariskia.
- (b) That the intention of Council to purchase Erf 610, Tamariskia from Messrs Erongo Development Foundation be advertised in terms of Section 64 of the Local authorities Act, Act 23 of 1992 as amended.
- (c) That Ministerial approval be applied for in terms of Section 64 of the Local Authorities Act, Act 23 of 1992, as amended in order for Council to proceed with the purchase of Erf 610, Tamariskia from Messrs Erongo Development Foundation.
- (d) That the transfer costs be for Council's account.
- (e) That once Erf 610, Tamariskia Swakopmund is transferred to Council, the Erf be offered to the Ministry of Safety and Security to be leased by Police Officers.
- (f) That the Engineering Services Department renovate / upgrade the building.

Council's intention to purchase Erf 610, Tamariskia was advertised as required in terms of Section 64 of the Local Authorities Act 23 of 1992, as amended. At the closing date of **28 May 2019** for submission of objections none were received.

As per letter dated **13 June 2019** attached **Annexure "B"** ministerial approval has been applied to proceed with the purchase of Erf 610, Tamariskia from EDF.

EDF on **23 April 2019** applied to Council to provide security services at Erf 610, Tamariskia which the transaction is underway. The Management Committee on **11 July 2019**, under item 7.2 passed the following resolution:

- (a) That Council agrees to provide security services at Erf 610, Tamariskia as from 12 July 2019 until the erf is transferred to Council at the costs of Messrs Erongo Development Foundation.
- (b) That the General Manager: Corporate Services & HR consult with Messrs Erongo Development Foundation for the cost to be deducted from the purchase price of N\$2 891 000.00 for Erf 610, Tamariskia.
- (c) That once Erf 610, Tamariskia is transferred to Council, the Erf be offered to the Ministry of Safety and Security to be leased by Police Officers.

3. Discussion

The Ministry of Urban and Rural Development as per letter dated **22 August 2019** attached as **Annexure "A"** request Council to provide the following additional information:

- ⊙ Valuation certificate indicating the land and building value that motivate how the purchase price was determined
- ⊙ Zoning certificate for the land use purpose

As per valuation certificate from Finance Department, the municipal value of Erf 610, Tamariskia are indicated as follows:

- Land value = N\$ 506 000.00
- Improvement = N\$ 2 384 000.00

The above valuations are indicating the correct value for land and improvement. Therefore the purchase price of Erf 610, Tamariskia as approved be corrected to be consistent with the value of the building. The total purchase price of the land and building will thus be N\$2 890 000.00. The incorrect purchase price was never included in the advertisement notice therefore Council do not have to re-advertise the purchase.

The zoning of Erf 610, Tamariskia has also confirmed by the Town Planning Section as "General Residential 2". The correct zoning conformed to Notice 23/2019 of the purchase. Valuation and zoning certificates are attached as a zoning certificate is attached as **Annexure "C"**.

4. Proposal

It is proposed that Council's resolutions indicating the purchase price for improvement of Erf 610, Tamariskia as N\$2 385 000.00 be amended and be replaced by the correct price of N\$2 384 000.00. The total purchase price for land and building thus be N\$2 890 000.00.

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

RECOMMENDED:

- (a) That the response received from the Minister of Urban and Rural Development requesting Council to provide the Minister with information on how the purchase price for Erf 610, Tamariskia was determined and the erf land use purposes, be noted.
 - (b) That Council approves the correct purchase price of Erf 610, Tamariskia as N\$2 890 000.00 (Land value - N\$506 000.00 & Improvement - N\$2 384 000.00) as per valuation certificate approved by the General Manager: Finance.
 - (c) That Council confirms that the zoning of Erf 610, Tamariskia as "General Residential 2" as per Zoning Certificate approved by Engineering Services Department.
-



Republic of Namibia

Ministry of Urban and Rural Development

Republic: 1 666 (06)
Tel: (+264-61) 2971102
Fax: (+264-61) 2971107

Our Ref: 1401/1002
Your Ref:

Date: 22 August 2019

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

Attention: Ms. Margaret Shehema.

SUBJECT: SWAKOPMUND- SALE OF IMMOVABLE PROPERTY, REF 418.


Your letter dated 12 June 2019, (attached) on the above subject matter have reference.

1. Your request for approval is withheld due to the following identified shortcomings:

- a) The Council should provide comprehensive information on how they determined the purchase price of the said erf and building (valuation certificate); and
- b) The land use purpose.

Your prompt feedback on the issues raised herein is urgent and will be appreciated.

Yours faithfully,


 NCEDISWA DANIEL
 EXECUTIVE DIRECTOR

ANNEXURE "B"



MUNICIPALITY OF SWAKOPMUND

☎ (064) 4104213

☎ 088 814 814

📍 50 Swakopmund

NAMIBIA

🌐 www.swakmun.com.na✉ msheehama@swakmun.com.na

Enquiries: Ms Margaret Sheehama

13 June 2019

The Office of the Executive Director
 Ministry of Urban and Rural Development
 Private Bag 13288
 WINDHOEK

Attention: Mr J Ichila

Dear Sir

**APPLICATION FOR APPROVAL FOR COUNCIL TO PURCHASE ERF 610,
 TAMARISKIA FROM ERONGO DEVELOPMENT FOUNDATION**

1. Application

Ministerial approval is herewith applied for in terms of section 64 read in conjunction with section 30 (1) (i) of the Local Authorities Act 23 of 1992, as amended for Council to purchase Erf 610, Tamariskia from Erongo Development Foundation (hereinafter referred to as EDF).

Erf 610, Tamariskia measures 4 227m² and is zoned "Institutional".

A map indicating the locality of Erf 610, Tamariskia is attached as Annexure "B".

2. Introduction

EDF is a Non-profit Organisation and is registered as a trust with the objectives of promoting and facilitating actions, programs and projects that will foster equitable and sustainable development in the Erongo region.

The Trustees of EDF in 1998 bought Erf 610, Tamariskia from Council for the establishment of the Erongo House of Safety to accommodate vulnerable and homeless children and providing care. The erf was registered with the following condition against the title deed in favour of the Local Authority:

The property may not be alienated or bonded without Council's prior obtained written approval and should Council decide not to grant approval, Council shall obtain a first right of refusal to repurchase the property at its original purchase price plus 70% of the sworn valuation of any improvements erected thereon.

The house is currently closed as it is declared by the Ministry of Gender and Child Welfare that it is not suitable to accommodate the vulnerable children and orphans due to its design and construction. The Erongo House of Safety will be relocated to Erf 1338 (a Portion of Erf 503), Tamariskia, an erf they are in the process of purchasing from Council.

Messrs EDF has offered to sell Erf 610, Tamariskia to Council at the purchase price of N\$ 2 891 000.00 (land value N\$ 506 000.00 + improvement N\$ 2 385 000.00). The offer was accepted by Council on 22 November 2018, under item 11.1.31.

Council's intention to purchase Erf 610, Tamariskia was advertised as required in terms of Section 54 of the Local Authorities Act 23 of 1992, as amended. At the closing date of 26 May 2019 for submission of objections none were received.

3. Background

Erf 610, Tamariskia was sold to EDF by Council on 29 January 1998, under item 10.2.17 at a nominal purchase price of N\$ 10.00 for them to establish a House of Safety for homeless and abused children subject to the following condition:

- (i) Nominal purchase price of N\$ 10.00;
 (ii) The property may not be alienated or mortgaged without Council's prior obtained written approval and should Council decide not to grant approval, Council shall obtain a first right of refusal to repurchase the property at its original purchase price plus 70% of the current valuation of any improvements erected thereon.

A nominal price of N\$ 10.00 was considered by Council at the time as EDF is a non-profit organisation and the development will benefit the community.

The erf was registered in the Deeds Office on 11 November 1999 in the name of The Trustees for the Time Being of the Erongo Development Foundation. The erf was registered with the condition quoted under point 2 above against the title deed in favour of the Local Authority.

Messrs EDF on 16 November 2017 (Annexure "A") applied for consent to sell Erf 610, Tamariskia. They were offered an opportunity to present their proposal to Council and on 22 November 2018, Council under item 11.1.31 passed the following resolution:

- (a) That the presentation by Messrs Erongo Development Foundation with reference to the sale of Erf 610, Tamariskia be noted.
 (b) That Messrs Erongo Development Foundation be offered the following for the purchase of Erf 610, Tamariskia by Council:
- | | | |
|---------------|---|------------------|
| • Land value | = | N\$ 506 000.00 |
| • Improvement | = | N\$ 2 385 000.00 |
| Total | = | N\$ 2 891 000.00 |

Subsequent to the above resolution, EDF was informed of the above decision as per letter dated 26 November 2018 and were also requested to confirm whether they have accepted the Council resolution.

A letter dated 18 January 2019 was received from EDF confirming the acceptance of the purchase price.

On 26 February 2019, under item 1.1.17 Council passed the following resolution:

- (a) That Council takes note that Messrs Erongo Development Foundation has accepted Council's offer to purchase Erf 610, Tamariskia.
 (b) That the intention of Council to purchase Erf 610, Tamariskia from Messrs Erongo Development Foundation be advertised in terms of Section 54 of the Local Authorities Act, Act 23 of 1992 as amended.
 (c) That Ministerial approval be applied for in terms of Section 54 of the Local Authorities Act, Act 23 of 1992, as amended in order for Council to proceed with the purchase of Erf 610, Tamariskia from Messrs Erongo Development Foundation.

- (d) That the travel costs be for Council's account;
- (e) That once Erf 610, Tamariskia Development is transferred to Council, the Erf be offered to the Ministry of Safety and Security to be leased by Police Officers;
- (f) That the Engineering Services Department renovate / upgrade the building.

4. Application to the Honourable Minister of Urban and Rural Development

The approval of the Honourable Minister of Urban and Rural Development is hereby sought in terms of section 64 and section 30 (1) (j) of the Local Authorities Act 23 of 1992, as amended, for permission for Council to proceed with the purchase of Erf 610, Tamariskia "voetsteeds" from Erongo Development Foundation as per council resolutions of 22 November 2018, Item 11.1.31 and 28 February 2019, Item 11.1.17.

5. Attachments:

- ⓐ Application for consent to sell Erf 610, Tamariskia (Annexure A);
- ⓑ Locality plan indicating Erf 610, Tamariskia (Annexure B);
- ⓒ Letter dated 18 January 2019 from EDF confirmed acceptance of the purchase price that Council will offer (Annexure C);
- ⓓ Signed Minutes of Council meeting held on 22 November 2018 Item 11.1.31(Annexure D);
- ⓔ Signed Minutes of Council meeting held on 28 February 2019, Item 11.1.17(Annexure E); and
- ⓕ Copies of Notice 232019 (Annexure F) – Council's intention to purchase the erf.

Should you have any enquiries, please do not hesitate to contact Ms Margaret Sheehama at ☎ 054-4104213.

Yours faithfully


 Mr. A. B. B. B.
 CHIEF EXECUTIVE OFFICER

COPY: Messrs Erongo Development Foundation
 P O Box 2747
 SWAKOPMUND
 13001
 info@edf.org



MUNICIPALITY OF SWAKOPMUND

☎ (064) 41044318
 📠 0800191140
 📍 12 Swakopmund
 NAMIBIA
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 ✉ finance@swakopmund.com.na

MUNICIPAL VALUATION CERTIFICATE

DESCRIPTION OF PROPERTY:

CERTAIN ERF / ERVEN : 610 TAMARISKA
 The above erf / erven belongs to : ERONGO DEVELOPMENT
 P O BOX 3234
 VINETA

It is hereby certified that the municipal valuation in respect of the abovementioned erf / erven is / are as follows:

SITE: 4227 m² : N\$ 508 000.00
 IMPROVEMENTS : N\$ 2 384 000.00


 H. INARUS
 GENERAL MANAGER: FINANCE

AS AT 23/08/2019



MUNICIPALITY OF SWAKOPMUND

☎ (064) 4104000
 ☎ (064) 4104125
 ✉ Fax/email: 0090519137
 📍 51 Swakopmund
 NAMIBIA
 🌐 www.swakmun.com.na
 📧 townengineer@swakmun.com.na

Ref No: T 610

Enquiries: J Angolo

29 August 2019

The Executive Director
 Ministry of Urban and Rural Development
 Private Bag 13289
 WINDHOEK
 10005
 Namibia

fjshla@murd.gov.na

Dear Sir,

ZONING CERTIFICATE FOR ERF 610 TAMARISKIA

Erf 610, Tamariskia is zoned "General Residential 2" with a density of 1:250. The property measures 4227m² in extent.

Below please find the zoning provisions for the specific zoning as contained within the Swakopmund Town Planning Amendment Scheme.

CLAUSE 5: CONTROL MEASURES

The following restrictions shall apply in the relative zone:

C. GENERAL RESIDENTIAL 2 ZONE

5.5 Colour Notation: Red Hatch
 Primary Uses: Dwelling Houses, Block of Flats, Townhouses
 Consent Uses: Place of Public Worship, Resident Occupation, Bed and Breakfast, Pension, Residential Buildings.

5.6 Land Use Restrictions

5.6.1 Coverage

The maximum coverage for all buildings in this zone is 50%.

5.6.2 Bulk

The maximum bulk for all buildings in this zone is 1.

5.6.3 Minimum Erf Sizes

(a) The minimum prescribed erf sizes for this zone are as follows:

Land Use	Townhouses	Residential buildings and blocks of flats
Minimum area of site	900m ²	1 000m ²

(b) Notwithstanding the conditions in sub-paragraph (a) above, the Council may in certain cases, beyond the control of the applicant, give its consent for the erection of a block of flats or residential building on an erf smaller than the prescribed area in sub-paragraph (a) above.

(c) Even smaller than 1 000m² may, with the consent of the Council, be used for the erection of Residential Buildings or Block of Flats within the following areas:

- (i) Swakopmund;
South of Theo-Ben Guriso Ave, west of Lüderitz Street and north of Rhode Allee / Cordes Street / Swakop Street.
- (ii) Tamariskia; and
- (iii) Mondesa

5.6.4 Density Control:

(a) No building in the General Residential 2 Zone shall be erected if the number of dwelling houses and dwelling units on an erf exceeds the number specified in Table C1 for the density zone in which the erf is situated.

TABLE C1: DENSITY ZONE

DENSITY ZONE	DENSITY
1:100	One dwelling unit per 100m ²
1:200	One dwelling unit per 200m ²
1:300	One dwelling unit per 300m ²
1:600	One dwelling unit per 600m ²
1:900	One dwelling unit per 900m ²
1:ERF	One dwelling unit per erf

(b) Not more than one dwelling house or residential building may be erected on any erf without the consent of the Council.

5.6.5 Parking

(a) Except where specified elsewhere in the schema, when a building is to be erected on an erf, within this zone, the owner thereof shall construct and maintain, at his own expense and to the satisfaction of the Council, parking spaces on the erf as set out in Table C2:

TABLE C2: Provision of Parking

Dwelling Houses	As determined by Council
Other Residential Buildings	1 per dwelling unit
Hotels	1 per 50m ² of floor area
Youth Organization Erven	1 per 10 members/ residents, min: 4 bays
Pension & Bed & Breakfast	A minimum of 2 plus 1.5 per room
All other uses	As determined by Council

The parking requirements, subject to the specified use zoning, shall be calculated, as set out in column (2) of Table C2 and that the number of parking bays thus obtained, shall be rounded off to the nearest integer

- (b) The maximum number of garages for dwelling houses is restricted to four (4) with a total internal floor area of 80m². Further the area of an outbuilding, garages excluded, may not exceed 50% of the total floor area of the main building (excluding garages) or 100 m² whichever is the most restrictive, and may be erected separately from the main building.
- (c) Parking may be provided in basements or erected elsewhere on the site and is excluded in the calculation of the maximum floor area, but in the case where garages are erected outside the buildings, the area is included in the calculation of the coverage.
- (d) The access to and the position and dimensions of a parking area and parking bays shall conform to the requirements of the Council.
- (e) The Council may relax the requirements under clauses (a) and (b), if it is satisfied that no significant interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.

5.5.6 Height control

Except with the special consent of the Council no building in this zone may exceed a height of 8 metres.

Provided that:

- (i) The Council may relax the maximum height to 10 metres, if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.

5.6.7 Building lines

- (a) No building, permanent structure or portion thereof inclusive of swimming pools, but excluding boundary walls and fences, may be erected on the erf within:
 - (i) 5 metres from any street boundary;
 - (ii) 3 metres from any rear boundary;
 - (iii) 3 metres from any lateral boundary; and

- (k) The (3) three meters requirement for side and rear boundaries shall apply to single storey units and shall increase by (2) two meters for each additional storey; measured from the external walls of the building under consideration.
- (l) The Council may relax the requirements of sub-clauses (a) and (b), if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.
- (m) With the consent of the Council or the Competent Authority, a building (with opening windows overlooking the neighbouring property) can be erected on a common border with a Public Open Space.



Angela
TOWN PLANNING OFFICER & SPECIAL PROJECTS

JA

11.1.3 **REQUEST FOR PRICE REDUCTION FOR THE REMAINDER OF ERF 626 TAMARISKIA BY MESSRS OKAHEKE INVESTMENT CC**
(C/M 2019/09/26 - T 626, 19.03.03)

Ordinary Management Meeting of 12 September 2019, Addendum 7.4 page 45 refers.

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

1. **Introduction**

This item was discussed at the Planning Forum of 20 August 2019 now submitted to Council for consideration.

The submission follows a letter dated 11 June 2019 (Annexure "A") received from Okaheke Investment CC requesting for a reduction in the purchase price approved for the Remainder of Erf 626, Tamariskia.

They motivate their request based on the current economic times leading to slow property movement on the market. They are requesting the purchase price to be reduced to N\$300.00 per m² or at least N\$400.00 per m².

2. **Background**

Council on 23 February 2017 under item 11.1.7 passed following decision:

- (a) That Council approves the sale of the Remainder of Erf 626, Tamariskia to Messrs Okaheke Investment CC for the establishment of an Indoor Sport Complex.
- (b) That the Engineering Services Department attends to the statutory processes of closure of the Remainder of Erf 626, Tamariskia as "Public Open Space".
- (c) That Messrs Evangelical Mission Church be informed that their application was considered, but not supported as the subdivision of the Remainder of Erf 626, Tamariskia will render the remaining portion of the erf inaccessible.
- (d) That the matter be resubmitted to Council once the purchase price and conditions of sale are determined.

Messrs Okaheke Investment CC intends to develop an indoor sport complex, residential and commercial units on the land. The applicant was informed of Council's resolution on 02 March 2017 (Annexure "A").

Following the conclusion of point (b) of the above decision, Council on 31 January 2019, under item 11.1.9 among others approved the purchase price for Messrs Okaheke Investment CC for the sale of the Remainder of Erf 626, Tamariskia.

- (a) That Council approves the sale of the Remainder of Erf 626, Tamariskia to Messrs Okaheke Investment CC at N\$500.00/m² (7 522m² x N\$500.00 = N\$3 761 000.00), excluding 15% VAT for the establishing of an indoor sports complex, ancillary residential and ancillary commercial units.

Messrs Okaheke Investment CC was informed of the resolution on **30 April 2019** whereby they were requested to indicate whether they accept the conditions as well as the purchase price approved.

A copy of the complete resolution is attached as **Annexure "B"**.

3. Valuation & Purchase Price

Council's Property Policy provides that the purchase price is determined based on the average of the probable market value, obtained from Council's appointed municipal valuer and an additional valuer. Council obtained valuations from the valuers in order to determine the purchase price for the property zoned "General Business".

4. Probable Market Value To Determine the Purchase Price

In terms of the Property Policy, valuations were requested from two valuers to determine a market related purchase price.

Subsequently Council approved the purchase price based on the average of the two valuations as N\$500.00/m² for the land measuring 7 522m².

5. Comparison of Prices of Business Erven Sold

At the time a comparison was made with sales of land in other suburbs, not having erven sold recently in the direct vicinity.

The most relevant comparison was made with the purchase price approved for a portion of Erf 577, Tamariskia to Coastal Veterinary Clinic CC in the amount of N\$825.00 per m² (at the time the purchaser was BRG Biokinetics Inc). The purchase price was approved on **26 July 2018** under item 11.1.5 for a portion measuring 2 200m².

A purchase price in the amount of N\$500.00 per m² was regarded as fair and reasonable.

Attached as **Annexure "C"** is the submission that served before Council on **31 January 2019**, under item 11.19.

The purchase price offered by Okaheke Investment CC at N\$400.00/m² is 50% lower than the purchase price for a Portion of Erf 577, Tamariskia.

6. Recent Applications considered by Council for the Reduction in Purchase Prices

6.1 The most recent request for a reduction in a purchase price was considered by the Management Committee on **11 July 2019** under item 10.2. It was resolved that Mr Paulus Johannes be requested to submit an offer for the Meduletu Hall located on Erf 1802, Mondesa.

6.2 Council on **28 February 2019**, under item 11.1.24 waived the 5% escalation and the requirement to get new valuations due to the motivation provided by Messrs Block Nine Endowment Trust. This can be regarded as a reduction in the price.

- 6.3 Council approved a reduction in price to Messrs Andrico Investments Number Twelve CC for two vacant general business erven (3346 and 3352 Swakopmund) on **28 September 2017** under item 11.1.4.
- 6.4 Council on **27 October 2016** under item 11.1.5 approved ~~not to grant~~ a reduction in the purchase price from N\$ 825.00/m² to N\$ 650.00/m² for the sale of a portion of Erf 5360, Swakopmund measuring a 26 036m² to Messrs Vineta Development (Pty) Ltd.

7. Discussion

Messrs Okaheke Investment CC requests a reduction on the purchase price from N\$500.00/m² to at least N\$400.00/m², although they would prefer a purchase price in the amount of N\$300.00/m².

Below the calculations at the various prices:

- 7 522m² x N\$500.00/m² = N\$3 761 000.00
- 7 522m² x N\$400.00/m² = N\$3 008 800.00 (20% reduction)
- 7 522m² x N\$300.00/m² = N\$2 256 600.00 (40% reduction)

Taken from the valuation by Ludwig Schröder, the portion of land is located in an established, mid-market residential area; along a busy arterial road, Vrede Rede Avenue which is one of 2 major thoroughfares through Tamariskia towards the north-eastern suburbs of Mondesa. The surface is fairly level and minor earthworks will be required.

The property is located near the commercial hub of Tamariskia (schools and shopping facilities). The surrounding properties include an established bar and entertainment venue on one side, a church on the other side and numerous single residential properties on the remaining sides.

8. Conclusion

Should Council reduce the price it sets a precedent. In this case the price is already much lower than the price approved for a portion of Erf 577, Tamariskia which was N\$825.00/m². Unless criteria are developed to regulate the deviation from the policy i.e. not using the average of the valuations received.

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

RECOMMENDED:

- (a) That Council takes note of the letter received from Messrs Okaheke Investment CC for a request for a reduction in the purchase price for the Remainder of Erf 626, Tamariskia.
 - (b) That the offer of N\$400.00/m² for the Remainder of Erf 626, Tamariskia not be considered and that Council remains with its current purchase price of N\$500.00/m² as approved by Council on 31 January 2019.
-

ANNEXURE "A"

2019-09-11

g

**OKAHEKE
INVESTMENT CC**

 Email: wwwof@pmail.com
 Cell: 0834812041
 P.O. Box 1432, Swakopmund

Ref: 7426

The Chief Executive Officer
 Mr. Alphaus Benjamin
 P.O. Box 19
 Swakopmund
 Namibia

Dear Mr. Benjamin



RE: SALE OF THE REMAINDER OF ERF 626, TAMARISIA AND DETERMINATION OF THE PRICE THEREFOR

We refer to the letter dated 21 February 2019, as per council resolution passed on 11 January 2019 under item 11.3.3. We would like to outline the following:

The council approve the sale of the remainder of Erf 626, Tamarisia to Messrs. OKAHEKE INVESTMENT CC at N\$100.00/Day (T120/Day + N\$100.00 + N\$2 761 000.00), Excluding VAT for the Establishment of an INDOOR SPORT COMPLEX, ANCILLARY RESIDENTIAL AND ANCILLARY COMMERCIAL UNITS.

According to the FNB Residential Property Report of December 2018, which was authored by group economist, Mr. Daniel Kavche, the prices of property at the coast experienced the highest contraction compared to other parts of the country. The total average year on year contraction was 20.4%, with Swakopmund having the higher price contraction of 24.1% year on year compared to Walvis at 23.1%.

In addition, according to the First Capital House Building Cost Index of March 2019, the cost of building a standard three (3) bedroom 76 sqm house (including land) in Swakopmund was the second highest after Windhoek. This is mostly because of the cost of land and building materials.

Due to the research findings above, it is of utmost importance for the municipality to consider reducing the purchase price of Erf 626, Tamarisia to ensure that the end product does not cost too much as the cost is eventually carried over to the end user / buyer.

Also, with the current economic times leading to slow property movement on the market, developers are now forced to offer competitive prices and products which can help stimulate the development. We therefore request that the purchase price be reduced to N\$200.00 p/Day, alternatively the lowest valuation of N\$400.00 p/Day.

It is important for Council to take note that this development is geared towards providing the best amenities to the historically disadvantaged community of Mendaka and Tamarika with the development of the Indoor Sport Complex.

In conclusion, the cost of land should be a matter, which must be approached with extreme caution if the Council's goal of stimulating development and growth, which benefits the community of Swakopmund, is to be realized. Reducing the price of land will provide the much needed impetus for economic growth and development in general.

 All is in order.

W. A. B. Kasimbani
Managing Partner: Okahua Investment CC
0812461111

11.1.9 **MESSRS OKAHEKE INVESTMENT CC: DETERMINATION OF THE PURCHASE PRICE FOR A REMAINDER OF ERF 626, TAMARISKIA**
(C/M 2019/01/31 - T 626)

ANNEXURE "B"

RESOLVED:

- (a) That Council approves the sale of the Remainder of Erf 626, Tamariskia to Messrs Okaheke Investment CC at N\$500.00/m² (7 522m² x N\$500.00 = N\$3 761 000.00), excluding 15% VAT for the establishing of an indoor sports complex, ancillary residential and ancillary commercial units.
- (b) That the following standard conditions be applicable:
- (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 costs, compilation of the agreement of sale as well as any legal costs that may arise from this transaction, 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.
 - (ii) That any remainder of the deposit in (i) above be refunded to the purchaser on completion of the related statutory processes.
 - (iii) That the purchaser accepts that no rights will accrue to him 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 and/or approvals, if applicable.
 - (iv) 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. 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.
 - (v) That upon acceptance of the purchase price by Okaheke Investment CC, the Developer attends to the following statutory processes as resolved by Council on 23 February 2017 under item 11.1.7 point (b); at his own cost:
 - (a) Obtain Environmental Clearance for the closure of a Public Open Space as required in terms of the Environmental Management Act.
 - (b) Closure of the Remainder of Erf 626, Tamariskia from "Public Open Space" in terms of Section 50 of the Local Authority Act.
 - (c) Rezoning of the Remainder of Erf 626, Tamariskia from "Public Open Space" to a suitable zoning for the business venture in point (a) above.
 - (vi) That upon completion of the above processes, the intended sale be advertised as required in terms of the Local Authority Act 23 of 1992, as amended.
 - (vii) Failure to pay the purchase price in cash or secure payment by formal bank guarantee on the 120th day from the closing date for objections, alternatively from approval given by the Ministry of Urban and Rural development (should objections be received in terms of (vi) above; will result in the transaction being cancelled without the need to place the purchaser 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 of allocation or Ministerial approval until the date of registration of transfer at a rate as confirmed with Council's bank on the date of sale.
 - (viii) That the purchaser constructs structural improvements (as per the approved development proposal) 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.

- (ix) That the said improvements be completed within 24 months (2 years) from date of transfer.
 - (x) That the property may not be alienated unless a completion certificate is issued in respect of the structural improvements, referred to in (viii) above. This restraint of alienation is to be registered against the title deed of the property.
 - (ix) No development or construction will be permitted to commence until the statutory processes have been completed and the erf is transferred.
 - (x) The agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of receipt thereof.
 - (xi) That the purchaser indemnifies Council against any claims resulting from blasting, should blasting need to be done.
- (c) That the Council resolution of 23 February 2017, under item 11.1.7 (b) be repealed.
-

11.1.4 **REQUEST TO EXCHANGE MHDP HOUSE FOR A HOUSE UNDER THE 40/40 HOUSING PROJECT**

(C/M 2019/09/26 - 19.03.12, E 7704 M)

Ordinary Management Meeting of 12 September 2019, Addendum 7.6 page 74 refers.

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

1. Introduction

The matter was discussed at the Planning Forum of 20 August 20. This submission seeks to obtain permission for the exchange of an NHE house for a house under the 40/40 housing project.

2. Background and Discussion

Ms Emilia Shinombedi obtained a house under the Mass Housing Project as part of the uniformed civil servants which received preference in this project as per directive of the Ministry of Urban and Rural Development. As such she was allocated Erf 7704 (**Annexure "A"**) in Extension 28 of the DRC (airport side) during **November 2018**. With the initiation of the 40/40 housing project, Ms Shinombedi visited the office to enquire whether she could not benefit from the current program instead and return the MHDP house to the NHE. In light thereof, she submitted a letter (**Annexure "B"**) in which she requests the approval of Council to buy a house through the 40/40 housing project and return erf 7704 to the NHE.

Ms Shinombedi's request follows after numerous complaints were received from residents occupying the houses situated in Extension 28 (the airport side of DRC) regarding the relocation of informal structures at blocks 162 and 163, which is adjacent to extension 28. In the meantime, a letter (**Annexure "C"**) on which Ms Shinombedi is also a signatory, was received from a concerned group residing in extension 28 (DRC) expressing their concern about the shacks surrounding their houses. Council should therefore bear in mind that granting Ms Shinombedi her request, may invite more residents in the area to do the same. In addition part of the credit linked houses will also be constructed in Extension 28 of the DRC which situation will be the same.

3. Conclusion

A letter was received from Ms Shinombedi requesting approval from Council to return Erf 7704, Swakopmund in exchange for an erf under the 40/40 housing project.

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

RESOLVED: (For Condonation By Council)

That the request from Ms Emilia Shinombedi to return Erf 7704, Swakopmund in exchange for an erf under the 40/40 housing project NOT be approved as she has already benefited from the Mass Housing Development Programme.

11.1.5 **ERF 8932, SWAKOPMUND: APPLICATION FOR EXTENSION OF TIME TO PERFORM**
(C/M 2019/09/26 - E 8932 M)

Ordinary Management Meeting of 12 September 2019, Addendum 7.7 page 78 refers.

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

1. Introduction

The attached application dated **17 July 2019** was received from Ms H Shilumbu requesting extension to secure the purchase price of Erf 8932, Matutura until **31 October 2019 (Annexure "A")**.

Ms H Shilumbu motivates her application for the extension of time as she is currently in the process of getting divorced.

She was a next qualifying bidder for the erf following the cancellation of the sale by Mr S B Kativa who was the successful purchaser at the closed bid sale of **26 October 2018**.

The initial date of sale for Erf 8932, Matutura, was **03 January 2019**.

Council on **27 June 2019** under item 11.1.10 granted an extension of time to secure the purchase price as follows:

That Council grants Ms H Shilumbu an extension of time until 31 August 2019 to secure the purchase price for Erf 8932, Swakopmund subject to interest.

The sale is subject to interest levied at 10.5% from **03 January 2019** until date of transfer in case the transfer is not registered on **31 August 2019**.

2. Current Situation

Ms H Shilumbu was allocated the erf in the amount of N\$360 845.00 on **03 January 2019** and she indicated her marital status as "Single".

The due date to secure the purchase price for the said erf was **03 May 2019** pending the outcome of her application dated **25 April 2019**.

3. Discussion

It has now come to the light that she was married on the date of sale of Erf 8932, i.e. **03 January 2019**.

Ms Shilumbu explains that she is busy with divorce proceedings and because of that wants the due date to be extended. Having a divorce finalized has never been a recognised reason for extending a due date. If Council agrees thereto, Council could be part of the manipulation of the value of the combined marital estate for distribution in the final divorce order.

With reference to the other non-performers of the sale of 26 October 2018 of which the due date was 25 February 2019, Council on 25 April 2019 granted these purchasers extension until 31 May 2019, therefore an additional 105 days (subject to interest).

Council could therefore consider granting Ms H Shilumbu and extension of time of 105 days on the basis of equal treatment with the other purchasers of erven located in Extension 35, Swakopmund (Council on 26 October 2018 sold 5 erven in Extension 35, Swakopmund and 89 in Extension 2, Matutura). However, adding 105 days to the due date of 03 May 2019 only extends to 16 August 2019 which is 6 weeks less than the date set by the court e.g. 31 October 2019.

Attached to her letter is a letter from Appolos Shimakeleni Lawyers dated 19 July 2019 stating that a status hearing is scheduled for 11 September 2019 to show cause why the marriage should not be dissolved.

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

RECOMMENDED:

That Council grants Ms H Shilumbu an extension of time until 31 October 2019 to secure the purchase price of Erf 8932, Swakopmund subject to interest.

Annexure "A"

E 17/2019 fu.

P.O. Box 1037

Dundee

Scotland

17 July 2019

The Chief Executive Officer

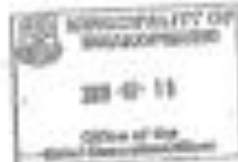
Dundee Development Municipality

P.O. Box 10

Dundee

Tel: 01394 438 432

Attention: Mr. Stephen Allan

**RE: Extension of the contract of Mr. Stephen Allan**

Dear Mr. Stephen Allan

I would like to thank the Municipal Council of Dundee for extending my contract to the 31 October 2019. I was last asked regarding the contract extension to the 31 of October 2019. Everything happened at the last, I was just waiting for the decision letter which will be passed in September, so that I was present with the signature at the bank.

I am really enjoying the second chance I got a lot on this job, because for me to show what we also paying for the service then every month. I am going through but I have my only child that is in school and I spent a lot of money on his education as well as money that I spent on his care for the house, therefore if I lose this property, it will reduce my situation.

Thank you for your consideration

Yours Sincerely

Steph Allan

Cell: 98338888

A handwritten signature in black ink, appearing to read 'Steph Allan', written over a horizontal line.



HC-ND-CIV-ACT-841-20190084

IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION,
HELD AT WINDHOK
ON WEDNESDAY, THE 26th DAY OF JUNE 2019
BEFORE THE HONOURABLE JUSTICE LINDI

In the matter between:

HELMIGATYLER KATJUTUNGKA SHIMBULU (BORN BRUNYANTYENGANE) PLAINTIFF

and

SEBON WULONWELWA SHIMBULU DEFENDANT

COURT ORDER

Having read the Application for HC-ND-CIV-ACT-841-20190084 and other documents filed of record:

IT IS RECORDED THAT:

The plaintiff requests new dates, PCR order was not served on Defendant.

IT IS HEREBY ORDERED THAT:

1. The court grants new dates for an order for revocation of Conjugal Rights and orders the defendant to return to or receive the plaintiff on or before 07/08/2019, failing which, to show cause, if any, to this court on the 11/08/2019 at 10:15, why;
2. The bonds of the marriage subsisting between the plaintiff and the defendant should not be dissolved;
3. The settlement agreement entered into by and between the parties, dated the 20 April 2018, should not be made an order of court.

BY ORDER OF THE COURT

REGISTRAR

- 11.1.6 **OFFER FROM OCB BUILDERS CC TO SELL ERF 9116, SWAKOPMUND TO COUNCIL AND AVAILABILITY OF GENERAL RESIDENTIAL ERVEN: EXTENSIONS 34 AND 35, MATUTURA**
(C/M 2019/09/26 - E 9116 M, E 9117 M, E 9124 M, E 9125 M, E 8930 M, E 8939 M, E 8940 M)

Ordinary Management Meeting of 12 September 2019, Addendum 8.1 page 03 refers.

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

1. Introduction

The purpose of this submission is twofold:

- ⊖ To consider an offer by OCB Builders CC to Council to purchase Erf 9116 from them (located in Extension 34) (**Annexure "A"**); and
- ⊖ To report to the Management Committee on the current status / availability of erven zoned "General Residential 2" located in Extensions 34 and 35, Swakopmund. A locality map is attached as **Annexure "B"**.

2. Brief Background

The sale of 2 "General Business" and 7 x "General Residential 2" erven was held on **16 December 2016** as resolved by Council on **27 October 2016** under item 11.1.25.

No pre-emptive right whereby the property should first be offered back to Council or be developed before selling it to a third party is applicable to the sale.

Of the seven erven, only two transfers were successfully completed, of which Erf 9116, Swakopmund to OCB Builders CC is one. Of the remaining 5 erven, we await the outcome of Mr Kambueshe's audience with Council in respect of 2, while 1 is being transferred and the other two are available for sale (discussed under point 4 below).

The outcome of the sale is listed under point 5 below.

3. Offer by OCB Builders to Council to Purchase Erf 9116, Swakopmund from Them

As stated under point 2 above, Erf 9116, Swakopmund was transferred to OCB Builders CC.

Erf 9116, Swakopmund measures 2 283m² and is zoned "General Residential 2". The owner bought the erf in the amount of N\$1 489 450.00.

Attached as **Annexure "A"** is an application dated 03 April 2019 in terms of which the owner requests Council to purchase the erf from them as his financial resources are tied up in the property and they fear bankruptcy as they cannot find alternative sources of income. The owners can also not find a third party to purchase the property from them.

A breakdown of the expenses incurred to date for Erf 9116, Swakopmund is set-out in Annexure "A" and amounts to N\$1 792 772.62.

4. **Current Status / Availability of Erven Zoned "General Residential 2" located in Extensions 34 and 35**

Below is a summary of the current status of the sale of the 7 erven:

	Erf	Size	Purchase Price / Upset Price	Status	Comments
1	9116 Erf 34	2 283	1 483 952.00	Transferred	Purchaser - OCB Builders CC
2	9117 Erf 34	2 153	943 014.00	Available	Bidders list exhausted.
3	9124 Erf 34	2 120	928 562.00	In Process	Bidders list exhausted.
4	9126 Erf 34	2 119	985 000.00	Transferred	Purchaser - P.H. Lening
5	8930 Erf 35	3 528	2 899 898.99	Pending	Audience with Council requested by the purchaser
6	8939 Erf 35	4 412	3 399 898.99	Pending	Audience with Council requested by the purchaser
7	8940 Erf 35	2 817	1 148 246.00	Available	Bidders list exhausted.

Should erven remain unsold after the list of next qualifying bidders has been exhausted, such must be submitted to Council to decide on the method of sale in terms of the Property Policy.

For interest sake, the outcome of the sale of 16 December 2016 for the 7:

Total Development Cost at N\$292.00/m ²	5,614,868.00
Total Income	14,305,049.98
Upset price / m ²	438.00
Price obtained / m ²	744.00

The purchasers had 120 days to secure the purchase price. Those erven of which the purchasers failed to secure the purchase prices were offered to next qualifying bidders.

5. **Discussion**

5.1 **Offer by OCB Builders CC**

It is proposed not to consider the offer by OCB Builders CC for Council to purchase Erf 9116, Swakopmund from them.

There are no conditions in place that the purchaser may not speculate with the sale of the property.

Furthermore, Council will create a precedent by purchasing land back from developers and various similar applications might follow. Council does not have the funds to purchase land from the public, of which the resale to the public is not secure.

5.2 **Availability of Erven Zoned "General Residential 2"**

The table below reflects the number of "General Residential 2" erven Council has available for sale (apart from those located in Extension 14, Swakopmund and Extension 1, Mile 4):

	Ext 34, Swak	Ext 35, Swak	Ext 1, Swak	Ext 2, Swak	Ext 16, Mon	Ext 24, Mon
Gen. Res. Erven	1	1	8	10	2	3
Council Resolution	Current Submission	Current Submission	30 Jan 19, Mon 11.1.19	30 Jan 19, Mon 11.1.19	20 Jan 19, Mon 11.1.19 28 Sep 17, Mon 11.1.19	20 Jan 19, Mon 11.1.19 21 Mar 19, Mon 11.1.19
Future Date	-	-	When the market determines the need.		Anticipated later during 2019, but the market demand does not justify at this stage.	

Therefore Council currently has 26 erven zoned "General Residential 2" located in the north-eastern extensions.

At this stage it is not viable to offer the above erven for sale.

6. Proposal

In conclusion, the following is proposed as per the recommendation below.

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

RECOMMENDED:

- (a) That Mr P M Strauss of OCB Builders CC be informed that Council considered their offer dated 03 April 2019 to purchase Erf 9116, Swakopmund from them; but decided to decline.
- (b) That it be noted that Council has 26 erven zoned "General Residential" located in the north-eastern extensions for which Council on 30 January 2019 resolved closed bid sales be arranged as and when the market determines the need.
- (c) That it be noted that the bidders' lists for the following erven located in Extension 34 and 35 are exhausted and these erven be offered for sale by closed bid as and when the market determines the need:
 - Erf 9117, Extension 34
 - Erf 9124, Extension 34
 - Erf 8940, Extension 35
- (d) That should the following erven also become available for sale they will be sold by closed bid when the market determines the need:
 - Erf 8930, Extension 35 - depending on Council's decision following the audience for an extension of time.
 - Erf 8939, Extension 35 - depending on Council's decision following the audience for an extension of time.

ANNEXURE "A"

19.04.2019

E 9116 #1

O C B BUILDERS cc	
P.O Box : 2644 Swakopmund Namibia VAT Registration No: 202048-01-8 E-mail: ocbuilders@web.co	CELL:081 129 1483
MUNICIPALITY OF SWAKOPMUND	
2019-04-01	
03 April 2019	
ARCHIVES	

Dear Sir

**RE: 9116 EXTENSION 24
MATATULA, SWAKOPMUND**

I/PM Strauss owner of OCB Builders CC hereby request to re-sell the above mentioned property back to the Municipality of Swakopmund.

The property is still vacant since purchase in 2017 from yourself (The Municipality of Swakopmund). The intention was to erect Town Houses for sale.

However given the present economic downturn, I have not been able to attract a single interested buyer for any of these units, despite extensive marketing.

The building industry is suffering a lull and I am not able to secure any tenders due to economic depression.

All my financial resources are tied up in this property and I fear that I would soon be facing bankruptcy as I can find no alternative sources of income.

EXPENSES

Up to now I have since expended the following for cash (see attached)

Purchase price of property - Erf 9116	1,488,450.00
Transfer Cost	207,900.70
Approved Architect Drawings and Designs	85,000.00
19 x Two Bedroom Sectional Title Unit with Single Garage	
Payment for Building Inspectorate	7,981.82
Valuators report	5,287.00
Legal Advice - Contract Agreements	7,170.00
TOTAL FOR EXPENSES	R\$ 3,792,772.82

Your favourable consideration will be appreciated.

Yours truly



PM Strauss
Sole owner

Annexure "B"



11.1.7 **APPLICATION BY MESSRS SILIMWE INVESTMENT CC TO PURCHASE ERVEN IN EXTENSION 13, MATUTURA, SWAKOPMUND**

(C/M 2019/09/25 - H 5, 16/1/4/2/1/14, 19.03.12)

Ordinary Management Meeting of 12 September 2019. Addendum 8.2 page 08 refers.

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

1. Introduction

This item was discussed at the Planning Forum of 20 August 2019 under item 5.8 and is now submitted for consideration by Council.

An application was received from Messrs Silimwe Investment CC (hereinafter referred to as Messrs Silimwe) attached as **Annexures "A" and Annexure "C"** to purchase 49 single residential, 2 General Residential and 2 General Business in Extension 13, Matutura. They intend to use the land to develop social houses.

Messrs Silimwe proposed the following two options:

- ⊗ Option 1: to be offered to purchase 49 single residential, 4 General Residential 1 and 2 General business plots
- ⊗ Option 2: to be allocated erven in terms of Public- Private Partnership principle with the Municipality Swakopmund.

The application of Messrs Silimwe was acknowledged on 05 March 2019 and was informed as per **Annexure "B"** that Council will only consider selling the remaining erven once the services are installed. Apart from the application of Messrs Silimwe, similar applicants were also informed of the two decisions of Council indicated under point 4 below.

A letter dated 08 April 2019, attached as **Annexure "C"** was received from Messrs Silimwe Investment CC requesting their application to be submitted to Council for decision.

2. Background

Extension 13, Matutura is situated north east of Swakopmund on Portion 152 (a portion of Portion 137) of the Farm Swakopmund Town and Townlands No. 41. It measures 162 985m², is surveyed according to the General Plan G 214, comprising of 111 erven as follows:

- 97 - Single Residential
- 4 - General residential 1
- 2 - General residential 2
- 2 - General Business
- 2 - Institutional
- 2 - Local Authority
- 1 - Private Open Space
- 1 - Undetermined

Extension 13, Matutura was proclaimed as a township on **14 December 2018** (Government Gazette 6794). Below a map indicating the location, lay-out and zonings of Extension 13, Matutura.



3. Decisions Passed by Council in respect of Extension 13, Matutura

- 3.1 On **22 November 2018** Council under item 11.1.32 considered various applications for business erven in Extension 13, Matutura for the construction of a mail and fuel station; the following resolution was passed:

That a "Business" Erf at Extension 13, Matutura be sold by closed bid sale to the following applicants only:

- Messrs Matutura Harambee Investment CC
- Messrs Black River Investment CC
- Messrs ThinkDirect Imports and Distributions CC

The above applications were considered as exceptions and regarded as special for the purposes of constructing a shopping mall and fuel station.

- 3.2 Council at the same meeting under item 11.1.35 passed the following resolution:

- (a) *That Extension 13, Matutura, Swakopmund be allocated to Messrs Matal Investment cc in terms of the Public Private Partnership principle.*
- (b) *That Messrs Matal Investment CC services the entire Extension 13, Matutura, Swakopmund and only be allocated 48 "Single Residential" to construct houses after the servicing is completed.*

- 3.3 Council on **25 July 2019**, under item 11.1.14 among others approved to have an exclusive closed bid sale for one erf to the entities as per Council resolution of **22 November 2018**, item 11.1.35.

- (a) *That Urban Edge Properties be informed of Council's resolution passed on 28 March 2019 under item 11.1.14 that no applications for business land in the northern suburbs be considered until all statutory process are finalized and that no ranking list will be kept.*
- (b) *That Erf 2747 (measuring 1 742m²) and Erf 2748 (measuring 1 093m²) located in Extension 13 Matutura be allocated for the exclusive closed bid sale approved by Council on 22 November 2018 under item 11.1.32.*
- (c) *That the upset price be determined at N\$ 266.59.*

- (d) That the purpose for the acquisition of the erf is for the development of a fuel station and shopping mall and that the normal town planning procedures apply for the intended activities.

4. Discussion

Messrs Matsi Investments CC will service the extension and in exchange they will get 48, single residential erven and Council will get 49 Single Residential, 4 General Residential 1, 2 General Residential 2, 2 Institutional erven in Extension 13.

Once the erven are serviced by Matsi Investment CC, Council will sell the erven directly to the public. There will be no need to sell serviced erven to private developers who in return will simply sell the erven to the public at a higher price. Currently there is a list of private developers waiting for land attached as **Annexure "D"**.

Council on **22 February 2018**, under item 5.1 passed the following resolution regarding the Public Private Partnership applications:

- (a) That the Acting Chief Executive Officer arranges for a delegation to meet the Minister of Urban and Rural Development or his Deputy regarding Public Private Partnership applications.
- (b) That Council only considers the current listed Public Private Partnership applications until they are exhausted, before consideration is given to new applications.
- (c) That new Public Private Partnership applications received be placed on file and only be considered in terms of (b) above.

Council's resolution passed on **26 January 2017** under item 11.1.2 is quoted:

- (a) That Council remains with its decision passed on **27 October 2016** under item 11.1.20.
- (b) That no new applications for land be entertained in Extensions that are planned but not serviced.
- (c) That it be recorded that point (b) above is only applicable to residential and business erven.
- (d) That applications from investors with sufficient capital / funds to service land at their own cost be considered.

Considering the above decision, the application of Messrs Siliwe cannot be approved.

5. Proposal

It is therefore proposed that the application of Messrs Siliwe for erven in Extension 13 for the purpose of developing social houses not be supported as Council will sell erven to the public in return for serviced land allocated to Matsi Investment CC.

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

RECOMMENDED:

- (a) That Messrs Silimwe Investment CC be informed that Council considered their application to purchase erven in Extension 13, however Council remains with its decision passed on 22 February 2018, under item 5.1.
 - (b) That applicants for land in the northern suburbs be informed that Council will not consider new applicants until the approved applicants on the waiting list have been exhausted.
-

<p style="text-align: right;"></p> <p style="text-align: center;">ESLUBEE INVESTMENT CO Invest Reg 2018 Subcompany Nairobi 27 December 2018 0111244000</p> <p style="text-align: center;"></p> <p>The Chief Executive Officer Municipality of Suburbs P.O. Box 63 SUBURBS Nairobi</p> <p>Dear Sir</p> <p>RE APPLICATION TO PURCHASE EDIBLE AND AGRICULTURAL AND BUSINESS PLOTS IN EXTENSION 13 MATIROBI, NAIROBI</p> <p>1. The application arises as a request to purchase 40 (forty) residential plots, 4 (four) Agricultural 1 zone and 1 (one) general business plots situated in Extension 13 Matirobi, Suburbs for the development and construction of the low cost housing.</p> <p>2. The above mentioned areas will be offered to built residential houses, level of 10m and been located through ES.LUBEE INVESTMENT CO. We have had 4 applications to be given an opportunity for a private sale which fully comply with the provision of the Local Authority Act 2019 (No. 23 of 2019) as amended. We therefore would like to request Council to consider the following</p> <p>Options 1.</p> <ul style="list-style-type: none"> • Its be offered to purchase the plots referred hereto above as; 	<p>Options 2</p> <ul style="list-style-type: none"> • To be offered in terms of the Public/Private Partnership principle (PPP) with the Municipality of Suburbs. <p>3. We acknowledge the current efforts and challenges that Suburbs Municipality is facing in the land delivery and housing, as such the above investment or response to complement the Municipality's efforts in delivering low cost housing for low income groups. Partnering with private investment will ensure the municipality achieving its goal of providing affordable housing in line for urban centers.</p> <p>4. In the meantime, we acknowledge that housing is one of the critical element and more highly on the Government Development agenda at the moment. Having been ranked highly and number one top priority among other objectives of the National Development Plans as reaffirmed in the Republics Property Plan (RPP), Government plans to fast track the delivery of urban land servicing and housing in (Kilishamba) as made as the recent Land Concessions Amendment takes an urban land delivery. It is for this reason that we would like to jointly participate in the various development of our land and in the delivery of housing particularly in Suburbs.</p> <p>5. If information provided herein this letter is not sufficient to convince the Council, do not hesitate to study it for some joint presentation format.</p> <p>Your attention to this request will be highly appreciated.</p> <p>Yours sincerely,  DIRECTOR ES.LUBEE INVESTMENT CO</p>
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11.1.8 **COOPERATION ON THE NATIONAL SPATIAL DATA INFRASTRUCTURE**

(C/M 2019/09/25 - 3/19/4)

Ordinary Management Meeting of 12 September 2019, Addendum 8.3 page 13 refers.

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

This item was discussed by the Planning Forum on **06 August 2019** under item 5.7.

The Statistics Act No. 9 of 2011 has been passed by the Parliament and signed by the President in terms of the Namibian Constitution. The Act provides for the development of the National Statistics System and provide for its components and objectives; to establish the Namibia Statistics Agency and the Board of the Namibia Statistics Agency (**NSA**) and provide for their powers and functions.

As per quoted text below, from page 12, Government Gazette of **18 August 2011**, No. 4777.

“(c) subject to this Act, conclude service-level agreements or memoranda of understanding between the Agency and a government body or private or international organizations for the purpose of statistical and spatial data collections”;

It has been requested by the NSA that the Municipality of Swakopmund to participate in the function of their mandate. Below follows a description of the Memorandum of Understanding (MOU) presented.

1. Introduction

The purpose of this submission is to encourage the Management Committee to take into consideration the memorandum of cooperation proposed by the Namibia Statistics Agency (**NSA**). The objective is to collaborate on the National Spatial Data Infrastructures and other technical areas.

2. Background

The Statistician General, during his National Spatial Data Infrastructures consultation mission met with Engineering Services Department. The NSA advised on the spatial data policy guidelines and standards. As custodians of Government spatial data, they briefed staff members on promotion, use, and sharing of spatial data in support of spatial planning.

The Statistician General proposed a memorandum of understanding between the two institutions to form continuous engagements.

Spatial data represents the location, size, and shape of an object such as a building, river, and township. Spatial data is location information generally mapped and presented in maps. They also include attributes that provide more information about the entity that is being represented. Aerial images are the base of spatial data and are used by the Engineering Department as a base map for the Town Cadastral.

3. **The Purpose**

The aim of the memorandum of understanding will be to establish cooperation and coordination between the Municipality of Swakopmund and The Namibian Statistic Agency on the National Spatial Data Infrastructure development and implementation. National Spatial Data Infrastructure is a framework of Geographic Information System (GIS) data at National level. Additionally it assists in the functions of institutional and technical organizations and facilitates technologies. These technologies improve interaction and foster more efficient use, management, and production of geographic or spatial data.

4. **Current situation**

At present there is no official cooperation in place between the two institutions, however, there has been engagement from the Namibia Statistic Agency.

As per **Annexure A and B**, Swakopmund local authority Council received an invitation from the Namibia Statistic Agency, inviting respective technical personnel to attend a free training on the use of Digital Globe base Maps as well as a half day meeting for the official unveiling of high-resolution images and further discussion of National Geospatial Data needs.

Engineering Service Department responded to the invitation and sent the GIS Coordinator to attend such training. During such training, the staff member was exposed to practical use of high resolution images and associated functionalities.

Subsequent to the half-day meeting and official unveiling of high resolution images, The Namibia Statistic Agency announced that they acquired a government wide-license access to Digital Globe images and pledged to share the license with stakeholders. As per the noted pledge, Swakopmund local Authority will be given access to two licenses. This communication will be officially received through the office of the chief executive office.

5. **Namibia Statistic Agency and National Spatial Data Infrastructure Policy (NSDI)**

Namibian Statistic Agency is Government Agency, established in terms of **Section 6 of the Statistics Act No. 9 of 2011**. They serve as the Central repository for all statistics produced in Namibia. National Spatial Data Infrastructure (NSDI) is a set of policies, standards and procedures under which organisations and technologies interact to foster more efficient production, management, access and use of spatial data in a country. Under **Section 7 (2) (b) (ii), (iv), (vi), and (vii)** of the Statistic Act, NSA is mandated to determine and exercise final responsibility regarding the formulation and implementation of its work program, including: The coordination and development of the NSDI to facilitate the capture, management, maintenance, integration, distribution and use of spatial / GIS data.

It's subsequent to this policy that, the memorandum of understanding will provide guidelines on the procedures and standards as per the above quoted policy sections and ensures the council's spatial data conforms to such policies and standards.

6. **Benefits of the Memorandum Of Understanding**

The cooperation on spatial data will led to a well-managed, maintained and, readily accessible to Spatial Data at local and National. It will further promote effective management and maintenance of spatial data.

There will be no duplication in spatial data acquisition therefore saving costs. That copyright of the state shall be protected.

Swakopmund Municipality as of now will benefit from the government wide-license access to high resolution satellite image license for a period until **30 April 2020**.

These images have a Spatial Resolution of 30 centimetre (able to read road mark) to 50 centimetre in Urban and rural area respectively. Satellite images are used as base Map aerial photograph that are used as backdrops for the Cadastral (Town Map), mostly used by the Engineering Services Department.

The role of High Resolution satellite images is to reflect on the built-up areas. It gives an overview of new developments, reflects on township development, and gives an overview of past and future developments. Aerial images enable users to better understand and analyse specific area of interest. The current Aerial images in use was acquired somewhere in November 2018, meaning it does not reflects on changes and built up areas happened in the past ± 2.5 years.

The above means that there will be no need for Council to procure its own new aerial photographs, at considerable cost, unless for use not covered in the free High Resolution (30 centimetres) spatial resolution image access. The cooperation states that NSA will be providing technical support to the NSDI data custodians and the general spatial communities to implements NSDI initiatives in the context of national needs and priorities. This will take the form of free software, training and support. This is already taking place "Un-officially".

7. **Conclusion**

It is envisaged to realise the cooperation on the National Spatial Data infrastructure framework and promote the use and sharing of spatial data in support of spatial planning, socioeconomic development and related activities. Avoid duplication in data acquisition and apply consistence in all spatial data at local and National level. The MOU mean the Municipality of Swakopmund provides the relevant spatial data and we receive a yearly updated high resolution image for free, with associated terms of use.

8. **Summary of Attachments**

Annexure "A"

Invitation letter from the Namibia Statistic Agency to a one day Training for NSDI stakeholder (24 April 2019)

Annexure "B"

Invitation letter from the Local Authority Association in Namibia (ALAN) (09 May 2019).

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

RECOMMENDED:

- (a) That the Memorandum of Understanding proposed by the Namibia Statistics Agency be noted.
 - (b) That Council accepts the Memorandum of Understanding and agrees to enter into this Memorandum of Understanding with the Namibia Statistic Agency.
 - (c) That it be noted that the Memorandum of Understanding will provide guidelines on the policy and standards of the use of spatial data activities and application in Namibia at national, regional and local levels, which will include resource sharing, keeping up to date with developments in the field and training for Swakopmund Municipal staff.
-



24 April 2019

Mr. Kaitso Shinduku
 President
 Association of Local Authorities in Namibia (ALAN)
 Windhoek

Dear Mr. Shinduku,

701 Herero
 Post Street West
 P. O. Box 2110
 Windhoek
 Namibia
 Tel: +264 61 421 2000
 Fax: +264 61 421 2019
 www.nsa.gov.na

INVITATION TO A ONE-DAY TRAINING OF NSDI STAKEHOLDERS ON THE USE OF DIGITALISABLE BASE MAPS AND HALF-DAY MEETING ON NATIONAL GIS DATA NEEDS

The Namibia Statistics Agency (NSA) in collaboration with the Ministry of Mines and Energy, Ministry of Urban and Rural Development and the United Nations Fund for Population (UNFPA) contributed funds for the procurement of a government wide Digitalisable Base Map System. Digitalisable Base map is an off-the-shelf high resolution satellite image product defining baseline context that enables users to update their national spatial datasets.

The NSA plans to host a one-day stakeholder training on the use of these recently acquired images, followed by a half-day meeting to discuss the national data needs. From the satellite images, based on stakeholder needs. The one-day training workshop is planned to be held on 24 May 2019 from 08:00 – 18:00, while the half-day meeting will be on the 19 May 2019, the venue will be communicated.

In light of this background, your institution is invited to attend the training and planning session, to be held in Windhoek. We request that representatives to be nominated should have the necessary institutional authority and technical know-how to make recommendations on the spatial datasets to be captured and updated. Note that an institution is allowed to nominate more than one technical representative for those institutions having more structures that manage spatial datasets.

Kindly confirm your institutional participation and the required personnel before or on 15 April 2019 in order for the NSA to make the necessary logistical arrangements. Please feel free to contact my office at 061-421 2300 or Mr. Alex Mshunzisi at 061-421 2071 / 0011254614, Email: AMshunzisi@nsa.gov.na for any clarification.

I thank you for your continued contribution to the national spatial data infrastructure government initiative.

Yours sincerely,


 ALEX MSHUNZISI
 SYNDICATOR GENERAL & CEO



Dear Mr. Shinduku,

Mr. Jero Diederik (Chairman), Assoc. Prof. Arno Jacobs (Deputy Chairman), Mr. Johannes
 Ms. Cheryl Kuper, Mr. Alex Mshunzisi (Syndicator General & CEO)

MEMORANDUM OF UNDERSTANDING

Between

**NAMIBIA STATISTICS AGENCY**

(herein represented by Mr. Alex Shimuafeni, in his capacity as the Statistician-General)

And

**SWAKOPMUND MUNICIPALITY**

(herein represented by Mr. Alfous Benjamin in his capacity as Chief Executive Officer)

Hereinafter jointly referred to as the "Parties" and in the singular as "Party"

**FOR COOPERATION ON THE NATIONAL SPATIAL DATA
INFRASTRUCTURE**

PARAGRAPH 1 PURPOSE

The purpose of this Memorandum of Understanding (hereinafter referred to as the "MoU") is to establish a framework for cooperation and coordination between the Parties on the National Spatial Data Infrastructure (hereinafter referred to as the "NSDI"). This MoU will further facilitate the collaborative activities in areas of mutual interest pertaining to the development of the NSDI for Namibia.

PARAGRAPH 2 SCOPE

- 2.1 The Parties will in conformity with their mandate collaborate on applications and use of spatial information that demonstrate its value and benefit to local, regional, and national development programs and priorities as well as to work together in joint committees.
- 2.2 For the purposes of enhancing awareness and mutual understanding regarding participation in developing the NSDI, foster communication between the NSDI Secretariat and government at national level, collaborate on workshops, technical assistance and facilitate the transfer of technology in areas of mutual interest pertaining to the portfolio of activities supporting the NSDI.
- 2.3 The Parties will work together to identify and facilitate government participation in NSDI investment and incentive programs such as; scholarships/bursary funds, training, technical or consulting resources, hosting services, contracting services, development and promotion of relevant data models; and facilitation of data sharing and consistency.

**PARAGRAPH 3
AREA OF COOPERATION**

Parties undertakes to cooperate in the following areas:

- 3.1 Collaborate at all levels of government and partnership with the private sector in order to advance the NSDI strategic implementation and data collection;
- 3.2 Improve and develop the current geographic data into accurate, consistent and readily available data across the country;
- 3.3 Support the mission and business needs of government and the general NSDI users in order to contribute locally, nationally, and globally to economic development, natural resources management, national security, public safety, environmental quality and stability, social services provision, and research;
- 3.4 Minimise and reduce the duplication of resources and ensure cost-effective methods on other sources of spatial data and tools;
- 3.5 Play an active role in strengthening NSDI strategic plan which will guide the operations of NSDI for the whole country.
- 3.6 To develop a national spatial development plan that will maintain a fundamental datasets enumerated in the NSDI policy;
- 3.7 Promote data discovery services and inventorying, data dissemination, research and publications, education and training, public outreach and advocacy as well as applications of statistical and spatial data collections;
- 3.8 Organise and participate in workshops and conferences, symposia, courses, technology transfer, sharing of technical information and expertise on statistical and spatial data collections;

- 3.9 Provide training for staff in the NSA and **SWAKOPMUND MUNICIPALITY** in metadata creation and metadata certification, data model, web services and other standards development and support;
- 3.10 Ensure data exchange will be verified for completeness and correctness, inventorying existing data and ensuring data documentation and acquiring cost sharing on new data collection projects;
- 3.11 Promote the collaboration in the area of spatial activities to support each Party in meeting its NSDI business needs, engage local participation in government efforts to advance the spatial data infrastructure nationally, and link spatial infrastructure to NSDI Metadata Catalogue;
- 3.12 Respect and uphold the NSDI dissemination policy/standard for fundamental datasets and other government legal frameworks related to the collection, processing and dissemination, management and maintenance of spatial data.

PARAGRAPH 4 COMMITMENT OF SWAKOPMUND MUNICIPALITY

The Swakopmund Municipality undertake to commit itself under this MoU as follows:

- 4.1 Be at the forefront of development and maintenance of the fundamental datasets in their custodianship and comply with NSDI standards, legislation, policies and guidelines and actively participate in their development and maintenance and regular update of data and metadata, and ensure that map services and metadata are registered in the NSDI Metadata Catalogue;
- 4.2 Ensure participation in the NSDI clearing/ geo-portal programmes by ensuring that national spatial datasets and metadata are

published to a clearinghouse or appropriate inventory tool that can be harvested onto the geoportal;

- 4.3 Timeously contribute to the spatial data product lines that can be freely downloaded from a data download facility by the general public, cooperate in and synchronise spatial data acquisition plans and encourage sharing of costs and avoidance of duplication, jointly with other NSDI data custodians and the NSDI Secretariat, determine methods of data capture, quality control and assurance; contribute to the national spatial data advance release calendar for the new spatial data collection projects or updating projects.
- 4.4 Budget for the maintenance, management and effective dissemination of fundamental datasets in accordance with its national mandate.

PARAGRAPH 5 COMMITMENTS OF THE NSA

The Namibia Statistic Agency (NSA) undertake to commit itself under this MoU as follows:

- 5.1 Provide support to the NSDI data custodians and the general spatial communities to implements NSDI initiatives in the context of national needs and priorities;
- 5.2 Facilitate the implementation of the shared goals, encourage and support the formation of local and regional GIS infrastructure;
- 5.3 Ensure that planned activities incorporated into the national spatial development plan are supported by the data custodians, and to provide data as well as participate in cost sharing, fund raising that support data acquisition, integration, stewardship, application, and activities in alignment with the NSDI strategic plan;

- 5.4 Provide support in the coordination of funding applications to promote and support the development of the NSDI, to promote and support nationwide education in order to create a spatially enabled information society, coordinate/provide technical expertise through workshops, training, education in areas such as metadata, data assessment, integration, web mapping, web services and architecture design;
- 5.5 Through the Committee for Spatial Data, coordinate the planning and budgeting of annual NSDI programs as per the strategic plan and work in close collaboration with the data custodians, regularly communicate to government through the Minister responsible for Statistics, in consultation with the Minister responsible for Land on progress of NSDI implementation.

PARAGRAPH 6 TECHNICAL COMMITTEE

- 6.1 In order to implement this MoU, the Parties will establish a non-remunerative NSDI "Steering Executive Subcommittee (SEC)".
- 6.2 The SEC will consist of representatives at management level from each Party, whom directly and substantively deals with the collection, management and maintenance of government spatial data.
- 6.3 The SEC will be chaired by the Statistician-General or his/her nominated representative and meetings on quarterly basis shall be held.
- 6.4 The function of the SEC will be outlined in the Terms of Reference (ToR) separately and will be signed by each sub-committee member.

**PARAGRAPH 7
FINANCIAL OBLIGATIONS**

- 7.1 Each Party will bear its own costs and expenses arising from the implementation of this MoU.
- 7.2 The Parties will, with regard to joint activities or specific activities undertaken under this MoU, agree to their respective financial obligations in executing such activities.

**PARAGRAPH 8
CONFIDENTIALITY**

- 8.1 The Parties will share the information or resulting statistics in their possession received from other Party and make available to a third Party in the implementation of this MoU.
- 8.2 Notwithstanding article 9.1, if the information has been supplied by any respondent who gives notice in writing to the Statistician - General that he or she objects to the exchange of that information by the Parties, that information may not be so exchanged or shared to other Party or to any third Party.
- 8.3 Every employee of either Party engaged in any collection or to whom such statistics or information is made available, shall take oath of any confidentiality as provided for in Schedule 2 of the Statistics Act, 2011 (Act No.9 of 2011), whether or not he or she has taken an oath of confidentiality in terms of any other law.

**PARAGRAPH 9
INTELLETUAL PROPERTY**

- 9.1 The Parties acknowledge each other's intellectual property rights and undertake to one another that they will do all

things necessary to ensure that they do not make use of the other Parties' intellectual property without the prior written consent of that other Party.

- 9.2 All intellectual property rights owned by a Party prior to this MoU remain the sole property of that Party.

PARAGRAPH 10 AMENDMENTS

This MoU may be amended at any time by mutual consent of the Parties through written notice of either Party's proposed amendment to other Party.

PARAGRAPH 11 LEGAL STATUS AND VALIDITY

- 11.1 This MoU represents a statement of a mutual intention of the Parties to cooperate. It is not intended to create binding legal obligations between the Parties except the provision of Paragraphs 8,9 and 12 of this MoU.
- 11.2 This MoU does not in any way affect the validity of execution of any rights and obligations arising from the application of the law or any agreement concluded separately by the Parties.

PARAGRAPH 12 SETTLEMENT OF DISPUTES

- 12.1 Any dispute arising from the interpretation, application or implementation of this MoU will be settled amicably through negotiations or consultations between Parties.
- 12.2 In the event that a situation arises that would render impossible the normal implementation of this MoU due to

acts of force majeure, the Parties shall meet to review the situation and decide on the collective measures to be taken.

PARAGRAPH 13

COMING INTO EFFECT AND DURATION

- 13.1 This MoU becomes effective on the date of signature of the Party signing last in time.
- 13.2 This MoU will remain valid for an initial period of five (5) years and is thereafter automatically renewed for further periods of five (5) years unless terminated in accordance with the provisions of Paragraph 14.

PARAGRAPH 14

TERMINATION

This MoU remain in force until terminated by mutual consent or by either Party giving the other prior written notice of not less than six (6) months of its intention to terminate the MoU. The termination of this MoU will not affect the completion of any activities undertaken within the framework of the MoU and which may not have been completed at the time of termination and will continue to govern such activities until they are fully executed.

PARAGRAPH 15

COMPETENT AUTHORITIES

The competent authorities responsible for the implementation of this MoU will be:

- 15.1 The Office of the Statistician-General and CEO for the Namibia Statistic Agency (NSA)
- 15.2 The Office of the Chief Executive Officer for the Swakopmund Municipality.

IN WITNESS THEREOF, the undersigned, being the duly authorised representative of Parties have signed this MoU, in two (2) originals copies in English, both versions being equally authentic.

Signed at.....on this Day
of.....2019

MR. ALEX SHIMUAFENI
STATISTICIAN-GENERAL & CEO

As Witnesses:

1. _____

2. _____

Signed at..... on this.....Day
of.....2019

MR. ALFEUS BENJAMIN
CHIEF EXECUTIVE OFFICER
SWAKOPMUND MUNICIPALITY

As Witnesses:

1. _____

2. _____

11.1.9 **PROPOSAL TO REMOVE RECYCLABLE PLASTIC FROM THE SWAKOPMUND MUNICIPAL LANDFILL SITE BY MESSRS NAMGREENWOOD ENT CC**

(C/M 2019/09/26 - 17/6/1)

Ordinary Management Meeting of 12 September 2019, Addendum 8.4 page 28 refers.

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

At a Planning Forum Meeting held on 23 July 2019, under item 5.2 it was resolved:

- (a) That the presentation by Messrs NamGreenWood ENT CC be noted.
- (b) That a comprehensive submission be tabled, by the General Manager: Health Services, to the Planning Forum for consideration.

WPC is a bonded material created from wood and plastic with many similar functions of timber, but with less maintenance requirements. The plastic is put into a crushing machine and the final product is re-used again in the making of said products which is then a 100% recycled product. This final product is used to make floor decking, erect fencing, picnic tables, wall cladding and in the construction of low cost housing.

Our landfill sites are heavily impacted by the constant stream of HDPE (High Density Polyethylene) plastic waste due to the lack of end-use management, and currently a significant quantity of HDPE related products are reclaimed and diverted from disposal. HDPE is one of the easiest plastic polymers to recycle but there is no market due to the lack of recycling companies. The proposed reclaiming project will enhance community empowerment, environmental sustainability and extend the lifespan of the landfill site.

Messrs Namgreenwood Ent CC seeks Council's approval to collect HDPE recyclable plastic materials such as broken buckets, plastic toys, fuel tanks of vehicles, corrosive resistance plastic pipes, car bumpers or any HDPE product from the Swakopmund Landfill Site to be re-used for the production of other useful materials as outlined above.

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

RECOMMENDED:

- (a) That the presentation by Messrs NamGreenWood Ent CC on 23 July 2019 be noted.
- (b) That Messrs NamGreenWood Ent CC be given permission to source for recyclables (HDPE plastic) from the Swakopmund Landfill Site and that the current management of the site be informed of the same.
- (c) That they use approved reclaimers on site to reclaim the prescribed plastic materials and that the selected reclaimers be paid at least N\$1.50 per kilogram for the

prescribed materials collected and that a record be kept on recyclables collected and removed on a monthly basis.

- (d) That Messrs NamGreenWood Ent CC provides their own transport for the collection and transport of the recycled materials.
 - (e) That no broken refuse bins which are the property of Council be removed from the site without the authorization from Council.
 - (f) That Messrs NamGreenWood Ent CC indemnifies Council against any injuries, claims or losses that may be incurred by either Messrs NamGreenWood Ent CC or its clients.
 - (g) That Messrs NamGreenWood Ent CC be informed to donate furniture to parks or repair furniture at local public schools as their social responsibility.
-



NAMGREENWOOD ENT CC

TEL: +264 64 401 073
 FAX: +264 64 401 049
 info@namgreenwood.com
 admin@namgreenwood.com

OFF 4882
 NEW INDUSTRIAL AREA

P.O. BOX 1216
 SWAKOPMUND



The CEO
 Swakopmund Municipality
 Po box 53
 Swakopmund

Good day,

Thank you for taking the time to consider this document.

We would like your assistance regarding plastic products that we would like to collect from the municipal waste disposal facility in Swakopmund, the material we would like to collect are disposed of products such as broken rubbish bins, buckets, car bumpers etc. essentially all waste HDPE products. We are a business in Swakopmund called Namgreenwood that manufactures paneling, flooring decking and plastic material which are used in the manufacture of many recycled items such as park benches and picnic tables etc.

We put all the plastic into a crushing machine and the final product we re-use again in the making of said products which is then a 100% recycled product. We have a fair sized staff compliment and we look at growing this as our business grows and our product becomes more well known.

We also would like to make use of the people who are currently at the waste disposal site who make a living by searching through the everyday waste for recyclable material in order to make a living. We are in a position to pay these people N\$1.50 per kg in cash and we will collect all the plastic with our own trucks and by this we help clearing up all unwanted HDPE plastic from the waste disposal facility, at this stage there are no other companies in Erongo or in Namibia for that matter that does recycling of plastics on our scale.

Your kind consideration in this regard will be greatly appreciated.

Please do not hesitate to contact me should you like to meet in order for me to discuss in greater detail.

Kind regards
 Frank Kruger
 Namgreenwood
 064 401 073
 081 496 0422

11.1.10 **REQUEST TO HARVEST SEAWEED FROM BEACHES OF SWAKOPMUND**
(C/M 2019/09/26 - 16/1/3/2)

Ordinary Management Meeting of 12 September 2019, Addendum 8.5 page 30 refers.

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

Seaweed plays an important role in the coastal and marine ecosystems. Kelp (Sea Bamboo) forests are one of the most productive and dynamic ecosystems on Earth, with kelp often described as 'Ecosystem Engineers', as they're key habitat-forming species. Seaweed is a valuable food source for all sorts of animals, both directly and indirectly. Some graze on seaweed itself, while others feed on the organic matter that seaweed releases into coastal waters. Seaweed is also used as a habitat for animals and other marine plants. Kelp forests have been found to provide nursery grounds for commercial fish and shellfish as well as food resources for seabirds.

Seaweed is harvested worldwide primarily for the extraction of chemicals that serve as gelling and thickening agents in foods, used in medical and microbiological work. Apart from providing valuable gelling agents, seaweed is also important for direct consumption by human, animal feed supplement, as food for abalone farms, and as fertilizer.

An application was received from Messrs Hallie Investments, requesting for permission to harvest seaweed along the beaches of Swakopmund. Currently council employs people on contract to clean and remove seaweed from the beaches and dispose at the local landfill site. Messrs Hallie Investments propose to collect all seaweed washed on the beaches at no cost and transport to their plant in Swakopmund for processing and preparation for the export market. The seaweed will be exported for the extraction of gums (colloidal chemicals that are used in many industries). Furthermore Messrs Hallie Investments pledge to collect other debris like plastic bottles on the beach for recycling.

Messrs Hallie Investments has requested permission from the Ministry of Fisheries and Marine Resources (MFMR) which was granted. Seaweed can be harvested sustainably, but harvesting operations must take into account the role of seaweed as habitats, natural coastal defences and nursery grounds for other organisms in the marine ecosystems. Therefore harvesting must be restricted to collecting washed out seaweed on the beach areas and no direct harvesting from the sea will be allowed. The drying or partial drying of seaweed on site is prohibited.

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

RECOMMENDED:

- (a) That permission be granted to Messrs Hallie Investment cc to harvest seaweed from the Swakopmund beaches.
 - (b) That the supporting letter received from Ministry of Fisheries and Marine Resources, be noted.
 - (c) That Messrs Hallie Investments submit an operational plan (including for the DRC) that outlines when they will collect, where they will do the collection, how and where they will store the materials before transportation.
 - (d) That Messrs Hallie Investments indemnifies Council against accidents and injuries that might arise from the collection of seaweed on the beaches.
 - (e) That the drying and partial drying of seaweed on the beach be prohibited.
 - (f) That no direct harvesting from the sea is allowed.
-

16/1/20

Verena Buchert

From: Clive Lawrence
Sent: 15 August 2019 14:41
To: Karl Gonswek; Alfus Benjamin
CC: Annalise Swart; Clarence McKane; Verena Buchert; Paulina Engelbrecht; Denise Marais; Lydia Mutenhla
Subject: RE: Kelp Beach-casting

Dear Mr Gonswek,

Your response is noted and I wish to advise you that the matter will now be submitted to the Management Committee (12 Sept 19) for consideration.

Regards,

Clive Lawrence | General Manager: Health Services | Health Services

From: Karl Gonswek [mailto:berguella@gmail.com]
Sent: 15 August 2019 01:05 PM
To: Alfus Benjamin
CC: Clive Lawrence; Annalise Swart; Clarence McKane; Verena Buchert; Paulina Engelbrecht
Subject: Kelp Beach-casting

Dear Mr A. Benjamin: CEO

We have the pleasure to inform you that the Ministry of Environment and Tourism (MET) has given us a go-ahead for collecting seaweed from the beaches, provided we have consent from the Ministry of Fisheries, and as long as it is done in municipal areas. (See the Fisheries Letter sent to your office earlier).

Benguella Seaweed company has availed details of our project plans to your Planning Forum on 6 August at your offices. They indicated that support shall be forthcoming provided that we obtain the buy-in from MET, as attached below.

Hoping to receive your written support soon, in order to us to start the process of job creation under Local Economic Development. We need to proceed with negotiations with our investor, once all the paperwork is in place.

Regards

Mr K. Gonswek
 SE: New Business Development
 BENGUELLA SEAWEED
 Mobile: 0812561099



REPUBLIC OF NAMIBIA

MINISTRY OF ENVIRONMENT AND TOURISM

Telephone: 061 234 1111
Fax: 061 234 1111

The Minister (Deputy &
Dr. Hans-Joachim Lohse)
Private Bag 13036
Windhoek
Namibia

Enq: C. Sikopo

14 August 2019

Mr. Karl (Gowoseb)
Director
Benguela Seaweed
P. O. Box 6301
Autspanplatz

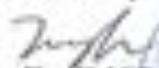
Dear Mr. (Gowoseb)

Request for a letter of support on beach-casting of seaweed

I refer to your letter dated 14 June 2019.

We advise that you obtain the consent/support letter from the Ministry of Fisheries and Marine Resources on your request. Should such consent/support letter be given, beach casting of seaweed must be limited to the municipal areas and not inside the National Parks of Dorob, Namib Naukluft, Cape Cross, Tsau Khaeb (Sperrgebiet) and Skeleton Coast.

Yours sincerely


Teofilus Nghitila
Executive Director

**"Stop the poaching of our rhinos"**

All animal conservation requests addressed to the Parliament Services



REPUBLIC OF NAMIBIA

MINISTRY OF FISHERIES AND MARINE RESOURCES

Tel: 061 205 3007
Fax: 061 224 566
Eng: M. Masrhuungirine
Ref: 11/071/03

Private Bag 13365
WINDHOEK

05 July 2019

Mr. Karl JGowoseb
Director
Benguelia Seaweed
WINDHOEK

Dear Mr. JGowoseb

SUBJECT: CONSENT LETTER: BEACH CASTED SEAWEED

I refer to your letter dated 28th May 2019 on the above stated subject.

Beach casted seaweed is material naturally removed from the sea by wave action and currents and deposited on shore. The casted material together with other debris and synthetic material used by sealers as deposited on shore become aesthetic repellent, thus local authorities are responsible for their removal.

The Ministry of Fisheries and Marine Resources supports making use of the casted items for socio-economic activities.

We have no objection for these activities to be undertaken on our beaches.

I thank you for your understanding and cooperation.

Yours sincerely

Dr. Moses Masrhuungirine
EXECUTIVE DIRECTOR



- 11.1.11 APPLICATION FOR THE REZONING OF ERF 4095, MONDESA EXTENSION 10 FROM "GENERAL RESIDENTIAL 1" WITH A DENSITY OF 1/100M² TO "SINGLE RESIDENTIAL" WITH A DENSITY OF 1:300M²
(C/M 2019/09/26 - M 4095, 19.03.02, M 4095)

Ordinary Management Meeting of 12 September 2019, Addendum 8.6 page 31 refers.

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

1. **Purpose**

The purpose of this submission is for Council to consider the application for the rezoning of Erf 4095, Mondesa Extension 10 from "General Residential 1" with a density of 1/100m² to "Single Residential" with a density of 1:300m².

2. **Introduction and Background**

An application for the rezoning of Erf 4095, Mondesa, Extension 10 from "General Residential 1" with a density of 1/100m² to "Single Residential" with a density of 1:300m² was received by the Engineering Services from Stewart Planning Town and Regional Planners on behalf of the registered owner Messrs Sewerus Harambee Investment CC. The application is attached as **Annexure A**.

3. **Locality, Zoning and Size**

Erf 4095, Mondesa, Extension 10 is situated between Rakotoka and Hilma Markus Street. The erf is zoned General Residential 1 with a density of 1:100m² and measures 2 565m² in extent.

4. **Ownership**

Erf 4095, Mondesa, Extension was transferred from the National Housing Enterprise to the Municipal Council of Swakopmund in terms of Deed of Transfer No T2607/2018 and was allocated to Sewerus Harambee Investment CC.

5. **Access and Services**

Erf 4095, Mondesa is accessed from Hilma Markus Street. Bulk services are available.

6. **Proposal**

The owner of Erf 4095, Mondesa Extension 10 intends to rezone the property from "General Residential 1" with a density of 1/100m² to "Single Residential" with a density of 1:300m² in order to subdivide the erf and create freehold titles as per the current market demands.

7. **Betterment fees**

The rezoning approval is not subject to a betterment fee because these fees are levied in order to allow the Council to carry out works for the general upkeep of infrastructure as well as increase in pressure on council's infrastructure as well as charge for the increase in the change of property value. The current zoning permits for the construction of 25 flats whilst the proposed rezoning only permits 7 dwellings. This

decrease in density deduces the potential impact on Council's service infrastructure and also reduces the value of land.

It is against this background that no betterment fee be charged for the proposed rezoning.

8. Advertisement

The proposed rezoning of Erf 4095, Mondesa Extension 10 was advertised on the 7th and 08 June 2019, in the Namib Times respectively. Two onsite notices was placed on the Erf for public comments and neighbouring property owners were notified by hand delivered letters informing them of the intent. The closing dated for objections to the proposal was 01 July 2019.

No objections were received by closing time of objection.

9. Discussion

The applicant applied to Council to rezone the erf in order to reduce the density of the erf and subdivide it in order to create freehold title as per the market demand.

The larger general residential erven in the extension are still undeveloped to date due to a general lack of demand for section title developments. In order to meet the market as well as have the erf developed, the applicant wishes to subdivide the erf into 7 portions and subsequently rezone them to single residential in order to meet the market demand.

The single residential erven within Mondesa Extension 10 are at minimum area of 450m², with a density of 1 dwelling per 300m².

10. Conclusion

The proposed rezoning is in line with the Swakopmund Town Planning Scheme and can therefore be supported.

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

RECOMMENDED:

- (a) That Erf 4095, Mondesa Extension 10 be rezoned from "General Residential" with a density of 1/100m² to "Single Residential" with a density of 1:300m².
 - (b) That the rezoning of Erf 4095, Mondesa, Extension 10 be included in the next Swakopmund Amendment Scheme.
 - (c) That no betterment fee shall be paid in terms of the Betterment Fee Policy.
-



STEWART PLANNING
TOWN & REGIONAL PLANNERS

First Floor CLA Building
84 Theo Ben Gurion Street
Wahia Bay

P.O. Box 2095
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Reference: 4095M

4 August 2019

APPLICATION TO REDONE

Rezoning of Erf 4095 Mondosa Extension 10 from "General Residential 1" with a density of 1 dwelling unit 100m² to "Single Residential" with a density of 1 dwelling unit per 300m²

Submitted by:

town Planning
GM: Engineering Services
Swakopmund Municipality
C/o Rakotoka Street &
Daniel Kamha Avenue
Swakopmund

Prepared for:

Severus Harambae CC
Reg. No. CC/2018/00921
P.O. Box 5002
Swakopmund

Prepared by:

Stewart Planning
Town & Regional Planner
First Floor CLA Building
84 Theo Ben Gurion Avenue
P.O. Box 2095
Wahia Bay

Attention: Mr J. Heiko

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ATTACHMENTS

- Annexure A: Letter dated 8 July 2019
- Annexure B: FIA Information
- Annexure C: Locality and sketch plans
- Annexure D: Notices/Adverts/Registered Mail
- Annexure E: Power of Attorney/CC Resolution
- Annexure F: Deed of Transfer No. T2607/2018



1. INTRODUCTION

This application is made on behalf of Sewerus Harambee CC to rezone Erf 4095 Mondesa Extension 10 in order to entrench a more appropriate zoning and density for the proposed subdivision. Reference is made to the resubmitted subdivision application dated 6 August 2019.

Reference is also made to the letter with reference M 4095 dated 20 June 2019 which relates to the restrictive Deed of Sale condition 7.1.3 and our letter of response dated 8 July 2019 (Annexure A).

The purpose of this application is to obtain consent from the Municipality of Swakopmund (the Council) for the following:

REZONING OF ERF 4095 MONDESA EXTENSION 10 FROM 'GENERAL RESIDENTIAL 1' WITH A DENSITY OF 1 DWELLING UNIT PER 100 M² TO 'SINGLE RESIDENTIAL' WITH A DENSITY OF 1 DWELLING UNIT PER 300 M² IN TERMS OF THE SWAKOPMUND TOWN PLANNING SCHEME

The following report will describe the site, the proposed rezoning, and the need and desirability of the application for further consideration.

2. SITE DESCRIPTION

Erf 4095 is situated between Rakotoka and an unnamed street in Mondesa Extension 10, Swakopmund. A description of the locality, size, zoning, land use, and ownership are discussed below.

2.1. Locality



Figure 1. Aerial photo of the site (in red) in relation to Mondesa in Swakopmund.



Figure 2: Aerial photo of the site (in red) in relation to adjacent streets and the urban area.

Please refer to Annexure C for the locality plan of the site.

2.2. Size, Zoning, Land Use

Erf 4095 Mondosa Extension 10 measures 2565m² in extent and is currently zoned "General Residential 1" with a density of 1 dwelling unit per 100m² in terms of the Swakopmund Town Planning Scheme. It is currently vacant land that is suitable to be subdivided/rezoned and developed for housing purposes.

A "General Residential 1" zoning permits a wide variety of land uses as listed in Table 1:

Table 1: Primary and consent uses permitted under a "General Residential 1" zoning.

ZONE	PRIMARY USE	CONSENT USE
General Residential 1	Dwelling Houses, Block of Flats, Residential Buildings, Townhouses	Place of Instruction, Place of Worship, Institutional Buildings, Bed and Breakfast, Pensions, Licensed Hotels, Resident Occupation, Residential Guest House.

The site falls outside the conservation area and is not subject to height and aesthetic appearance requirements. The site is vacant and has no historical character that needs to be retained as a heritage use.

2.3. Ownership

Erf 4095 Mondosa Extension 10 was transferred from the National Housing Enterprise to the Municipal Council of Swakopmund in terms of Deed of Transfer No. T2607/2018 (Annexure F) and was allocated to Sevenus Harambee Investment CC during August 2018. The allocation was then extended in terms of Item 11.1.5 of the Ordinary Council Meeting held on 26 February 2019.



The CC comprises of two members namely:

1. Elias Khoashe (Identity Number: 67010500991); and
2. Bernadette Khoashe (Identity Number: 67090901440).

Stewart Planning has authority to act on behalf of Severus Harambee Investment CC for the proposed subdivision and rezoning application as per attached CC Resolution and Special Power of Attorney (Annexure E).

3. PROPOSED REZONING

It is proposed to rezone Erf 4095 Mondesa Extension 10 from "General Residential 1" with a density of 1 dwelling unit per 100m² to "Single Residential" with a density of 1 dwelling unit per 300m² (see Annexure C).

This is to entrench a more appropriate zoning and density to complement the proposed subdivision as indicated in Figure 3 and Table 2.



Figure 3: Proposed subdivision and right of way access servitude.

The approximate size of the new portions will be as follow:

Table 2: Proposed subdivision and approximate size of the new portions.

ERF NO	CURRENT ZONING	AREA
Portion 1	General Residential 1 (1:100m ²)	315 m ²
Portion 2	General Residential 1 (1:100m ²)	214 m ²
Portion 3	General Residential 1 (1:100m ²)	329 m ²
Portion 4	General Residential 1 (1:100m ²)	326 m ²
Portion 5	General Residential 1 (1:100m ²)	489 m ²
Portion 6	General Residential 1 (1:100m ²)	348 m ²
Remainder Erf 4095 Mondesa Ext 10	General Residential 1 (1:100m ²)	466 m ²



The current zoning is not desirable since it will permit future owners to develop between 3 to 4 sectional units on each portion which is not intended. Therefore, it is proposed to rezone from "General Residential 1" with a density of 1 dwelling unit per 100m² to "Single Residential" with a density of 1 dwelling unit per 300m². This will restrict each portion to a single detached dwelling house only.

3.1. Parking Requirements

The owner, or successors in title, will make suitable arrangements with the Council for the provision of on-site parking in terms of the Swakopmund Town Planning Scheme.

3.2. Traffic and Access

The proposed subdivision and rezoning will reduce residential density and, therefore, decrease potential traffic generated if compared to the status quo. If not subdivided/zoned, then up to 25 dwelling units (sectional title) can be developed which will generate more traffic in comparison to 7 dwelling units (freehold title). Therefore, the reduction in potential traffic generated will be less which also means it will have a lower impact on the road network.

The site is situated between Rakotoka Street and an unnamed street on the east. Rakotoka is a no access street and this will be maintained in order to maintain good traffic flow. Therefore, all access will be taken from the unnamed internal street via a right of way servitude. No access will be taken from a main road and no portion of the subdivision is situated within 100 metres from the median of a building restriction road.

Access to each portion is shown in Figure 3 and will be as follow:

- Portions 1 and 2 will take access directly from the unnamed internal street (road reserve = 13 meters);
- Portions 3, 4, 5, and 6 will take access from the unnamed internal street (13m) via a 6.5 meter wide right of way servitude over Portion 5 and Remainder Erf 4095 Mondesa Extension 10;
- The Remainder of Erf 4095 Mondesa Extension 10 will take access directly from the unnamed internal street (13m) or via the right of way servitude.

The RCW entrance has a good sight distance of incoming traffic which will help facilitate safe traffic movement and the lower chance of an accident from happening.

In conclusion, safe and suitable access to each portion and the remainder can be achieved and the existing road network can accommodate additional traffic. The subdivision/rezoning will reduce the number of traffic generated, therefore, the impact on the road network will be lower.

3.3. Impact on Services

The reduction in residential density will also lower the impact on services such as lowering water consumption and sewerage generation (i.e. 25 dwelling units vs 7 dwelling units). Therefore, the proposed subdivision/rezoning can be supported from a service point of view.

The owner, or successors in title, will be responsible for the provision and installation of service connections to each erf, at their own cost, to the satisfaction of the Council, Eringo HED, and Telecom Namibia. Services will connect to the existing bulk network in adjacent streets.

To conclude, the proposed subdivision/rezoning will reduce the demand for water and sewerage generated and will consequently have a lower impact on services.



3.4. Advertising procedure

The rezoning was advertised for objections in the following manner (see Annexure D):

- 1) A notice appeared in the Namib Times on 7 and 14 June 2019;
- 2) Two site notices were placed on-site from 7 June to 1 July 2019;
- 3) A notice was placed on the Council's notice board from 7 June to 1 July 2019;
- 4) Adjacent owners were notified by registered mail.

The last day for objections/comments was 1 July 2019. Below are photos of the site notices.



Figure 4: Photo of site notice taken from Raamatsa Street (Date: 6 June 2019).



Figure 5: Photo of site notice taken from the unnamed street (Date: 6 June 2019).

3.5. Public feedback

No comments or objections were received by Stewart Planning during the advertising period.



4. NEED AND DESIRABILITY

Erf 4095 is a large property situated in Mondosa Extension 10 that is still developing. Almost all the "Single Residential" erven in the extension has been developed, however, the larger "General Business" and "General Residential 1" erven, including Erf 4095, have remained undeveloped to date. This is due to a general lack of demand for sectional title developments as the current market demands freehold title erven.

In order to meet the market demand for smaller erven, it is proposed to subdivide and rezone the site into smaller erven. This will help add additional erven on the market for affordable housing which is much needed for the growing community of Mondosa. The Council will benefit from this application since it will help curtail the demand for housing in the middle to low-income market.

This potential investment and development will create work in the local construction industry and stimulate the sale of building materials from retail outlets during the construction phase. This will have a direct and indirect positive impact on economic growth and employment creation which are much needed in light of the economic recession.

Further development of the site is also desirable in order to utilize land already within the urban edge of Swakopmund rather than extending the town boundaries. The site is located in a well-established community which makes it desirable for further residential development. However, the site is not situated close to amenities which warrant the need for the high residential density of 1:100m². A lower density of 1:300m² is considered more suitable since it will complement the existing residential area.

Sewena Harambee Investment CC will develop detached dwelling house(s) on Erf 4095 Mondosa Extension 10 as if the erf was already subdivided and rezoned. Therefore, the location of the houses will comply with future building lines, coverage, access etc. The CC has a private bond with ESI Shengubwa Incorporated (ESI) in order to construct building(s) of the required minimum building value and to comply with Section 7.1.3 of the Deed of Sale.

Once construction is complete, and a Completion Certificate has been issued by the GM: Engineering Services, then it is the intention to alienate the portions to ESI who are interested to purchase the property in the future. It is desirable for ESI to acquire freehold title erven rather than sectional title units in order to meet market demand.

Parallel to the construction process, it is desirable for the CC to subdivide and rezone the property at the request of ESI. The subdivision/rezoning can be favourably approved at this stage as it will take some time before approval is obtained from the Townships Board and the Surveyor General before being registered and transferred at the Deeds Office.

In any case, alienation of the portions can only occur once the Completion Certificate has been issued by the Council, therefore, the CC will (and must) comply with Section 7.1.3 of the Deed of Sale.

Therefore, the Council can favourably consider the subdivision/rezoning at this stage which can proceed simultaneously with construction in order to save time and money in the development process. It is further recommended that the Council adds a condition to the approval letter to ensure compliance with the Deed of Sale.



The end goal is to provide additional housing with freehold title which is currently more desirable on the market. The sooner that can be achieved, the better.

In summary, the proposed subdivision/rezoning can be considered favourably as the CC will simultaneously develop the property to comply with Section 7.1.3 of the Deed of Sale. The development of the property will help stimulate the construction industry, create economic growth and employment opportunities whilst meeting the market demand for freehold site areas.

5. STATUTORY/POLICY SUPPORT

The proposed subdivision/rezoning is in accordance and/or supported by the Deed of Sale, Swakopmund Town Planning Scheme, ALAN Partridge Guidelines and Town Planning Standards and Urban Design Guidelines as discussed below:

5.1. Deed of Sale Conditions

Section 7.1.3 of the Deed of Sale was briefly addressed in the previous section but is also addressed below.

Following the submission of the first subdivision application dated 3 June 2019, the Council responded in a letter dated 20 June 2019 that the subdivision cannot be considered due to the following (Annexure A):

The Erf was initially allocated to Sewerus Harambee Investment CC, who in your application intends to sell the Erf to Elio Stronquistes Incorporated. Unfortunately, in terms of section 7.1.3 of the Deed of Sale between the Municipal Council of Swakopmund and Sewerus Harambee Investment CC, the Erf may not be alienated unless a Completion Certificate has been issued by the General Manager, Engineering Services. The attached section is attached for ease of reference.

This means that should the Erf be subdivided whilst undeveloped, the newly created portions will be regarded as not complying with this condition which is registered against the title of the property.

I hope you find the above in order.

Yours faithfully

GENERAL MANAGER, ENGINEERING SERVICES

Figure 5: Extract of letter dated 20 June 2019.

A follow-up meeting was held with the Manager of Corporate Services, Mr A Piasje and colleagues from the property and town planning sections on 5 July 2019 to discuss the abovementioned letter and related issues.

At the meeting, the issues and procedure were discussed and provisional support was given for the subdivision (and rezoning) due to the following reasons:

Sewerus Harambee Investment CC has a private bond with ESI to develop or erect improvements on Erf 4085 Mondsee Extension 10 to comply with Section 7.1.3 of the Deed of Sale. The CC will develop detached houses which ESI intends to "purchase" as a completed product, so the transfer of the whole erf (or subdivided portions) will only take effect after the Completion Certificate has been issued by the GM, Engineering Services.



In addition, and parallel to the above process of development, the CC at the request of ESI, intends to subdivide and rezone the erf to change the tenure from sectional title to freehold title due to market reasons. The detached houses will be developed as if the erf was already subdivided and rezoned and will comply with future building lines, coverage, access etc.

The subdivision and rezoning process takes months to obtain approval from the relevant authorities. Therefore, whilst the CC is developing the property, it is desirable to simultaneously lodge the subdivision and rezoning so both can progress at the same time, rather than sequentially. In this way, it will make the development process quicker and financially feasible since it will save time and money.

In that regard, the GM Engineering Services can consider and approve the subdivision and rezoning since it will fully comply with Section 7.1.3 of the Deed of Sale. To protect the Council, it is recommended to impose the following condition in the subdivision approval:

- That the Registrar of Deeds be requested not to register any erf before confirmation has been received from the Municipal Council by way of receipt or completion certificate under the hand of the General Manager Engineering Services that structural improvements, of the minimum building value, have been erected on Erf 4095 Mondosa Extension 10

The above condition means that should Erf 4095 Mondosa Extension 10 remain undeveloped then final registration of the subdivision (and any transfer) cannot take place at the Deeds Office. This will prevent Erf 4095 Mondosa Extension 10 from being alienated, either directly or through subdivision unless a completion certificate has been issued.

In conclusion, both the subdivision and rezoning can be considered favourably since the CC will fully comply with Section 7.1.3 of the Deed of Sale. If not, then Erf 4095 Mondosa Extension or any subdivided portion, cannot be transferred/alienated at the Deeds Office unless a completion certificate has been issued by the Council. Therefore, the Council can favourably consider and approve the subdivision and rezoning.

5.2. Swakopmund Town Planning Scheme

Erf 4095 Mondosa Extension 10 is currently zoned "General Residential 1" with a density of 1 dwelling unit per 100m² in terms of the Swakopmund Town Planning Scheme. This zoning and density do not restrict the subdivision of the site from a legal point of view. Once subdivided, each erf will inherit the parent zoning and density (including the proposed rezoning).

Therefore, the owners of the new erven may potentially establish 3 to 4 dwelling units on each erf which is considered undesirable. It proposed to rezone to "Single Residential" with a density of 1 dwelling unit per 200m² as this will be a suitable zoning for the intended subdivision and development.

The rezoning was advertised as required in terms of the Swakopmund Town Planning Scheme and received no objections from the public, therefore, the proposed rezoning can be favourably considered.

5.3. ALAN Parhandie Guidelines

In cases where rights-of-way are proposed to replace ordinary parhandies, the width of the right-of-way shall be assessed on the same basis as ordinary parhandies. That is on the basis of the number of dwellings served and the length of the access.



The proposed right-of-way will serve 4 dwelling units and is 50 meters long. Therefore, it requires a minimum width of 6 metres in terms of the ALAN Parhandle Guidelines. The provided width is 6.5 metres and fully complies with the ALAN Parhandle guidelines.

5.4. MURD Town Planning Standards and Urban Design Guidelines

The proposed subdivision and rezoning are in accordance with the Ministerial Town Planning Standards and Urban Design Guidelines. Although the subdivision does not create any streets, the existing adjacent street widths are sufficient in size to accommodate space for pedestrians, landscaping and street furniture, vehicle parking and municipal services such as water, sewerage, electricity, communication and street lights.

The proposed rezoning is fully in accordance with the minimum 300m² plot size in Namibia. The portion sizes vary between 300m² and 470m² and are sufficient in size for housing purposes and vary in size to accommodate alternative housing developments and choices in the market.

No access is taken from a main or bypass road but rather from urban street and so no building restrictions apply. The subdivision is not situated inside a natural water course and the site is level with adjacent streets. All storm water drainage, if it rains at the coast, will form part of the street network.

The subdivision is not situated within the conservation area in terms of the Swakopmund Town Planning Scheme and complies with environmental management. No environmental clearance certificate is required for the subdivision and/or rezoning in terms of the Environmental Management Act (No. 7 of 2007).

Lastly, the subdivision/rezoning will promote order, amenity, convenience, efficiency, and economy in the process of development. Therefore, the proposed subdivision and rezoning is in accordance with the Ministerial Town Planning Standards and Urban Design Guidelines.

5.5. Endowment & Betterment

In general, endowment is levied against subdivisions and betterment is levied against rezoning applications.

These fees are levied in order to allow the Council to carry out betterment works for the general upkeep of infrastructure as the town continues to grow. It is usually levied as part of subdivision/rezoning applications that result in an increase in residential density. In some cases, local authorities do not levy endowment/betterment in order to attract investment.

The general increase in density will add pressure on the Council's infrastructure which warrants the need to levy such endowment and/or betterment. Normally subdivision and/or rezoning applications result in the increase in density, however, in this case, it will result in a sharp decrease in density.

The current zoning, "General Residential 1" with a density of 1 dwelling unit per 100m², can permit a maximum of 25 dwelling units (flats) on an erf size of 2500m². If the subdivision and rezoning are permitted, then only 7 dwelling units (detached houses) can be developed. This sharp decrease in density will significantly reduce the potential impact on the Council's service infrastructure such as water, sewerage, roads, parks, etc.

Therefore, it is recommended that no betterment fee be charged against the proposed rezoning since it will decrease density and the value of the land and so no betterment fee can be charged in terms of Ministerial Betterment Fee Policy.



6. SUMMARY

This rezoning application should be considered in conjunction with the resubmitted subdivision application dated 6 August 2019.

There are feasible reasons which make proposed subdivision/rezoning of Erf 4095 Mondsaa Extension 10 (the site) favourable as summarised below:

- Severus Hrambee Investment CC intends to subdivide and rezone the site in order to meet the market demand for smaller residential plots in Swakopmund;
- The site is zoned "General Residential 1" (1:100m²) in terms of the Swakopmund Town Planning Scheme and is large enough (2565m²) to be subdivided into 6 Portions and the Remainder;
- It is desirable to rezone the site to "Single Residential (1:300m²)" in order to incorporate a more suitable zoning and density for the proposed subdivision;
- The owner will make suitable arrangements at their own cost for the provision of service connections;
- The proposed rezoning is in accordance with the Swakopmund Town Planning Scheme, ALAN Panhandle Guidelines, and the Ministerial Town Planning Standards and Urban Design Guidelines;
- The proposed rezoning will fully comply with Section 7.1.3 of the Deed of Sale as the property will be developed simultaneously with the rezoning;
- It is recommended that no betterment fee be levied due to a reduction in density and land value.

Due to the above reasons, the Municipality of Swakopmund can favourably consider the rezoning application.

7. RECOMMENDATION

It is recommended to support the following application:

REZONING OF ERF 4095 MONDSEEA EXTENSION 10 FROM "GENERAL RESIDENTIAL 1" WITH A DENSITY OF 1 DWELLING UNIT PER 100 M² TO "SINGLE RESIDENTIAL" WITH A DENSITY OF 1 DWELLING UNIT PER 300 M² IN TERMS OF THE SWAKOPMUND TOWN PLANNING SCHEME.

It is further recommended that no betterment fee be charged since the value of the land will decrease as a result of the rezoning.

I trust the above recommendation and rezoning application meets your favourable approval. Please do not hesitate to contact me should you need additional information.

Yours faithfully,



Bruce Stewart

Registered Town & Regional Planner

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ANNEXURE A



STEWART PLANNING
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Ref: No: M 4095

8 July 2019

Chief Executive Officer
Municipality of Swakopmund
C/o Daniel Kamho Avenue &
Fakotoka Street
Swakopmund

Attention: Mr Clarence McClune
GM: Engineering Services

**SUBDIVISION OF ERF 4095 MONDESA, EXTENSION 10 INTO 6 (SIX) PORTIONS AND
THE REMAINDER: RESTRICTIVE DEED OF SALE CONDITION**

Dear Sir,

I take note of the content of your letter dated 20 June 2019 which relates to the restrictive deed of sale condition 7.1.3 of Erf 4095 Mondesa Extension 10. We held a meeting with the Manager of Corporate Services, Mr A. Pfaatje and colleagues from the property and town planning sections on 5 July 2019 to discuss the abovementioned letter and related issues.

I can confirm that Sewerus Harambee Investment CC has a private bond with ESI to develop or erect improvements on the said erf to comply with section 7.1.3 of the deed of sale. The CC will develop detached houses which ESI intends to purchase as a completed product, so the transfer of the whole erf will only take effect after the completion certificate for the detached houses has been issued by your office.

In addition, and parallel to the above process of development, the CC at the request of ESI, intends to subdivide the erf to change the type of tenure from sectional title to freehold title due to market reasons. The detached houses will be developed as if the erf was already "subdivided" and will comply with future building lines, coverage, access etc.

The subdivision process takes 6 to 10 months to obtain approval from the Council, Townships Board, and the Surveyor General before it can be registered at the Deeds Office. Therefore, whilst the CC is developing the property, it is desirable to simultaneously lodge the subdivision so that both can progress at the same time, rather than sequentially. In this way, it will make the development process quicker and financially feasible since it will save time and money.

In that regard, your office is kindly requested to reconsider and approve the subdivision since the CC will comply with deed of sale condition 7.1.3 regardless. In addition, it is recommended to impose the following condition in the subdivision approval:

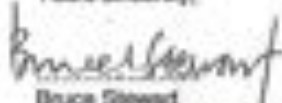
- That the Registrar of Deeds be requested not to register any erf before confirmation has been received from the Municipal Council by way of receipt or completion certificate under the hand of the General Manager: Engineering Services that structural improvements, at the minimum building value, have been erected on Erf 4095 Mondesa Extension 10.

This means that should the Erf 4095 Mondesa Extension 10 remain undeveloped then final registration of the subdivision cannot take place at the Deeds Office. This will prevent Erf 4095 Mondesa Extension 10 from being alienated, either directly or through a subdivision unless a completion certificate has been issued by your office.

Based on the above motivation and recommended condition, the Management Committee is kindly requested to reconsider and approve the subdivision of Erf 4095 Mondesa Extension 10 into 5 (six) Portions and the Remainder.

I trust the above recommendation and proposed condition is suitable for your purposes and will allow your office to favourably reconsider the proposed subdivision. I look forward to your formal response/decision on the matter, thank you.

Yours sincerely,



Bruce Stewart
Registered Town and Regional Planner



STEWART PLANNING
TOWN & REGIONAL PLANNERS
Tel: 084 290 770 | Email: bruce@sp.co.za

NB: Lastly, and not directly related to your letter, I can confirm that our office is in the process of rezoning the said erf to "Single Residential" with a density of 1 dwelling unit per 300m². The deadline for comments/objections was 1 July 2019 and our office did not receive any comments/objections during this period. Consequently, we will be submitting the rezoning application to the Council for consideration and approval as well.



MUNICIPALITY OF SWAKOPMUND

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Ref No: M 4095

Enquiries: H Kavanhu

20 June 2019

Stewart Planning Town and Regional Planners
 P O Box 2095
 Walvis Bay
 13013
 Namibia

Attention: Bruce Stewart

Dear Sir

APPLICATION FOR THE SUBDIVISION OF ERF 4095 MONDESA, EXTENSION 10 INTO 6 (SD) PORTIONS AND REMAINDER

With reference to your application dated 03 June 2019, please be advised that your request for the Subdivision of Erf 4095, Mondesa Extension 10 into 6 (sic) Portions and Remainder cannot be considered due to the following:

The Erf was initially allocated to Sewerus Harambee Investment CC, who in your application intends to sell the Erf to Ellis Shilengudwa Incorporated. Unfortunately, in terms of section 7.1.3 of the Deed of Sale between the Municipal Council of Swakopmund and Sewerus Harambee Investment CC, The Erf may not be alienated unless a Completion Certificate has been issued by the General Manager, Engineering Services. The aforesaid section is attached for ease of reference.

This means that should the Erf be subdivided whilst undeveloped, the newly created portions will be regarded as not complying with this condition which is registered against the title of the property.

I hope you find the above in order.

Yours faithfully

C McClure
GENERAL MANAGER: ENGINEERING SERVICES

H90/vb

6. EXTENT OF MUNICIPAL RATES AND CHARGES

- 6.1 Should the ERP not appear on the municipal valuation roll on the date of sale, the PURCHASER agrees to pay municipal rates levied on the purchase price as if it is a provisional valuation of the ERP, provided that any such payment is subject to amendment as soon as the valuation in accordance with the provisions of the Local Authorities Act, 1992 (Act 23 of 1992) appears on the rate valuation roll.
- 6.2 Should the improvements referred to in clause 7.4 hereof, actually erected by the PURCHASER at the ERP be greater in value than the value referred to in paragraph 4 of Annexure "A" hereto, then the SELLER shall be entitled in his sole discretion to levy rates and taxes in terms of section 73 of the Local Authorities Act, 23 of 1992 on the actual value thereof and shall not be bound to levy the rates on the minimum building value stipulated in paragraph 4 of Annexure "A" hereto.

7. ADDITIONAL CONDITIONS OF SALE

- 7.1 This sale is subject to the following conditions, whether such conditions are registered against the ERP in the Deed of Transfer or not and which shall be binding on any purchaser in-ble:
- 7.1.1 the conditions imposed or which may be imposed in terms of the provisions of the Townships and District of Land-Ordinances, No 11 of 1965, as amended;
- 7.1.2 the conditions of the Town Planning Scheme of Development, as amended; and
- 7.1.3 the condition that the ERP may not be alienated unless a completed certificate, has been issued by the General Manager, Engineering Services of the SELLER in respect of the structural improvements at the minimum value stipulated in paragraph 4 of Annexure "A". This restraint of alienation is to be registered against the title deed of the ERP. "Improved" shall be construed to mean the construction of a building or buildings designed commensurate with the use existing of the ERP.

[Handwritten signature]
CR

8

In the case of the PURCHASER being a corporate entity or a trust, "affiliate" in the context of this clause shall include the alteration of the equity in the corporate entity, or any part thereof, or the replacement of the majority business under the beneficiaries or changing the aim of the trust.

- 7.2 The PURCHASER may not commence with construction of any improvements until transfer has been effected in his / her / its name and only after building plans have been approved by the SELLER in respect of the proposed improvements.
- 7.3 The PURCHASER is obliged prior to or on the date referred to in paragraph 4 of Annexure "A" hereto, to complete the structural improvements in accordance with approved plans and specifications in terms of the SELLER'S building regulations. The building value of such structural improvements shall be at least the amount referred to in the aforementioned paragraph 4 of Annexure "A" hereto and shall hereafter be maintained at the said value. The improvement of the ERF shall not be considered completed until such time as the SELLER has issued a Completion Certificate in respect of the improvements at the ERF.
- 7.4 This sale is further subject to the terms and the conditions imposed and set out in Annexures "K" and "L" hereto which herewith shall form an integral part of this agreement.

8. OBLIGATIONS OF THE PURCHASER

- 8.1 Notwithstanding any provisions or conditions to the contrary contained herein, the SELLER shall have the right, after giving 90 (ninety) days notice in writing to the PURCHASER to do so, require that the PURCHASER shall -
- 8.1.1 completely fence in the whole circumference of the ERF and/or
- 8.1.2 stabilize the surface of the ERF to the entire satisfaction of the SELLER in order to prevent soil sand from the ERF spreading onto the surrounding properties or streets.

Handwritten initials and signatures: "LH", "RW", "AS", and a signature.


REPUBLIC OF NAMIBIA
CLOSE CORPORATIONS ACT, 1988
(Sections 12, 13, 14, 16, 17, 26, 47 and 49)
(Regulations 1, 2 and 11)

ANNEXURE B

CC 1

Founding Statement

Before filling in the form, first see notes on page 1.

REGISTRATION NUMBER OF CORPORATION <u>CC/201/800921</u>	

Full name of corporation SEWERUS BARAMBE INVESTMENT CC

Literal translation of name (if applicable) N/A

Shortened form of name (if applicable) N/A

Description of principal business SEE ATTACHED ENNEXTURE

Date of end of financial year END OF MARCH EACH YEAR

Postal address P.O BOX 5082, SWAKOPMUND
NAMIBIA

Address of registered office (not post office box) ERF 2674, OLETWENI, MONDESA, SWAKOPMUND
NAMIBIA

Name and address of accounting officer WILKKA HELEKA
P.O BOX 400
WINDHOEK, NAMIBIA

(Attach written consent to appointment)

Full name of association or body of which accounting officer is a member
SOUTHERN AFRICAN INSTITUTE FOR BUSINESS ACCOUNTANTS



Membership/Practice No. SAIBA: 1340

NOTES

1. Form CC 1 must be written in block capitals or be typewritten, lithographed or printed in legible characters with deep permanent black ink, and lodged in triplicate.
2. Where a person signs on behalf of a member, a power of attorney must be attached.
3. Minor children and other persons under legal disability must be assisted by their parents, guardians or representatives, as the case may be, and the capacity must be stated.
4. If no Identity Document has been issued, a written statement to this effect must be attached.
5. Form CC 1 which does not comply with the requirements of the Act, regulations or these notes, will be rejected.
6. Particulars to be furnished under the heading "MEMBERS":
 - (a) Full names and surnames. (If juristic person, mention name and capacity and if trustee, also mention name and particulars of testamentary trust).
 - (b) Identity number (or if no identity document has been issued, state date of birth and see par. 4 above.) (or if juristic person, mention registration number).
 - (c) Share of interest expressed as a percentage.
 - (d) Particulars of interest and fair value thereof.
 - (e) Residential address.
 - (f) Postal address.
 - (g) Signature of member or representative (where applicable).



NAME OF CORPORATION SEWERUS HARAMBEE INVESTMENT CC

REGISTRATION NUMBER

CC/2018/0021

PART C

MEMBERS TWO (2)Full names and surname ELIFAS IKHOASEB

		Year	Month	Day									
Identity number or date of birth	(i)	6	7	8	1	8	5	9	8	9	9	1	
Registration number	(ii)												

Percentage of interest 50%Particulars of contribution NI 100.00Residential address ERF 367A, OLETWENI, MONDESA
SWAKOPMUND, NAMIBIAPostal address P O BOX 5002, SWAKOPMUND
NAMIBIA

Signature of member or representative

Full names and surname BERNADETTE KIKOASEB

		Year	Month	Day								
Identity number or date of birth	(i)	6	7	0	9	0	9	0	1	4	4	0
Registration number	(ii)											

Percentage of interest 50%Particulars of contribution NI 100.00Residential address ERF 367A, OLETWENI, MONDESA, SWAKOPMUND, NAMIBIAPostal address P O BOX 5002, SWAKOPMUND
NAMIBIA

Signature of member or representative

Witness Signature

Date of signature 08 FEBRUARY 2018Full names SAARA NYULAResidential address ERF 1409, MOSSIEHOFF STREET, HOCKLAND PARK, WINDHOEK, NAMIBIABusiness address 1755, FORUM BUILDING, 11-17 FRANS BENDONGO STREET, WINDHOEK
NAMIBIAPostal address P O BOX 408, WINDHOEK, NAMIBIA

11.1.12 **TRANSFER OF FUNDS: CONVERSION OF PARKING TO GARAGES**
(C/M 2019/09/26 - D 2/1, E 1/12)

Ordinary Management Meeting of 12 September 2019, Addendum 8.8 page 77 refers.

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

Purpose

The purpose of this submission is to obtain permission to transfer funds from the 2018 / 2019 Capital Budget to the 2019 / 2020 Capital Budget.

Background

Budgetary provisions was made during the 2018 / 2019 Financial Year for the under roof parking areas into garages. The twelve (12) "Executive Parking Bays" were identified for the project. The project was budgeted under Public Buildings Vote: 302534026700 at the estimated cost of N\$200 000.00 but was not implemented, presumably, because the official responsible for implementation retired during **November 2018**.

Motivation

The conversion of parking bays is necessary for the creation of additional parking for Council's vehicles. Currently, a number of Municipal vehicles are parked in the open due to lack of lockable garages. These vehicles are exposed to harsh weather conditions, resulting in accelerated wear and tear of vehicles. The need has become more pressing than before with the purchasing of more vehicles.

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

RECOMMENDED:

That permission be granted to the General Manager: Finance to transfer the amount of N\$200 000.00 from the Conversion / Parking to Garages Vote: 302534026700 to the 2019 / 2020 Financial Year.

11.1.13 **TRANSFER OF FUNDS - CAPITAL BUDGET 2019/2020**
(C/M 2019/09/26 - 3/1/1/1)

Ordinary Management Meeting of 12 September 2019, Addendum 8.9 page 78 refers.

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

The purpose of this submission is to request Council permission to transfer funds for the "Purchasing of Patrol Vehicles" from the 2019/20 financial year.

Messrs Road Fund Administration (RFA) indicated in a letter dated **07 August 2019 (Attached)** that their books were closed off and that they will not be able to avail these funds in the current financial year. However, they proposed that the unutilized funding be incorporated into the 2020/21 and 2021/2022 budget allocations claims.

The project to purchase patrol cars for the Traffic Section was awarded to Autohaus Swakopmund and as such Purchase Orders No: 0001140998 and 0001140999 were generated in this regard on 16 August 2019. Thus a need to transfer the amount of **N\$90 000.00** from Vote 202032829300 where N\$350 000.00 is available.

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

RECOMMENDED:

That the funds budgeted for the capital projects below be transferred to the 2019 / 2020 financial year.

Description	Amount N\$	Vote Number
Long distance car radios	90 000.00	2020 230 701 00 (RFA subsidy)

11.1.14

WRITING OFF OF MAYORAL VEHICLE, N 18754 S

(C/M 2019/09/26 - 16/2/6/1)

Ordinary Management Meeting of 12 September 2019, Addendum 8.12 page 104 refers.

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

The Mercedes Benz, registration number N 18754 S was attached to the Mayor of Swakopmund since the year, 2012. However, the vehicle had mechanical issues and thus, another vehicle had to be purchased. As a result, the old Mercedes Benz as per the details provided in the table below, will no longer be needed as it is not roadworthy.

No	Registration No	Make	Color	Year Model	Odometer Reading	Fleet No
1.	N 18754S	Mercedes Benz	Black	2012	156 780 KM	YC0250

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

RESOLVED: (For Condonation by Council)

- (a) That the redundant Mayoral vehicle be written-off:

Registration No	Make	Color	Year Model	Odometer Reading	Fleet No
N 18754S	Mercedes Benz	Black	2012	156 780 KM	YC0250

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

11.1.15

SUBMISSION OF THE FURTHER AFFIRMATIVE ACTION REPORT
(C/M 2019/09/26 - B 1/10)

Ordinary Management Meeting of 12 September 2019, Addendum 9.1 page 03 refers.

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

According to the Affirmative Action Act of 1998, Sections 27(2) & 28(2) a Further Affirmative Action Report must be submitted to the Employment Equity Commissioner.

Enclosed the mentioned report, which contains the following:

1. *Non-Namibian Employees and Namibian Understudies;*
2. *Statistical Reports;*
3. *Affirmative Action Plan and Compliance Certificate;*
4. *Evaluation of Affirmative Action Plan Implemented;*
5. *Summary of Affirmative Action's Measures; and*
6. *Records of Consultative Meetings.*

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

RECOMMENDED:

- (a) That the 2019 Further Affirmative Action Report with the required attachments (on file) be forwarded to the Employment Equity Commissioner.
 - (b) That the General Manager: Corporate Services & HR outline the Affirmative Acting Profile on the organogram.
 - (c) That efforts be made during the recruitment process to implement the Affirmative Action Profile as determined in the report.
-

Form EDC 2

REPUBLIC OF NAMIBIA
EMPLOYMENT EQUITY COMMISSION
AFFIRMATIVE ACTION (EMPLOYMENT) ACT, 1998

FURTHER AFFIRMATIVE ACTION REPORT
(Sections 27 (2) & 28 (2))

The Commissioner: Employment Equity Commission

Private Bag 19005
Khoramasdal
Windhoek

This is the Further Affirmative Action Report of

SWAKOPMUND MUNICIPALITY

Attached hereto are the following documents:

1. The names of the non-Namibian employees as well approval for exemption to train Namibian understudies as Annexure "A".
2. The statistical report referred to in section 26 (1)(i) as Annexure "B".
3. One of the following: (as Annexure "C")
 - 3.1 The affirmative action plan approved as contemplated in section 32 (5). Or
 - 3.2 An amended affirmative action plan referred to in section 33.(1)(a) or (b), or
 - 3.3 A proposed amended affirmative action plan referred to in section 33.(1)(c).
4. An evaluation of the affirmative action plan implemented during the immediately preceding period as Annexure "D".
5. A statement of the specific affirmative action measures which are proposed to remedy any deficiency identified during the preceding period, as referred to in section 28.(2)(d), as Annexure "E" (if necessary).
6. The summary of affirmative action measures for the ensuing reporting period, as set out in section 28 (2)(e) as Annexure "F".
7. All other relevant records and/or documentation used to compile this report as Annexures _____ (specify). (Only documentation directly linked to the affirmative action plan, such as minutes of consultative meetings, should be included.)
8. Documents and/or information requested by the Commission as Annexures _____ (specify).

I certify that the documents and the contents are correct.

Mr A Benjamin (Chief Executive Officer)


(Signature)

26/08/19
(Date)

CONTENTS OUTLINE

ANNEXURE A	:	NON-NAMIBIAN EMPLOYEES AND NAMIBIAN UNDERSTUDIES Table 1 Non-Namibians and Understudies Table 2 Namibian Understudy Categories and Groups Table 3 Namibian Understudy Appointment and Training Form EEC4 Exemption in terms of Section 19.(4) of Act No. 29 of 1998
ANNEXURE B	:	STATISTICAL REPORTS Form EEC 2 Annexure B Table 1 Workforce Profile Table 2 Recruitment Table 3 Promotions Table 4 Terminations Table 5 Terminations (Categories) Table 6 Training Activities Table 7 Consultations Table 8 Employment Practices Table 9 (a) Numerical Goals Table 9 (b) Numerical Goals Table 9 (c) Numerical Goals Table 9 (d) Envisaged New Workforce Profile Table 10 Resources Table 11 (a) Salary Scales Table 11 (b) Salary Scales Table 11 (c) Salary Scales Table 11 (d) Salary Scales
ANNEXURE C ACHIEVE CERTIFICATE;	:	AFFIRMATIVE ACTION PLAN/MEASURES TO NUMERICAL GOALS & COMPLIANCE BRIEF OVERVIEW OF THE HISTORY, ROLE AND NATURE OF SWAKOPMUND MUNICIPALITY; AFFIRMATIVE ACTION POLICY
ANNEXURE D	:	EVALUATION REPORT ON PROGRESS; BRIEF OVERVIEW OF THE STRATEGIC DIRECTION OF AFFIRMATIVE ACTION PLAN IMPLEMENTED
ANNEXURE E	:	MEASURES TO ELIMINATE BARRIERS IDENTIFIED WITHIN THE COMPANY
ANNEXURE F	:	SUMMARY OF AFFIRMATION ACTION PLAN MEASURES
ANNEXURE G	:	RECORDS OF CONSULTATIVE MEETINGS

Annexure A

Table 1: Non-Namibian Employees and Understudy (Supply particulars of Non-Namibian employees and Names of Namibian Understudy)

No.	Non-Namibian employee (Full names)	Position held	Work Permit Number	Namibian under study (full names)
	None			

Footnotes:

1. Continue on separate paper if needed. 2. If exemption was obtained in terms of section 15(4), attach copies of certificates. 3. It is permissible to have more than one under study for each non-Namibian employee

Table 2: Namibian Understudy Categories and Groups (Indicate to which categories and groups the Namibian understudies belong.)

Job Category	Racially Disadvantaged		Racially Advantaged		Persons with disabilities		Total	
	Male	Female	Male	Female	Male	Female	Male	Female
Executive Directors	0	0	0	0	0	0	0	0
Senior Management	0	0	0	0	0	0	0	0
Middle Management	0	0	0	0	0	0	0	0
Specialised / skilled / senior supervisory	0	0	0	0	0	0	0	0
Skilled	0	0	0	0	0	0	0	0
Semi-skilled	0	0	0	0	0	0	0	0
Unskilled	0	0	0	0	0	0	0	0
Total permanent	0	0	0	0	0	0	0	0

Not applicable

Form EEC 2 – Annexure B

**REPUBLIC OF NAMIBIA
EMPLOYMENT EQUITY COMMISSION
AFFIRMATIVE ACTION (EMPLOYMENT) ACT, 1998**

**FURTHER STATISTICAL REPORT
(Sections 25, and Section 28(2)(a))**

Part 1: Employer Details

Name of Relevant Employer	:	Swakopmund Municipality
Physical Address	:	Corner of Rakotoko - and Daniel Kamho
Streets	:	
Postal Address	:	P O Box 53
	:	SWAKOPMUND
Telephone number	:	064 - 4104221
Fax	:	0888519136
E-mail address	:	mbahr@sekmun.com.na
ORGAN OF STATE	:	Yes- Local Authority

Are you voluntarily complying with this Act as set out in section 22?

No. the Municipality of Swakopmund is a relevant employer as defined in the Act.

Part 2 : Progress Report

- 2.1 Reporting period:
From 1 September 2018 to 31 August 2019.
- 2.2 How regularly do you monitor progress on the implementation of the affirmative action plan?
On a quarterly basis.
- 2.3 Did you achieve the numerical goals as set out in your affirmative action plan for this period?
Yes.
- 2.4 Did you achieve the affirmative action objectives as set out in your affirmative action plan for this period?
Yes, although some of the targeted employees resigned and some moved from one department to another, but overall we are still envisaging to reach our targets.
- 2.5 If not, what obstacles did you experience?
Not applicable.
- 2.6 If yes, what factors promoted the accomplishment of your goals and objectives?
Strategic numerical goals as forecasted.

TRAINING AND DEVELOPMENT

I. WORKSHOPS ATTENDED BY MUNICIPAL EMPLOYEE

None

II. SHORT COURSES COMPLETED

None

III. CHILD/STUDENT STUDY AID

Seventeen staff members are making use of Child study subsidy

IV. JOB ATTACHMENT/S

The following students were appointed as job attachment/internship for August 2019:-

1271	SHEYA RO	COMMUNITY DEVELOPMENT
1291	MWETAKO E	COMMUNITY DEVELOPMENT
1292	GOLIATH CI	COMMUNITY DEVELOPMENT
1263	SHANGADI LN	CORPORATE SERVICES
1289	UYIS L	CORPORATE SERVICES
1248	ZAKAMPI AP	ENGINEERING SERVICES
1264	KARITA UR	ENGINEERING SERVICES
1265	NAMWANDI A N	ENGINEERING SERVICES
1247	AMUSHILA KN	ENGINEERING SERVICES
1266	DIERGAARDT JG	ENGINEERING SERVICES
1268	JOEL S	ENGINEERING SERVICES
1270	GOASAB SR	ENGINEERING SERVICES
1269	HAIFINDE MP	ENGINEERING SERVICES
1276	KAPITA	ENGINEERING SERVICES
1229	ELADO A	ENGINEERING SERVICES
1267	DOS RAMOS UM	ENGINEERING SERVICES
1288	KAMANGA IL	FINANCE
1293	JK GAOB	ENGINEERING SERVICES
1296	BERTHA HAMBICO	CORPORATE SERVICES

V. STUDY AID APPLICATIONS FOR 2019

Ms C Mauha	- Diploma in Business Management
Ms M Sheehama	- Bachelor in Business Management
Mr L Mwikanda	- Diploma in Construction and Built Environment
Ms E Nakale	- Diploma in Paralegal
Ms E Namweya	- Bachelor in Business Management
Ms E Kazondandona	- Driver's License
Mr A A Olyn	- Bachelor's Degree in Police Practice in Traffic and Metropolitan Law Enforcement
Mr L Mwikanda	- Diploma in Construction and Built Environment
Ms I Ortrr	- Bachelor of Business & Information Admin
Mr. D Sechogele	- Postgraduate Diploma in Business Administration
Mr. D D Hamupembe	- Postgraduate Diploma in Business Administration
Mr. K Mwanangombe	- Master in Environmental Management.
Mr Irimue Vindina	- Bachelor of Accounting
Ms. A Joel	- Bachelor of Education
Mr. S Kapoli	- Driver's License
Ms. Nd Kandjengo	- Driver's license
Ms T Kandjimeena	- Driver's license
Mr. R Pakara	- Driver's License
Ms. R S Shigwedha	- Driver's License
Mr P Varerianus	- Driver's License
Mr. Kefas Karupu	- Bachelor of Commerce (BC HR) Degree
Mr. Jonas Moses	- Fire Fighting Certificate

Ms Ida Kamatui	- Bachelor of Commerce
Ms S Shilongo	- Bachelor of Public Management
Ms Kookayi	- Bachelor of Commerce
Mr MW Mejavi	- Certificate in Fire Operations and Fire Safety
Ms. L Nakwatumba	- Grade 12
Ms. DKM Khunukas	- Postgraduate Diploma in Business Management
Ms. H Mundjani	- Driver's License
Mr A N Mandume	- Driver's License

vL. STUDY AID REFUNDS FOR 2019

Ms M Sheehama	- Bachelor in Business Management
Mr. R Pakara	- Driver's License
Ms K Kookayi	- Bachelor of Commerce
Mr S Shongolo	- L3 Certificate in Fire Operations and Fire Safety

Table 7: Consultations

	YES	NO
Affirmative Action Consultative Committee	✓	
Have committee members been appointed / elected by other employees?	✓	
Trade union*	✓	
Employees from designated groups	✓	
Employees who are not from designated groups	✓	
Other (please specify) Manager: Human Resources Human Resources Practitioner (Secretary)	✓	

- * Namibian Public Workers Union

How regularly do you meet the stakeholders mentioned in Table 7?

Weekly	Monthly	Quarterly	Yearly	Other
		✓		

Table 8: Employment practices – Section 25(1)(b) (indicate in which categories of employment practices, barriers to employment equity were identified)

The Conditions of Employment and various other policies have been updated during 2019.

Categories of employment practices	Yes	No	If Yes, specify
Recruitment procedure	✓		Not pro-active enough to appoint people with disabilities
Advertising positions	✓		Focus on appointing disabled people
Selection criteria	✓		Attention be given to disabled people during shortlisting
Appointments		✓	
Job classification and grading		✓	
Remuneration and benefits	✓		Policy does not support career growth. (Years of Service/Notch increases/housing subsidy not immediately available)
Terms and conditions of employment		✓	
Job assignments		✓	
Work environment and facilities	✓		Computers not available to all
Training and development		✓	
Performance and evaluation systems		✓	
Promotions		✓	
Transfers		✓	
Demotions		✓	
Succession and experience planning		✓	Busy investigating
Disciplinary measures		✓	
Dismissals		✓	

Others (Please specify)

✓

Table 9 (a) : Numerical goals for first year (2019)

Form EEC 1 - Annexure B

(Paterson Band)	Racially Disadvantaged		Racially Advantaged		Persons with disabilities		Non-Namibian(s)		Total	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
Executive Directors (F)	0	0	0	0	0	0	0	0	0	0
Senior Management (E)	0	1	0	0	0	0	0	0	0	1
Middle Management (D)	0	1	0	0	0	0	0	0	0	1
Specialised/skilled senior supervisory (C)	1	2	0	0	0	0	0	0	1	2
Skilled (B2 - B5)	2	4	0	0	0	0	0	0	2	4
Semi-skilled (B1)	0	0	0	0	0	0	0	0	0	0
Unskilled (A)	0	1	0	0	0	0	0	0	0	1
TOTAL	3	9	0	0	0	0	0	0	3	9
Temporary workers	0	0	0	0	0	0	0	0	0	0

1. Indicate the numerical goals you have set for the end of the first year of your current AA Plan

Table 9 (b) : Numerical goals for second year (2020)

(Paterson Band)	Racially Disadvantaged		Racially Advantaged		Persons with disabilities		Non-Namibian(s)		Total	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
Executive Directors (F)	0	0	0	0	0	0	0	0	0	0
Senior Management (E)	0	1	0	0	0	0	0	0	0	1
Middle Management (D)	0	1	0	0	0	0	0	0	0	1
Specialised/skilled senior supervisory (C)	1	4	0	0	0	0	0	0	1	4
Skilled (B2 - B5)	3	5	0	0	0	0	0	0	3	5
Semi-skilled (B1)	0	0	0	0	0	0	0	0	0	0
Unskilled (A)	0	2	0	0	0	0	0	0	0	2
TOTAL	4	13	0	0	0	0	0	0	4	13
Temporary workers	0	0	0	0	0	0	0	0	0	0

1. Indicate the numerical goals you have set for the end of the first year of your current AA Plan

2. Only specify envisaged increases for job categories, not total workforce figures.

3. The numerical goals for the second year should be cumulative and include the figures mentioned as per summary of numerical goals for 2019-2021.

Table 9 (c) : Numerical goals for third year (2021)

Form EEC 1 - Annexure B

(Paterson Band)	Racially Disadvantaged		Racially Advantaged		Persons with disabilities		Non-Nambian(s)		Total	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
Executive Directors (F)	0	0	0	0	0	0	0	0	0	0
Senior Management (E)	0	2	0	0	0	0	0	0	0	2
Middle Management (D)	0	1	0	0	0	0	0	0	0	1
Specialised/skilled/senior supervisory (C)	1	4	0	0	0	0	0	0	1	4
Skilled (B2 - B5)	4	7	0	0	0	0	0	0	4	7
Semi-skilled (B1)	0	0	0	0	0	0	0	0	0	0
Unskilled (A)	0	4	0	0	0	0	0	0	0	4
TOTAL	5	18	0	0	0	0	0	0	5	18

Temporary workers	0	0	0	0	0	0	0	0	0	0
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1. Indicate the numerical goals you have set for the end of the third year of your current AA Plan
2. Only specify envisaged increases for job categories, not total workforce figures.
3. The numerical goals for the third year should be cumulative and include the figures mentioned for the first and second year (Tables 9(a) and 9(b)).

Table 9 (d) : Envisaged new Workforce Profile

(Paterson Band)	Racially Disadvantaged		Racially Advantaged		Persons with disabilities		Non-Nambian(s)		Total	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
Executive Directors (F)	0	0	0	0	0	0	0	0	0	0
Senior Management (E)	5	2	0	0	0	0	0	0	5	2
Middle Management (D)	5	3	2	1	0	0	0	0	7	4
Specialised/skilled/senior supervisory (C)	44	34	7	11	0	0	0	0	51	45
Skilled (B2 - B5)	111	41	0	2	1	0	0	0	112	43
Semi-skilled (B1)	5	0	0	0	1	0	0	0	6	0
Unskilled (A)	84	65	0	0	1	0	0	0	85	65
TOTAL	254	145	9	14	3	0	0	0	266	159

Temporary workers	0	0	0	0	0	0	0	0	0	0
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1. Indicate the total number of employees envisaged at the end of the third year in all categories for both designated and non-designated groups, based on the numerical goals you have set for your current three year Affirmative Action Plan.

Table 10: RESOURCES

(Please indicate what resources have been allocated to the implementation of affirmative action during the past year).

ALLOCATION OF RESOURCES	YES	NO
Appointed a senior employee to manage the implementation	✓	
Allocate a budget to support the implementation goals of affirmative action	✓	
Time off for affirmative action consultative committee to meet on a regular basis	✓	
Consultation and information sessions with all stake holders	✓	

Table 11 (a): Salary Scales 2018/2019

Job Category	Annual Salary Scale (minimum - maximum)	Actual Average Remuneration	Racially Disadvantaged	
			Men	Women
Executive Directors			0	0
Senior Management	704 759 - 956 973	N\$817 036.80	5	0
White Management	436 031 - 690 162	N\$572 303.60	6	3
Specialised / skilled / senior supervisory	238 823 - 410 006	N\$317 661.20	41	32
Skilled	193 996 - 248 834	N\$202 656.10	106	35
Semi-skilled	146 402 - 183 969	N\$151 729.50	5	0
Unskilled	64 767 - 150 872	N\$69 845.08	54	62
TOTAL			247	132
Casual / temporary / seasonal			26	13

** Salary of Contract Workers depends on the post grade level of the position in which they work.

Benefits

Job Category	Sick leave	Bonus	Transport allowance / vehicle allowance	Free services - meals	Free services - refuse removal	Free services - sewerage	Vacation Leave
Executive Directors	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Senior Management	120 days on full pay within a cycle of 3 years	136 cheque after a year's uninterrupted service	N\$740 366 p.a.	N\$7 062.42 p.a.	N\$ 1 344 p.a.	N\$ 4 872.00 p.a.	30 working days p.a.
White Management	120 days on full pay within a cycle of 3 years	136 cheque after a year's uninterrupted service	N\$738 560 p.a.	N\$7 062.42 p.a.	N\$ 1 344 p.a.	N\$ 4 872.00 p.a.	30 working days p.a.
Specialised / skilled / senior supervisory	120 days on full pay within a cycle of 3 years	136 cheque after a year's uninterrupted service	N\$7 800.00 p.a.	N\$7 062.42 p.a.	N\$ 1 344 p.a.	N\$ 4 872.00 p.a.	30 working days p.a.
Skilled	120 days on full pay within a cycle of 3 years	136 cheque after a year's uninterrupted service	N\$7 800.00 p.a.	N\$7 062.42 p.a.	N\$ 1 344 p.a.	N\$ 4 872.00 p.a.	30 working days p.a.
Semi-skilled	120 days on full pay within a cycle of 3 years	136 cheque after a year's uninterrupted service	N\$7 800.00 p.a.	N\$7 062.42 p.a.	N\$ 1 344 p.a.	N\$ 4 872.00 p.a.	30 working days p.a.
Unskilled	120 days on full pay within a cycle of 3 years	136 cheque after a year's uninterrupted service	N\$7 800.00 p.a.	N\$7 062.42 p.a.	N\$ 1 344 p.a.	N\$ 4 872.00 p.a.	30 working days p.a.

Housing Subsidy - A monthly amount of 41% of a staff member's basic monthly salary at the time of contract on a loan obtained from a financial institution who offer financing for the erection, improvements on, or purchase of a dwelling. Staff members who do not make use of this option, receive a housing allowance of 21% of their basic monthly salary.

Council contributes 21.7% of every staff member's salary towards his/her pension fund

Council contributes 80% of staff members' medical aid premiums

Council grants 7 days Compassionate leave per annum

Table 11 (b): Salary Scales 2018/2019

Job Category	Annual Salary Scale (minimum - maximum)	Actual Average Remuneration	Racially Advantaged	
			Men	Women
Executive Directors	N\$ - -	N\$ - -	0	0
Senior Management	704 750 - 958 973	N\$617 038.80	0	0
Middle Management	436 031 - 690 162	N\$572 203.60	1	1
Specialised / skilled / senior supervisory	238 823 - 410 008	N\$317 861.20	7	10
Skilled	163 996 - 246 834	N\$202 656.10	0	2
Semi-skilled	148 402 - 183 969	N\$161 729.50	0	0
Unskilled	64 767 - 150 822	N\$99 845.00	0	0
TOTAL			8	13
Casual temporary / seasonal	N\$ -	N\$ -	0	0

** Salary of Contract Workers depends on the post grade level of the position in which the work

Benefits							
Job Category	Sick leave	Bonus	Transport allowance/ Vehicle allowance	Free services - Travel	Free services - Office annual	Free services - coverage	Vacation leave
Executive Directors	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Senior Management	120 days on full pay within a cycle of 3 years	13% cheque after a year's uninterrupted service	N\$143 000 p.a.	N\$7 000.00 p.a.	N\$ 1 344 p.a.	N\$ 4 871.00 p.a.	30 working days p.a.
Middle Management	120 days on full pay within a cycle of 3 years	13% cheque after a year's uninterrupted service	N\$136 000 p.a.	N\$7 000.00 p.a.	N\$ 1 344 p.a.	N\$ 4 871.00 p.a.	30 working days p.a.
Specialised / skilled / senior supervisory	120 days on full pay within a cycle of 3 years	13% cheque after a year's uninterrupted service	N\$ 7 900.00 p.a.	N\$7 000.00 p.a.	N\$ 1 344 p.a.	N\$ 4 871.00 p.a.	30 working days p.a.
Skilled	120 days on full pay within a cycle of 3 years	13% cheque after a year's uninterrupted service	N\$ 7 900.00 p.a.	N\$7 000.00 p.a.	N\$ 1 344 p.a.	N\$ 4 871.00 p.a.	30 working days p.a.
Semi-skilled	120 days on full pay within a cycle of 3 years	13% cheque after a year's uninterrupted service	N\$ 7 900.00 p.a.	N\$7 000.00 p.a.	N\$ 1 344 p.a.	N\$ 4 871.00 p.a.	30 working days p.a.
Unskilled	120 days on full pay within a cycle of 3 years	13% cheque after a year's uninterrupted service	N\$ 7 900.00 p.a.	N\$7 000.00 p.a.	N\$ 1 344 p.a.	N\$ 4 871.00 p.a.	30 working days p.a.

Housing Subsidy - A monthly amount of 41% of a staff member's basic monthly salary at the time of contract on a loan obtained from a financial institution who offer financing for the erection, improvements on, or purchase of a dwelling. Staff members who do not make use of this option, receive a housing allowance of 21% of their basic monthly salary.

Council contributes 21.7% of every staff member's salary towards his/her pension fund

Council contributes 80% of staff members' medical aid premiums

Council grants 7 days Compassionate leave per annum

Table 11 (c): Salary Scales 2018/2019

Job Category	Annual Salary Scale (minimum - maximum)	Actual Average Remuneration	Persons with disabilities	
			Men	Women
Executive Directors	NS -		0	0
Senior Management	704 759 - 958 973	NS17 038.80	0	0
Middle Management	436 031 - 690 182	NS172 203.60	0	0
Specialised / skilled / senior supervisory	238 823 - 410 008	NS17 861.20	0	0
Skilled	163 996 - 246 834	NS202 696.10	1	0
Semi-skilled	146 402 - 163 959	NS101 728.50	1	0
Unskilled	64 767 - 150 822	NS99 845.08	1	0
TOTAL			3	0
Casual temporary/ seasonal	NS -	NS -	0	0

^m Salary of Contract Workers depends on the post grade level of the position in which the work

Benefits							
Job Category	Sick leave	Maternity	Transport allowance / vehicle allowance	Free services - Water	Free services - cellar rental	Free services - coverage	Vacation Leave
Executive Directors	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Senior Management	120 days on full pay within a cycle of 3 years	120 cheque after a year's uninterrupted service	NS144 988 p.a.	NS7 062.40 p.a.	NS 1 344 p.a.	NS 4 822.80 p.a.	30 working days p.a.
Middle Management	120 days on full pay within a cycle of 3 years	120 cheque after a year's uninterrupted service	NS136 000 p.a.	NS7 062.40 p.a.	NS 1 344 p.a.	NS 4 822.80 p.a.	30 working days p.a.
Specialised / skilled / senior supervisory	120 days on full pay within a cycle of 3 years	120 cheque after a year's uninterrupted service	NS 1 900.00 p.a.	NS7 062.40 p.a.	NS 1 344 p.a.	NS 4 822.80 p.a.	30 working days p.a.
Skilled	120 days on full pay within a cycle of 3 years	120 cheque after a year's uninterrupted service	NS 1 900.00 p.a.	NS7 062.40 p.a.	NS 1 344 p.a.	NS 4 822.80 p.a.	30 working days p.a.
Semi-skilled	120 days on full pay within a cycle of 3 years	120 cheque after a year's uninterrupted service	NS 1 900.00 p.a.	NS7 062.40 p.a.	NS 1 344 p.a.	NS 4 822.80 p.a.	30 working days p.a.
Unskilled	120 days on full pay within a cycle of 3 years	120 cheque after a year's uninterrupted service	NS 1 900.00 p.a.	NS7 062.40 p.a.	NS 1 344 p.a.	NS 4 822.80 p.a.	30 working days p.a.

Housing Subsidy - A monthly amount of 41% of a staff member's basic monthly salary at the time of contract on a loan obtained from a financial institution who offer financing for the erection, improvements on, or purchase of a dwelling. Staff members who do not make use of this option, receive a housing allowance of 21% of their basic monthly salary.

Council contributes 21.7% of every staff member's salary towards his/her pension fund
Council contributes 80% of staff members' medical aid premiums.

Council grants 7 days Compassionate leave per annum

Table 11 (d): Salary Scales 2018/2019

Job Category	Annual Salary Scale (minimum - maximum)	Actual Average Remuneration	Non-Mainlanders	
			Men	Women
Executive Directors	NS -	NS -	0	0
Senior Management	704 759 - 958 973	NS17 038.80	0	0
Middle Management	436 031 - 690 182	NS172 203.60	0	0
Specialised / skilled / senior supervisory	238 823 - 410 008	NS17 861.20	0	0
Skilled	163 996 - 246 834	NS202 696.10	0	0
Semi-skilled	146 402 - 163 959	NS101 728.50	0	0
Unskilled	64 767 - 150 822	NS99 845.08	0	0
TOTAL			0	0
Casual temporary/ seasonal	NS -	NS -	0	0

¹² Salary of Contract Workers depends on the post grade level of the position in which the work

Benefits							
Job Category	Sick leave	Bonus	Transport allowance/ Vehicle allowance	Free services - Water	Free services - refuse removal	Free services - sewerage	Vacation Leave
Executive Directors	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Senior Management	120 days on full pay within a cycle of 3 years	130 cheque after a year's uninterrupted service	N\$140 000 p.a.	N\$7 000.40 p.a.	N\$ 1 344 p.a.	N\$ 4 872.00 p.a.	30 working days p.a.
Middle Management	120 days on full pay within a cycle of 3 years	130 cheque after a year's uninterrupted service	N\$130 000 p.a.	N\$7 000.40 p.a.	N\$ 1 344 p.a.	N\$ 4 872.00 p.a.	30 working days p.a.
Specialised / skilled / senior supervisory	120 days on full pay within a cycle of 3 years	130 cheque after a year's uninterrupted service	N\$ 7 800.00 p.a.	N\$7 000.40 p.a.	N\$ 1 344 p.a.	N\$ 4 872.00 p.a.	30 working days p.a.
Skilled	120 days on full pay within a cycle of 3 years	130 cheque after a year's uninterrupted service	N\$ 7 800.00 p.a.	N\$7 000.40 p.a.	N\$ 1 344 p.a.	N\$ 4 872.00 p.a.	30 working days p.a.
Semi skilled	120 days on full pay within a cycle of 3 years	130 cheque after a year's uninterrupted service	N\$ 7 800.00 p.a.	N\$7 000.40 p.a.	N\$ 1 344 p.a.	N\$ 4 872.00 p.a.	24 working days p.a.
Unskilled	120 days on full pay within a cycle of 3 years	130 cheque after a year's uninterrupted service	N\$ 7 800.00 p.a.	N\$7 000.40 p.a.	N\$ 1 344 p.a.	N\$ 4 872.00 p.a.	24 working days p.a.

Housing Subsidy - A monthly amount of 41% of a staff member's basic monthly salary at the time of contract on a loan obtained from a financial institution who offer financing for the erection, improvements on, or purchase of a dwelling. Staff members who do not make use of this option, receive a housing allowance of 21% of their basic monthly salary.

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Council contributes 80% of staff members' medical aid premiums

Council grants 7 days Compensatory leave per annum

AFFIRMATIVE ACTION PLAN FOR PERIOD: 2019 TO 2021

ACTION PLANS / MEASURES TO ACHIEVE NUMERICAL GOALS FOR THE 3 YEAR AFFIRMATIVE ACTION PLAN

TIME FRAME

Strategies	Objectives	Action Steps	Target Group	Expected Outcome / Performance Indicators	Responsible Personnel	YR 2019	YR 2020	YR 2021
Collect and analyse Affirmative Action related data from all departments	Monitor the Affirmative Action Plan by using the data	Clarise and monitor progress	Line Management	To meet goals as set out in Affirmative Action Plan	AA Consultative Committee	✓	✓	✓
Have a remuneration policy in place which will not hamper career growth	Update policy by July 2019/2020	Update policy by July 2019/2020	All staff members	Have a remuneration policy in place that will encourage career growth	Human Resources	✓	✓	✓
Hold AA meeting on quarterly basis - bi-monthly meeting for 2019-2021 only	To improve on internal methods, such as advertising of vacancies, and review existing policies	* Plan meetings with Line Management * Have trade union representation on the Affirmative Action Committee * Review and monitor the Affirmative Action Plan	Affirmative Action Committee Members	To have an informed workforce	AA Consultative Committee	✓	✓	✓
Have a sound training programme	Train previously disadvantaged staff to have the required competencies to communicate in sign language	Identify needs, agree on workplace skills plan, implement plan, evaluate and revise	Previously disadvantaged staff members	Successful outcome of the training received and will continue to conduct such training yearly	General Managers & Human Resources	✓	✓	✓
Eliminate Employment Barriers: Designated Group: Disabled	Disabled people to be appointed	Advertise to read more clear in order to attract people with disabilities. Update Recruitment Policy to accommodate disabled people	Disabled people	To meet goals recommended	Chief Executive officer HR GM- Corporate Services & HR	✓	✓	✓
Equitable representation in the various Paterson Bands	To appoint suitable qualified, skilled people in the identified positions	1. Identify 2. Advertise & recruit 3. Selection	Disabled & designated groups	To meet goals set	General Manager: Corporate Services & HR	✓	✓	✓
Working environment and facilities	To provide access to computer facilities and proper toilet facilities to all staff members	Avail computer room to all. Provide toilet facilities for staff members	Those staff members not office bound	To meet goals set	Chief Executive officer, HR GM Corporate Services & HR	✓	✓	✓

Footnote - * indicates the year applicable

ANNEXURE C

Form EEI 22



REPUBLIC OF NAMIBIA

EMPLOYMENT EQUITY COMMISSION
AFFIRMATIVE ACTION (EMPLOYMENT) ACT, 1998
AFFIRMATIVE ACTION COMPLIANCE CERTIFICATE
(Section 41)

It is hereby certified that the Affirmative Action Plan of

Municipality of Swakopmund

(Name of relevant employer)

dated 17 April 2019

complies with the requirements of the Affirmative Action (Employment) Act, 1998.

This certificate is valid until the date:

1. Subject to sub-paragraph (3), that the Commission under section 32(1)(a), 36(3) or 39(7) of the Act, as the case may be, issues to the relevant employer concerned an affirmative action compliance certificate for the very next affirmative action report following on the affirmative action report for which such compliance certificate had been issued;
2. subject to sub-paragraph (3), that the review panel makes under sections 39(1)(b) or (3)(b) of the Act a final order disapproving the very next affirmative action report following on the affirmative action report for which such compliance certificate had been issued; or
3. that the relevant employer concerned fails to submit a further affirmative action report under the provisions of section 37(2) of the Act.



 Commissioner, Employment Equity Commission

OFFICE OF THE EMPLOYMENT
 EQUITY COMMISSION
 PRIVATE BAG 1000 LÜDERSBURG

17 APR 2019

TEL: 09198 FAX: 36027
 WINDHOEK

Official Stamp

17 April 2019

Date

AFFIRMATIVE ACTION

MUNICIPALITY OF SWAKOPMUND

AFFIRMATIVE ACTION POLICY

1. RATIONALE

- 1.1 **THE MUNICIPALITY OF SWAKOPMUND** believes that the achievement of world-class standards and global competitiveness will require that the skills of every individual will have to be tapped.
- 1.2 In order to ensure this, **THE MUNICIPALITY OF SWAKOPMUND** will embark on a process of social transformation to remove the barriers to the employment and advancement of all Namibians and to accelerate the training and promotion of individuals from historically disadvantaged groups (Racially disadvantaged persons, women and persons with disabilities).
- 1.3 Through the implementation of Affirmative Action programmes, **THE MUNICIPALITY OF SWAKOPMUND** will create an environment of sustainable diversity as to its competitive advantage for the future.

2. EMPLOYMENT EQUITY GOALS

- 2.1 No discriminatory practices, implicit or explicit, to exist anywhere in the Municipality.
- 2.2 All forms of sexual and racial harassment to be eliminated.
- 2.3 No barriers to exist in the workplace that unfairly restrict employment and promotion opportunities of any person.
- 2.4 An enhanced representation of currently underrepresented categories of persons, with the emphasis on racially disadvantaged persons and women, at all levels in the organisation, focused on the long-term objective of reflecting the demographics of the population.
- 2.5 An organisational culture in which diversity is encouraged and valued while focusing on shared values in order to develop team spirit, promoting mutual understanding, optimising potential and achieving organisational goals in serving the community.

3. ASSESSMENT OF CURRENT REALITY

- 3.1 All **THE SWAKOPMUND MUNICIPALITY'S** Human Resource Policies, Procedures, Practices and the Working Environment will be audited to identify barriers that adversely affect the employment opportunities and advancement of racially disadvantaged persons, women and persons with disabilities (*Human Resource Audit*).

Employment policies and practices include recruitment procedures, advertising and selection criteria, appointment processes, remuneration and other conditions of employment, job assignments, facilities, training and development, promotion, transfer, demotion, discipline and dismissals.

- 3.2 In addition, **THE SWAKOPMUND MUNICIPALITY** will conduct an **Organisational Climate Assessment** to test the perceptions of employees with regard to discrimination, barriers to advancement, and the accommodation and advancement of diversity.
- 3.3 **THE SWAKOPMUND MUNICIPALITY** will also conduct a **Demographic Profile** of its workforce in each occupational category and level, focused on each Department/Sections to determine the level of equitable representation of racially disadvantaged persons, women and persons with disabilities. The results of this Profile will result in a **Statistical Report** – to be submitted to the **Employment Equity Commission** – setting out the following with regard to the employer's workforce:
- 3.3.1 The job categories and grades or equivalents thereof of employment offered during the past twelve months to racially disadvantaged persons, women and persons with disabilities;
- 3.3.2 the representation of racially disadvantaged persons, women and persons with disabilities in each job category and grade;
- 3.3.3 the number of persons hired, promoted and whose services have been terminated in the preceding twelve months, and the representation of disadvantaged persons, women and persons with disabilities among those employees; and
- 3.3.4 the scales of salary, the number of racially disadvantaged persons, women and persons with disabilities in each such scale and the actual remuneration and other benefits of its employees.

4. **AFFIRMATIVE ACTION PLAN**

- 4.1 In order for **THE SWAKOPMUND MUNICIPALITY** to realise its employment equity goals, a detailed **Affirmative Action Plan**, which will be informed by the results of the *Assessment of the Current Reality* – the HR Audit, the Organisational Climate Assessment and the Demographic Profile of the Workforce - was developed in consultation with the various employee constituencies.
- 4.2 The **Affirmative Action Plan** will address the following:
- 4.2.1 Specifying the **Affirmative Action measures** to be instituted in order to:
- (a) Eliminate employment barriers against racially disadvantaged persons, women and persons with disabilities;
 - (b) Make available positions of employment to such persons, wherever reasonably possible; and

- (c) Ensure that such persons are equitably represented in the various positions of employment.
- 4.2.2 Setting out the affirmative action objectives that the employer expects to achieve in the form of **numerical goals** for increasing the representation of racially disadvantaged persons, women and persons with disabilities in each job category and grade in its employment.
- 4.2.3 Establishing a **timetable** for the achievement of the objectives in 4.2.2;
- 4.2.4 Setting out an **internal procedure to monitor and evaluate the Affirmative Action Plan**; and
- 4.2.5 Identifying a **senior employee** who will have overall responsibilities for the implementation of the **Affirmative Action Plan**.
- 4.3 In the Application of Affirmative Action Plans it is the intentions of **THE SWAKOPMUND MUNICIPALITY** that:
 - 4.3.1 Equality of opportunity does not contradict the necessity to appoint competent persons who are capable of meeting job requirements. **THE SWAKOPMUND MUNICIPALITY** remains committed to maintain high standards in the provision of its services and rejects all forms of tokenism and paternalism in its endeavours to achieve equity; and
 - 4.3.2 Employment Equity programmes will not unduly trample on the reasonable and legitimate interests of any individual, irrespective of race or gender.

5. PREFERENTIAL TREATMENT

- 5.1 In filling positions in the Swakopmund Municipality, the employer shall give preferential treatment to racially disadvantaged persons, women and persons with disabilities who are suitably qualified;
- 5.2 Where two or more suitably qualified racially disadvantaged, women or disabled candidates qualify for a position of employment, the Swakopmund Municipality shall give priority:
 - 5.2.1 to a candidate who is a Namibian citizen; or
 - 5.2.2 if all such candidates are Namibian citizens, the candidate who belongs to more than one of the designated groups (racially disadvantaged, women, persons with disabilities).
- 5.3 The Swakopmund Municipality shall, wherever possible, train a Namibian citizen as the under study of every non-Namibian citizen employed.

6. COMMUNICATION AND CONSULTATION

- 6.1 **THE SWAKOPMUND MUNICIPALITY** will implement this Policy with the full participation of employee organisations and structures. To this end:

- 6.1.1 An Affirmative Action Committee has been established, inclusive of the Chief Executive Officer;
 - 6.1.2 The Affirmative Action Committee serves as a consultative forum representing the interests of management, the employees and representatives from designated groups, female employees and employees with disabilities.
 - 6.1.3 The Affirmative Action Committee will oversee the *Human Resource Audit*, the *Organisational Climate Assessment*, and the *Demographic Profile* of the workforce, as well as the development of the **Affirmative Action Plan**;
 - 6.1.4 The Affirmative Action Committee will monitor the implementation and progress of the **Affirmative Action Plan**.
- 6.2 This Policy and details of the Affirmative Action Plan will be communicated to all employees in accordance with **THE SWAKOPMUND MUNICIPALITY'S** communication philosophy.

7. ROLES AND RESPONSIBILITIES

- 7.1 The ultimate responsibility for the successful implementation of the Policy remains with the Chief Executive Officer (Town Clerk).
- 7.2 General Managers/Section Heads and supervisor's will be appointed, in terms of the **Affirmative Action Plan**, to assume responsibilities for the implementation of Affirmative Action Programmes and the achievement of Numerical goals regarding the employment of racially disadvantaged persons and women.
- 7.3 Corporate Services will act as a facilitator and provide a supporting role, with specific attention for:
 - 7.3.1 advising relevant parties (General Managers and supervisors/ Representatives, etc.) on the development and implementation of policy and programmes;
 - 7.3.2 ongoing advises on issues of racial and gender sensitivity;
 - 7.3.3 mediation of conflicts arising out of the implementation of the Policy;
 - 7.3.4 facilitation of discussions at the Affirmative Action Committee; and
 - 7.3.5 evaluating and improving grievance procedures to minimise the possibility of discriminatory harassment;
 - 7.3.6 advising the Chief Executive Officer on the development of the Affirmative Action policy and Strategy;
 - 7.3.7 commissioning the performance of *Human Resource Audits* and *Organisational Climate Assessment* studies;

- 7.3.8 consolidating the results of the *Audit and Climate Assessment Studies*, facilitating feedback to the Affirmative Action Committee, and assisting in the analysis and interpretation of the information, the setting of Numerical Goals and devising appropriate **Affirmative Action Plans**;
- 7.3.9 co-ordinating the initial and annual reporting on **THE SWAKOPMUND MUNICIPALITY'S Affirmative Action Plan** to the Council and the Employment Equity Commission;
- 7.3.10 ensuring compliance by **THE SWAKOPMUND MUNICIPALITY** with all applicable legislative requirements regarding **Employment Equity and Affirmative Action**;
- 7.3.11 devising strategies and action plans to gain buy-in at all levels within **THE SWAKOPMUND MUNICIPALITY** for the Affirmative Action Policy and Strategy;
- 7.3.12 ensuring the creation and existence of the requisite capacity, including the provision of knowledge and skills to Management at all levels, to ensure the successful implementation of **THE SWAKOPMUND MUNICIPALITY'S Affirmative Action Policy and Strategy**;
- 7.3.13 devising and overseeing the implementation of appropriate Human Resource strategies, to facilitate the implementation of the **Affirmative Action Plan**; and
- 7.3.14 appointing/commissioning Consultants to assist it in the implementation of any of its responsibilities in terms of this Policy.

8. MONITORING AND EVALUATION

- 8.1 The Chief Executive Officer will be tasked with the responsibility of overseeing the effective implementation of the agreed upon **Affirmative Action Plan**.
- 8.2 General Managers/section heads and supervisors will report on the progress against the **Affirmative Action Plan** for their departments and sections to the Chief Executive Officer on a regular basis. Progress reports will also be tabled at Affirmative Action Committee meetings for discussion of progress.
- 8.3 Consolidated monitoring reports on implementation of Affirmative Action Plans within **THE SWAKOPMUND MUNICIPALITY** will be submitted to the Management Committee on an annual basis;
- 8.4 The achievement of targets, in relation to Affirmative Action programmes and Numerical Goals, in terms of the **Affirmative Action Plan**, will form part of the Key Performance Areas against which General Managers, Section Heads and Supervisors will be evaluated;
- 8.5 General Managers will also be evaluated on their ability and efforts to develop and retain their staff; and

- 8.6 **THE SWAKOPMUND MUNICIPALITY** will ensure that an appropriate Affirmative Action Report, as required by the Affirmative Action Act, containing the following is submitted to the Employment Equity Commission:
- 8.6.1 the **Statistical Report**, prepared in terms of clause 3.3 above;
 - 8.6.2 the **Affirmative Action Plan**, in terms of clause 4, above;
 - 8.6.3 a summary of the affirmative action measures, including the numerical goals for the employment of racially disadvantaged persons, women and persons with disabilities in the various job categories and grades, and any other objectives, if any, which the employer intends to implement during the ensuing reporting period; and
 - 8.6.4 the records and documents used in the preparation of the report;
 - 8.6.5 the names of every non-Namibian citizen employed together with the names of every Namibian citizen trained/being trained as the under study of each non-Namibian employee.

9. **ORGANISATIONAL CAPABILITY AND DIVERSITY**

- 9.1 The success of the Policy will be underscored by the implementation of a common value system that will be developed interactively with employees at all levels within **THE SWAKOPMUND MUNICIPALITY**.
- 9.2 An organisational culture conducive to the interests of racially disadvantaged persons and women will be developed.
- 9.3 **THE SWAKOPMUND MUNICIPALITY** will implement measures to accommodate the various cultural, religious and social interests of the person in its employ;
- 9.4 **Communication** and training programmes to promote understanding and appreciation of various cultural diversities will be implemented;
- 9.5 **All managers** will be equipped with the skills to mentor and coach the diverse composition of their staff so as to optimise the human resource potential in organisation.

10. **OUTSOURCING PRACTICES**

A committed attempt will be made by **THE SWAKOPMUND MUNICIPALITY** to source a significant amount of outside purchases of goods and services from competitive racially disadvantaged and women-owned and/or managed firms.

11. **INDEPENDENT SUPPLIERS**

THE SWAKOPMUND MUNICIPALITY will make every attempt to deal with organisations and companies which address the needs of the historically disadvantaged categories, especially racially disadvantaged persons and women, in their own policies and practices.

SUMMARY OF NUMERICAL GOALS FOR 2019 - 2021

The following numerical goals were set by the various departments whereby positions will be filled by people from the previously disadvantaged groups:

Department	2019 Year 1	2020 Year 2	2021 Year 3
Engineering Services	Clerk of Works (PDF) (B2); Manager: Water & Sewerage (PDF) (D3)	Road Maintenance Truck Driver (PDM) (B3); Superintendent: Roads (PDF) (C5); Sales Person: Nursery (PDF) (B2);	Maintenance Officer (PDM) (B3); General Worker: Parks & Gardens (PDF) (A2); Construction Compactor Operator (PDF) (B2);
Finance Services	Accountant Revenue (PDF) (C3); Accountant Remuneration (PDM) (C3); Cashiers (PDM) (new); Senior Meter Reader (PDF) (new)		Meter Reader (PDF) (B2);
Community Development Services	GM: CDS (PDF) (E2);		
Corporate Services & HR			
Health Services	Compactor Operator (PDF) (A2); Assistant Animal Control Officer (PDF) (new)	Health & Wellness Officer (PDF) (C3); Compactor Operator (PDF/PDM) (A2);	Compactor Operator (PDF/PDM) (A2); GM: HS (PDF) (E2)
Council	Procurement Officer (PDF) (New); Procurement Clerk (PDF) (New)		

- **To encouraged and recruit more Women in Managerial positions.**

The goals set are based on retirements and newly approved positions and will be handled in line with the Affirmative Action policy.

EVALUATION REPORT ON PROGRESS ACHIEVED IN THE 3 YEAR AFFIRMATIVE ACTION PLAN (REPORTING PERIOD 2019 - 2021)**1. INTRODUCTION**

Appropriate steps have been taken to ensure that placement (internal and external) was done on the basis of the individual's "qualifications" as they are directly related to the intrinsic requirements of the position. Some positions earmarked for 2019 could not be filled but recruitment process will be finalized from September 2019 until 2020.

2. NON-NAMIBIAN EMPLOYEES

No Non-Namibian is currently in the employment of Swakopmund Municipality.

3. STATISTICAL REPORT – TABLES

Targets were based on positions that would definitely be vacant as a result of retirements, resignations and new positions created. Council will attempt to appoint persons from the designated groups in the following earmarked positions:

• Embarked positions (2019):

- 1. Clerk of Works**
Previous disadvantaged Female is earmarked for this position. However recruitment are not finalised yet.
- 2. Manager: Water and Sewerage**
Previous disadvantaged Female is earmarked for this position. Recruitment process in progress.
- 3. Accountant Revenue**
Previous disadvantaged female appointed.
- 4. Accountant Remuneration**
Previous disadvantaged Male is ear marked for this position. Recruitment will commence once staff member retires.
- 5. 2x Cashiers**
Previous disadvantaged Males are earmarked for this positions. Recruitment will commence once budget is approved.
- 6. Senior Meter Reader**
Previous disadvantaged Female is ear marked for this position. Recruitment will commence once budget is approved.
- 7. General Manager: Community Development Services**
Previous disadvantaged Female is earmarked for this position. Recruitment will commence once staff member retires.

8. **Compactor Operator**
Previous disadvantaged Female is ear marked for this position. Recruitment will commence once staff member retires.
 9. **Assistant Animal Control Officer**
Previous disadvantaged Female is ear marked for this position. Recruitment will commence once budget is approved.
 10. **Procurement Officer**
Previous disadvantaged Female is ear marked for this position. Recruitment will commence once budget is approved.
 11. **Procurement Clerk**
Previous disadvantaged Female is earmarked for this position. Recruitment will commence once budget is approved.
- **Earmarked positions (2020):**
 1. **Road maintenance Truck Driver**
Previous disadvantaged Male is earmarked for this position. Recruitment will commence once staff member retires.
 2. **Superintendent Roads**
Previous disadvantaged Female is earmarked for this position. Recruitment will commence once staff member retires.
 3. **Sales Person: Nursery**
Previous disadvantaged Female is earmarked for this position. Recruitment will commence once staff member retires.
 4. **Health & Wellness Officer**
Previous disadvantaged Female is ear marked for this position. Recruitment will commence once staff member retires.
 5. **Compactor Operator**
Previous disadvantaged Female is ear marked for this position. Recruitment will commence once staff member retires.
 - **Earmarked positions (2021):**
 1. **Maintenance Official**
Previous disadvantaged Male is earmarked for this position. Recruitment will commence once staff member retires.
 2. **General Worker: Parks & Gardens**
Previous disadvantaged Female is earmarked for this position. Recruitment will commence once staff member retires.
 3. **Construction Compactor Operator**
Previous disadvantaged Female is earmarked for this position. Recruitment will commence once staff member retires.

4. **Meter Reader**
Previous disadvantaged Female is earmarked for this position. Recruitment will commence once staff member retires.
5. **Compactor Operator**
Previous disadvantaged Female is earmarked for this position. Recruitment will commence once staff member retires.
6. **General Manager: Health**
Previous disadvantaged Female is earmarked for this position. Recruitment will commence once staff member retires.

4. DESIGNATED GROUPS

- 4.1 **Racially Disadvantaged** (as indicated in Table 2 - Recruitment)
- 4.2 **Women** (as indicated in Table 2 - Recruitment)
- 4.3 **Persons with Disabilities:** The number of persons with disabilities is 3.

5. AFFIRMATIVE ACTION BUDGET

Provision was made for training of designated staff members and money was put aside for this purpose. This is also true of the recruitment and selection expenditure.

6. CONSULTATION

A new Affirmative Action Committee has been appointed for the reporting period 2019 – 2021. The Affirmative Action Committee meets on a quarterly basis. A new Affirmative Action Committee will be elected for the new reporting period 2022 – 2024).

.....
CHIEF EXECUTIVE OFFICER

.....
MANAGER: HUMAN RESOURCES

BRIEF OVERVIEW OF THE STRATEGIC DIRECTION OF SWAKOPMUND MUNICIPALITY

Since Independence (1990), policies and procedures were updated in order to correct all imbalances which existed in ensuring equitable remuneration/benefits.

During 1996 the Swakopmund Municipality adopted a vision and mission statement which is as follows:

VISION:

- To provide and maintain safe, sufficient and affordable services for residents and visitors and promote future development to the benefit of our community.

MISSION:

- React to the needs of the residents and the visitors of Swakopmund.
- Create an organizational environment that promotes learning, respect, trust, support, personal growth and productivity in order to develop effective and committed employees.
- Create policies and procedures for equal opportunity in recruitment, employment and promotion, guided by well defined Affirmative Action principles.
- Generate and efficiently deploy the necessary finances in the best interest of the town.
- Strive to maintain an accountable business orientated work ethic.
 - Accept a high degree of open communication, a participative management style and lead by example.

The Municipality of Swakopmund is thus committed to employ previously disadvantaged people.

Swakopmund Municipality has currently a total permanent staff complement of 403 and 39 Temporary Workers. Ten Council members govern the Municipality, whilst at the corporate executive level the municipality is governed by the Chief Executive Officer and five General Managers.

The Swakopmund Municipality has a Recognition Agreement with the Namibia Public Workers' Union (NAPWU) since 1997.

The municipality is a non-profitable organisation. Its aim is to provide and maintain safe, sufficient and affordable services for the residents and visitors and promote future development to the benefit of the community.

ANNEXURE E

AFFIRMATIVE ACTION PLAN FOR PERIOD: 2019 TO 2021

MEASURES TO ELIMINATE BARRIERS IDENTIFIED
WITHIN THE COMPANY

Strategies	Objectives	Action Steps	Target Group	Expected Outcome / Performance Indicators	Responsible Personnel	TIME FRAME		
						YR 2019	YR 2020	YR 2021
Adverts to read more clear to attract people with disabilities	To appoint more persons with disabilities	Adverts will be adjusted to encourage people with disabilities	Disabled people	To appoint more people with disabilities	Chief Executive Officer, General Managers & Human Resources	*	*	*
Have a remuneration policy in place which will not hamper career growth	To have such policy updated by July 2020	Update policy by July 2021	All staff members	Have a remuneration policy in place that will encourage career growth	Human Resources		*	*
Working environment and facilities	To provide access to computer facilities and proper toilet facilities to all staff members	Avail computer room to all. Provide toilet facilities for staff members	Those staff members not office bound	To meet goals set	Chief Executive Officer, General Managers & Human Resources	*	*	

Footnote - * indicates the year applicable

ANNEXURE F



SUMMARY OF AFFIRMATIVE ACTION MEASURES

1. INTRODUCTION

The measures for the Affirmative Action Plan were designed for a 3-year period. The Municipality of Swakopmund recognises that the Affirmative Action Plan will not achieve its purpose unless clear, specific, and deliverable measures are introduced and implemented forthwith.

The objects, therefore, of the Affirmative Action Measures are to expedite the Affirmative Action Plans without delay.

The Affirmative Action Measures would direct the Municipality's efforts at eliminating such affirmative action impediments or barriers as identified during the human resources audit, i.e. policies, procedures, systems, facilities, etc., and the survey on prevailing attitudes and perceptions.

2. AVAILING OF POSITIONS

Every vacant position is being advertised firstly internally whereby Council gives preferential treatment to suitably qualified persons of designated groups, whenever possible.

3. TRAINING AND DEVELOPMENT

BURSARY

The following actions were taken with regard to the bursary student.

Student	Remarks
Miss J N Awene	B.Tech Civil Engineering (specializing in waste water engineering) fourth year all moneys owed have been paid in this regard (First Semester and Second Semester)

CHILD/STUDENT STUDY AID

A total of 23 staff members are making use of the Child/Student subsidy scheme.

JOB ATTACHMENT

The following students are busy with their job attachment:-

1271	SHEYA RO	COMMUNITY DEVELOPMENT
1291	MWETAKO E	COMMUNITY DEVELOPMENT
1292	GOLIATH CI	COMMUNITY DEVELOPMENT
1263	SHANGADI LN	CORPORATE SERVICES
1289	UYS L	CORPORATE SERVICES
1248	ZAKAAPI AP	ENGINEERING SERVICES
1264	KARITA UR	ENGINEERING SERVICES

1265	NAMWANDI A N	ENGINEERING SERVICES
1247	AMUSHILA KN	ENGINEERING SERVICES
1266	DIERGAARDT JG	ENGINEERING SERVICES
1268	JOEL S	ENGINEERING SERVICES
1270	GOABAB SR	ENGINEERING SERVICES
1269	HAIPINGE MP	ENGINEERING SERVICES
1276	KAPITA	ENGINEERING SERVICES
1229	ELAGO A	ENGINEERING SERVICES
1267	DOS RAMOS UM	ENGINEERING SERVICES
1288	KAMANGA IL	FINANCE
1293	JK GAOB	ENGINEERING SERVICES
1298	BERTHA HAIMBOOI	CORPORATE SERVICES

STUDY AID APPLICATIONS (Refundable)

Ms C Mauha	- Diploma in Business Management
Ms M Sheehama	- Bachelor in Business Management
Mr L Mwikanda	- Diploma in Construction and Built Environment
Ms E Nakale	- Diploma in Paralegal
Ms E Namweya	- Bachelor in Business Management
Ms E Kazondandona	- Driver's License
Mr A A Olyn	- Bachelor's Degree in Police Practice in Traffic and Metropolitan Law Enforcement
Mr L Mwikanda	- Diploma in Construction and Build Environment
Ms I Ortner	- Bachelor of Business & Information Admin
Mr. D Sechogele	- Postgraduate Diploma in Business Administration
Mr. D D Hamupembe	- Postgraduate Diploma in Business Administration
Mr. K Mwanangombe	- Master in Environmental Management.
Mr Irimue Vindina	- Bachelor of Accounting
Ms. A Joel	- Bachelor of Education
Mr. S Kapofi	- Driver's License
Ms. Nd Kandjengo	- Driver's license
Ms T Kandjimwena	- Driver's license
Mr. R Pakara	- Driver's License
Ms. R S Shigwedha	- Driver's License
Mr P Varerianus	- Driver's License
Mr. Kefas Karupu	- Bachelor of Commerce (BC HR) Degree
Mr. Jonas Moses	- Fire Fighting Certificate
Ms Ida Kamatui	- Bachelor of Commerce
Ms S Shilongo	- Bachelor of Public Management
Ms Kookayi	- Bachelor of Commerce
Mr MW Mejavi	- Certificate in Fire Operations and Fire Safety.
Ms. L Nakwatumba	- Grade 12
Ms. DKM Khunuxas	- Postgraduate Diploma in Business Management
Ms. H Mundjangi	- Driver's License
Mr A N Mandume	- Driver's License

vi. STUDY AID REFUNDS FOR 2019

Ms M Sheehama	- Bachelor in Business Management
Mr. R Pakara	- Driver's License
Ms K Kookayi	- Bachelor of Commerce
Mr S Shongolo	- L3 Certificate in Fire Operations and Fire Safety

ANNEXURE G

MINUTES

Of an Affirmative Action Consultative Committee meeting held in the CS&HR Board Room on **Wednesday, 07 August 2019 at 08h00.**

PRESENT:

Ms A Kahuika	:	Acting Chairperson / WUR Representative
Ms R Hoases	:	Women Representative
Mr M Linge	:	Racially Disadvantaged Men Representative
Mr A Louw	:	Racially Advantage Representative
Mr A Katjivikua	:	Persons with Disabilities Representative
Ms S Kotze	:	Secretary

APOLOGIES:

Ms M Bahr	:	Chairperson / Manager: HR
Ms A Uushona	:	Women Representative
Mr A Amgabeb	:	Racially Disadvantaged Men Representative
Mr P Berendt	:	WUR Representative

ABSENT:

Mr J Iimbili	:	Persons with Disabilities Representative
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1. OPENING AND WELCOME

Ms Kahuika welcomed everyone to the meeting and thanked them for availing their time to attend the Affirmative Action Consultative Committee meetings.

2. CONFIRMATION OF MINUTES

That the Minutes of the Affirmative Action Consultative Committee meeting held on Wednesday, 5 & 12 June 2019 be noted.

3. MATTERS ARISING FROM THE MINUTES

None

4. ANNOUNCEMENTS BY THE ACTING CHAIRPERSON

Ms Kahuika stated that it's important to proceed with the scheduled meeting for the purpose of compliances with the Affirmative Action Act.

5. APPLICTIONS FOR ABSENCE OF LEAVE

Ms S Kotze - Approved

6. DISCUSSION POINTS

None

6.1 WORKFORCE PROFILE: SEPTEMBER 2018 – 1 AUGUST 2019

- (a) That the Workforce Profile for September 2018 to 1 August 2019 be noted.
 - (b) That the Workforce Profile be applied at the shortlisting level for all the vacancy that might occur.
-

6.2 RECRUITMENT: SEPTEMBER 2018 – 1 AUGUST 2019

That all recruitment that took place from 1 September 2018 to 1 August 2019 be noted.

6.3 TERMINATIONS AND TERMINATION CATEGORIES: SEPT 2018 – 1 AUGUST 2019

That all terminations that took place during September 2018 to 1 August 2019 be noted. That minor changes be done on table 5: Termination categories by changing the 0 to 2 Racially Advantaged Male that went on Retirement.

6.4 CHALLENGES OF PEOPLE WITH DISABILITIES

The following was brought under the attention of Mr A Katjivikua representing the people with disabilities:

- (a) Recruitment Policy, Qualifications required for positions and Upgrade/Promotions:
 - The concern is that with the new review of Job Descriptions and in general people with disabilities shall be left out to be upgraded or promoted to higher position as most of them do not have Grade 10 qualification.
 - (b) Office made availability for People with Disability:
 - An office space to be made available for people for disabilities to gather and discuss matters which is conducive to accommodate people with disabilities, to be amongst their own who understands them and to feel free to share ideas/views.
 - (c) Complaints / Improvements:
 - That the complaints addressed by the People with Disabilities be adhere to as well as the implementations thereof.
 - (d) Houses for People with Disabilities:
 - That when houses are made available to staff members, People with Disabilities be receiving preference and that the houses be built in such a way to be user friendly for People with Disabilities, eg. Rails at toilets or ramps for the wheel chair.
-

6.5 RANKS OF TRAFFIC OFFICERS

This matter shall be parked till the next AA committee meeting.

6.6 HOUSING SUBSIDY

The matter was raised at the previous AA meeting and the feedback was received from the Ministry's Housing Allowance Policy stating the following:

6.4.1 The basic principal is that both spouses working in the Public Service may separately and in their individual right receive the Housing Allowance. However, in order to qualify for the Housing Allowance a staff member may not be participating in any of the existing housing assistance schemes mentioned in paragraph 5.1. Should anyone of the spouses wish to receive the Housing Allowance, he/she must withdraw in writing from participation in the relevant scheme. A staff member must therefore not receive two benefits for the same purpose.

A submission shall be submitted regarding this matter to Senior Management Meeting during the month of September 2019.

6.7 HEALTH & SAFETY POLICY

The Health & Safety Policy of Council is receiving the necessary attention and is in progress and under review.

7. GENERAL

The Acting Chairperson thanked all the members for their input during meeting.

The next Affirmative Action Consultative Committee meeting will take place on Wednesday, 09 October 2019.

The meeting adjourned at 09:30.

Minutes confirmed by:

A Kahulika
ACTING CHAIRPERSON/ WUR Representative Signature: AA Committee
Member

/sk

MINUTES

Of an Affirmative Action Consultative Committee meeting held in the CS&HR Board Room on Wednesday, 05 June 2019 at 08h00 & continuation meeting held on Wednesday, 12 June 2019.

PRESENT:

Ms M Bahr	:	Chairperson / Manager: Human Resources
Ms A Uushona	:	Women Representative
Mr A Amgabeb	:	Racially Disadvantaged Men Representative
Mr M Linge	:	Racially Disadvantaged Men Representative
Mr A Louw	:	Racially Advantage Representative
Ms A Kahuika	:	WUR Representative
Ms S Kotze	:	Secretary

ABSENT:

Ms R Hoases	:	Women Representative
Mr J Jimbili	:	Persons with Disabilities Representative
Mr P Berendt	:	WUR Representative

2. OPENING AND WELCOME

Ms Bahr welcomed everyone to the meeting and thanked them for availing their time to attend the Affirmative Action Consultative Committee meetings.

2. CONFIRMATION OF MINUTES

That the Minutes of the Affirmative Action Consultative Committee meeting held on Wednesday, 2 April 2019 be noted.

3. MATTERS ARISING FROM THE MINUTES

None.

4. ANNOUNCEMENTS BY THE CHAIRPERSON

Ms Bahr stated that the discussion points on the Agenda be discussed but a follow up meeting be arranged next week for more details / feedback.

5. APPLICATIONS FOR ABSENCE OF LEAVE

Mr A Louw - Approved

6. DISCUSSION POINTS**6.1 WORKFORCE PROFILE: SEPTEMBER 2018 – 1 JUNE 2019**

(c) That the Workforce Profile for September 2018 to 1 June 2019 be noted.

- (d) That the Workforce Profile be applied at the shortlisting level for all the vacancy that might occur.
- (e) Mr A Louw was assigned to provide the meeting with a statistical demograph on the workforce profile.

6.2 RECRUITMENT: SEPTEMBER 2018 – 1 JUNE 2019

That all recruitment that took place from 1 September 2018 to 1 June 2019 be noted.

6.3 TERMINATIONS AND TERMINATION CATEGORIES: SEPT 2018 – 1 JUNE 2019

That all terminations that took place during September 2018 to 1 June 2019 be noted.

6.4 OUTREACH TO PEOPLE WITH DISABILITIES

That Council considers to identify the vacant positions and to reserve them for suitably qualified people with disabilities. Ms Kahuika did a follow up with the local offices and will be furnished with more information by means of a list of disabilities and what is regarded as a disability. The matter will be addressed or submitted to Council once the new structure is in place and approved.

6.7 RANKS OF TRAFFIC OFFICERS

Research was done to compare the ranks of Traffic Officers to Walvis Bay Municipality Traffic Officers and City Police (City of Windhoek), both were found to be in-line with Swakopmund Municipality Traffic Officers. Mr Linge told the meeting that there are two sections at City of Windhoek, that is the City Police and Traffic Officer section. With the assistance of Ms Kahuika and letter from Ms Bahr addressed to the HR Executive at City of Windhoek we might be able to be assisted with more information as it is a challenge to receive assistance from City of Windhoek officials via email.

6.8 PROBATION PERIOD OF D-BAND STAFF

HR did research regarding probation periods to compare with Council's conditions of service policy of durations of probation periods in different Paterson Bands, but the Labour Act is silent. Ms Kahuika volunteers to assist to do more research on this matter and will provide feedback at the next meeting.

6.9 HOUSING SUBSIDY

The matter was raised by the Committee members regarding the disadvantage of married staff members by Council's Housing Policy in terms of staff members both employed at Council that got married where only one of the them qualifies for the 41% housing subsidy, while the other staff member shall qualifies for 21% housing allowance only. Mr Linge & Ms Kahuika will provide feedback to the next meeting. The follow up meeting revealed that no information was available and is still pending till the next meeting. This matter shall also be dealt with by means of a submission to Council for consideration.

6.10 HEALTH & SAFETY POLICY

The Health & Safety Policy of Council is a concern and was raised at previous year's AA meetings according to Mr Amgabeb. The implementation of the policy, the regular follow ups with nominated safety representatives in the work places are not being done by the relevant department/section. Mr Amgabeb was assigned to do a follow up and provide feedback at the next meeting. At the follow up meeting it was decided that this Policy is of great concern and it was agreed upon that HR will in conjunction with the Health Services Department review the policy as soon as possible as it is outdated.

7. GENERAL

The Chairperson thanked all the members for a constructive meeting.

The next Affirmative Action Consultative Committee meeting will take place on Tuesday, 6 August 2019.

The meeting adjourned at 10:00.

Minutes confirmed by:

M Bahr
CHAIRPERSON/MANAGER: UMAN RESOURCE PRACTITIONER

Signature:
AA Committee Member

AA

MINUTES

Of an Affirmative Action Consultative Committee meeting held in the CSHR Board Room on Tuesday, 02 April 2019 at 08h00.

PRESENT:

Ms S Kotze	:	Acting Chairperson / Human Resources Practitioner
Ms R Hoaes	:	Women Representative
Mr A Amgabeb	:	Racially Disadvantaged Men Representative
Mr M Linge	:	Racially Disadvantaged Men Representative
Mr A Louw	:	Racially Advantage Representative
Ms A Kahuika	:	WUR Representative
Mr P Berendt	:	WUR Representative

ABSENT:

Ms A Uushona	:	Women Representative
Mr J Jimbili	:	Persons with Disabilities Representative
Mr A Katjivikua	:	Persons with Disabilities Representative

3. OPENING AND WELCOME

Ms Kotze welcomed everyone to the meeting and thanked them for availing their time to attend the Affirmative Action Consultative Committee meetings.

2. CONFIRMATION OF MINUTES

That the Minutes of the Affirmative Action Consultative Committee meeting held on 19 September 2018 be noted.

3. MATTERS ARISING FROM THE MINUTES

None.

4. ANNOUNCEMENTS BY THE CHAIRPERSON

Ms Kotze stated that the main focus of the meeting is to determine the Affirmative Action numerical goals for 2019-2021 as well as the employment barriers and remedial measures to be implemented. Ms S Kotze informed the meeting that Ms M Bahr apologized for not being able to attend the meeting.

5. APPLICATIONS FOR ABSENCE OF LEAVE

Ms M Bahr - Approved

6. DISCUSSION POINTS6.1 THE AFFIRMATIVE ACTION NUMERICAL GOALS FOR 2019 - 2021

- (a) That the few identified positions be changed to incorporate all the Affirmative Action categories.
- (b) That the HR Section circulates all the organogram to the members in order for the members to study / analyze and incorporate the affirmative action numerical goals on the current organogram, should a vacancy occur.

6.3 WORKFORCE PROFILE: SEPTEMBER 2018 - MARCH 2019

- (f) That the Workforce Profile for September 2016 to March 2017 be noted.
- (g) That the Workforce Profile be applied at the shortlisting level for all the vacancy that might occur.

6.4 RECRUITMENT: SEPTEMBER 2018 - MARCH 2019

That all recruitment that took place from 1 September 2018 to 31 March 2019 be noted.

6.5 TERMINATIONS AND TERMINATION CATEGORIES: SEPT 2018 - MARCH 2019

That all terminations that took place during September 2018 to March 2019 be noted.

6.6 REPRESENTATION OF AFFIRMATIVE ACTION CONSULTATIVE COMMITTEE ON RECRUITMENT AND BENEFITS COMMITTEES

That the Affirmative Action Consultative Committee be accorded representation on all the committees dealing with employment benefits and recruitment in order to ensure that the implementation of the provisions of the Affirmative Action Act are adhered to.

6.7 PLANS TO ILLIMINATE BARRIERS IDENTIFIED IN THE AA REPORT

That the following identified employment practices and barriers to employment be noted and the plans be put in place to eliminate these barriers:

Categories of employment practices	Yes	if Yes, specify	Action plan
------------------------------------	-----	-----------------	-------------

Advertising Positions	✓	Focus on appointing people with disabilities	<ul style="list-style-type: none"> Send advertisement to the National Disability Council of Namibia
Selection Criteria	✓	Attention be given to all affirmative action categories during the recruitment process	<ul style="list-style-type: none"> Suitably qualified local residents should be given preference. Voters card to be used as proof.
Remuneration and Benefits	✓	Housing subsidy not immediately available, but approval of loan was done based on the 41% housing subsidy. Only one of spouse working for the Municipality are allowed to receive the 41% housing subsidy	<ul style="list-style-type: none"> The housing policy to be re-visit and to compare with other Municipalities.
Work Environment and Facilities	✓	Computers not available to all. Unsafe workplace - no toilet facilities available to all	<ul style="list-style-type: none"> Safety within the workplace is of utmost importance. <p>PLANS REGARDING THE SAFETY ASPECT:</p> <ul style="list-style-type: none"> Establish a Health and Safety Committee in terms of the provisions of the Labour Act. Provide cessation allowance to field workers.
Promotions	✓	Not in place	To re-visit for possible policy
Disciplinary Measures	✓		<ul style="list-style-type: none"> Apply affirmative action consideration when dealing with disciplinary matters. The main purpose of the Disciplinary Policy should be to correct behaviour and not to punish the employees.

- That the adverts for vacant positions reached the institution of people with disabilities and that proof be attached to every shortlisting report to demonstrate that indeed an advert has been circulated to all the relevant bodies, including the Ministry of Labour.
- That it be identified by the employer to identify the vacant positions and possible to reserve them for suitably qualified people with disability.
- That the Traffic Officers be ranked and comparisons with Municipality of Walvis Bay and City of Windhoek needs to be done.
- That the probation period of the D-Band employees be re-visited and be aligned with the Labour Act.

7. GENERAL

The Chairperson thanked all the members for a constructive meeting.

The next Affirmative Action Consultative Committee meeting will take place bi-monthly (every second month).

The meeting adjourned at 10:00.

Minutes confirmed by:

S Kotze
ACTING CHAIRPERSON/HUMAN RESOURCE PRACTITIONER
Committee Member

Signature:
AA

/sk