

MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Thursday, 25 April 2019 at 19:15.**

PRESENT:

Councillor M Elago	:	Deputy Mayor
Councillor K N Jason	:	Alternate Chairperson of MC
Councillor A M Marsh	:	Member of Management Committee
Councillor W O Groenewald	:	Alternate Member of MC
Councillor U Kaapehi	:	Member of Council
Alderman E //Khoaseb	:	Member of Council

OFFICIALS:

Mr A Benjamin	:	Chief Executive Officer
Mr M N Ipinge	:	GM: Community Development Services
Mr M P C Swarts	:	GM: Corporate Services & HR
Mr C McClune	:	GM: Engineering Services
Mr H !Naruseb	:	GM: Finance
Ms L Mutenda	:	Acting GM: Health
Ms M Bahr	:	Manager: Human Resources
Mr A Plaatjie	:	Manager: Corporate Services
Mr V S Kaulinge	:	Manager: Community Development Services
Mr J Heita	:	Manager: Town Planning
Ms A Gebhardt	:	Corporate Officer: M & C
Ms L Shangadi	:	Job Attachment Student: M & C
Ms W Kauripeke	:	Switchboard Operator

ALSO PRESENT:

Also present was the Constituency Councillor, Honourable Juuso Kambueshe, five (5) members of the Media, Twenty Three (23) Members of the public.

1. **OPENING BY PRAYER**

Honourable Juuso Kambueshe opened the meeting with a prayer.

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

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

RESOLVED:

That the agenda be adopted.

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

3.1 Application for leave of absence:

Councillor P Nashilundo
Councillor E Shitana
Councillor E K Hangula
Councillor N N Salomon

3.2 Declaration of interest:

None

4. **CONFIRMATION OF MINUTES**

(C/M 2019/04/25 - A 2/3/5)

4.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 28 MARCH 2019**

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

RESOLVED:

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

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

(C/M 2019/04/25 - A 2/3/5)

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

Council Meeting 25 April 2019

Honourable Councillors, Pastor Bamm, The Chief Executive Officer, Mr Alfeus Benjamin, General Managers, Managers, Officials, Junior Town Council, Members of the Community, Members of the Media, Ladies and Gentlemen

All Protocol observed

A very good evening, and welcome to our April Council meeting. Before I proceed with my speech please allow me to quote from the Frontline leader by Saki T. Nikodemus:-

“All true leaders depend totally on God for guidance, direction and inspiration “.

Honorable Councillors, Ladies and Gentlemen

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

- Meeting with Abisai Theofilus, community member on behalf of Built Together Beneficiaries.*
- Meeting with Schackdwellers Federation & Committee*
- Ms N P Davids – Rahab Investment*
- Budget Presentation at Erongo Regional Council*
- Funeral of the late Ondonga King Immanuel Kauluma Elifas in Oniipa was represented by some of the Councillors*
- Various internal administrative meetings*
- Crayfish Festival currently attended by the Mayor & Chairperson of Management Committee*
- This coming weekend the Nkurenkuru Gala Dinner & Expo will be attended by myself and the Councillor Ngwena*

Ladies and Gentlemen

On behalf of the Community of Swakopmund, I offer my deepest sympathy to the two citizens of Swakopmund, who was shot in the wake of the Easter Weekend and was brutally murdered at their work place in Arandis, our neighbouring town.

During 2009 the Federal Republic of Germany awarded the Cross of Order of Merit to Mr Eckhart Mueller, the honour bestowed on him was a true and fair reflection of the person who fully deserves this award and he showed the same commitment towards Swakopmund. Late Mr Mueller also formed part of the C.H.A.I.N board, a

person who really cared for the handicapped children of our community. Late Mr Mueller is a well know public figure in education. Education was his passion, the same passion and commitment he had for all the community members, young and old. Late Mr Mueller served on various advisory committees for Council in the past. One of the committees has been the committee to establish the Swakopmund Memorial Park; he was the vehicle who encouraged the previous Council to establish the well-known and established Swakopmund Memorial Park next to the Swakop River bed.

As Deputy Mayor of Swakopmund, I condemn this cowardly, hateful and senseless act of shooting that took innocent lives. May the Namibian Police be successful and bring the person who did such meaningless crime be brought to justice. This tragedy hits home, as the two victims, Late Mr Eckhart Mueller and Late Mr Heimo Hellwig lived in Swakopmund and Late Mr Hellwig used to be a staff member of Swakopmund Municipality many years ago and used to work at Council's vehicular workshop.

Swakopmund is committed to fostering diversity, understanding and mutual respect. One of our greatest strengths is tolerance and acceptance. Ours is a community that is welcoming, inclusive and compassionate. We continue to reach out with love, concern and prayers for Mr Eckhart Mueller and Mr Heimo Hellwig family.

Our thoughts and prayers are with both of them who were killed and with the families and friends that are affected. May their souls rest in eternal peace.

Ladies and Gentlemen

The Volunteers Beach Ambassador Program is one part of our pronged approach to furthering our mission of promoting our beach conservation through education and awareness during high festive seasons.

Volunteer Beach Ambassadors, being appointed High School Learners acting as beach ambassadors, wearing visible t-shirts, interact with the public in a positive and friendly way, while they're on the beach, stationed at beach areas. By wearing a t-shirt, the public knows to know that they can approach them with their questions about beach cleaning.

What does it take to be a Volunteer Beach Ambassador? A willingness to help people, and a desire to be a part of a positive presence on and off the beach.

Swakopmund's Beach Ambassadors have the following responsibilities:-

- Encourage visitors to the beach to keep our beaches clean.
- Monitor and Control demarcated areas on the beach.
- Minimize/prevent the illegal dumping of waste.
- Promote a clean and healthy environment.

We encourage our community and tourist the support Council Beach Ambassador programme in beach conservation through-out the year.

Ladies and Gentlemen

Tonight, Swakopmund Municipality's annual budget for 2019/2020 will be tabled. For the 2019/2020 financial year, a proposed amount of N\$237 million has been allocated for capital expenditure.

The budget of this municipality, and is an expression of the objectives of the Swakopmund Council in quantifiable outcomes that will be implemented by the administration for the 2019/2020 financial period.

This budget provides the detail of the funded commitments of the Municipality to deliver on projects and other initiatives, to ultimately improve the lives of all in Swakopmund. The Alternate Chairperson of Management Committee, Councillor Kleopas Nwgena will cover the proposed budget in more detail shortly after the announcements

What we are tabling today will require the public's input, because as an open, transparent and accountable Local Authority, we work together with our residents.

The budget takes into account the fiscal pressures facing government and residents and reflects the need to continue delivering effective services as well as to improve efficiencies so as to not put undue financial pressure on our residents. The budget attempts to deliver on our responsibilities to Swakopmund's poorest residents, ensuring that funding is available for the delivery of the services that our residents deserve and respecting our ratepayers whose contributions we cannot do without.

This is an enabling budget; enabling in terms of creating the environment where job creation can continue, where housing is delivered, and where we deliver services so that our residents can call it home, their own property what they enjoy, their neighbourhoods, and the places where they relax and where they work.

Housing delivery remains a top priority of this administration as reflected in this year's budget.

Ladies and Gentlemen

There is often a lot of focus on the new infrastructure that we are delivering, and we continue to deliver in this regard, but it is equally important that we also ensure the optimal maintenance of existing infrastructure and that we play our part to protect it from vandalism.

We encourage communities to engage in helping to play their part too in protecting this infrastructure so that our limited resources are not unnecessarily diverted and to ensure that all communities have access to high quality and functional infrastructure.

In conclusion, I want to emphasize that the budget presented this evening is focused on and committed to directing resources where they are needed most and where they will have the biggest impact, so that we can continue to make progress possible together.

Ladies and Gentlemen

Crime and grime go hand-in-hand and create an unsafe environment for communities across the whole of Swakopmund. While education, skills development and job creation remain the fundamental means through which we can increase safety, we unfortunately also need to pick up the slack from the under-resourcing of Nampol.

I must take this opportunity to say a special thank you to the neighbourhood watch members across this town, who volunteer their time to help keep our communities safe and act as a critical force multiplier. They do this, often after a long day of work, and at night into the early hours of the morning. We hosted an awards ceremony over the weekend to honour their selfless dedication and I was truly humbled to see how many of our residents are playing their part to keep their neighbourhoods safe.

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

6.1 Long Service Awards

Ladies and Gentlemen
Long Service Awards

We acknowledge the following staff members and present them with long service awards, we equally want to thank them for their time and contributions to develop this Municipality and transform it into what it is today. The municipality will never forget what a wonderful job each one of you did and continue to do.

The staff members are as follows:

15 YEARS SERVICE

Sanfriedt Tjiurutue

⇒ 1 April 2004

Ladies & Gentlemen

I thank you for your undivided attention this evening and may our deliberations be fruitful.

Maria Elago

DEPUTY MAYOR

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 APRIL 2019**

10. Minutes of **Ordinary Management Committee** meeting held on **11 April 2019**.

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**

11.1 **ORDINARY AND SPECIAL MANAGEMENT COMMITTEE MEETINGS HELD DURING APRIL 2019**

11.1.1 **CANCELLATION CONFIRMATION: ERF 356, EXTENSION 1, MILE 4**

(C/M 2019/04/25 - M 4 E 356)

RESOLVED:

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

11.1.2 **MR AND MS N & J HANGULA: APPLICATION TO PURCHASE THE REMAINDER OF A STREET LOCATED ON THE CORNER OF ERF 358, MILE 4 AND TO CONSOLIDATE IT WITH ERF 358, MILE 4**

(C/M 2019/04/25 - M 4 E358, 19/03/09)

RESOLVED:

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

- (i) *Sight distance will not be sufficient***
 - (ii) *Insufficient sight distance may hamper vehicular and pedestrian safety.***
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11.1.3 **SALE OF 14 DECEMBER 2018: CANCELLATIONS BY THE PURCHASERS**

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

RESOLVED:

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

	<i>Erf No</i>	<i>Purchaser</i>	<i>Purchase Price</i>	<i>Annexure</i>
1	4914	Mr G E Meyer	N\$641 900.00	"A"
2	4915	Ms M De Lange	N\$630 090.00	"B"
3	4923	Ms H W Meyer	N\$673 900.00	"C"

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

Current wording:

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

Amended wording:

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

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

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

RESOLVED:

- (a) That Council approves the sale of Erf 1802, Mondesa for the land and building as "voetstoots" at an average purchase price of N\$1 381.00/m² x 1 439m² = N\$1 987 525.00 (15% VAT excluded) to Mr Paulus Jonas.
- (b) That Mr Paulus Jonas confirms in writing the acceptance of the purchase price whereafter the sale be advertised as required in terms of the Local Authorities Act, Act 23 of 1992, as amended, at his cost.
- (c) That the purchaser be responsible for the rezoning of Erf 1802, Mondesa from "*Institutional*" to "*Local Business*".
- (d) That the sale be subject to Council's standard conditions of sale by private treaty:
- (i) *That the purchaser pays a deposit of N\$10 000.00 towards the statutory costs relating to the transaction including, but not limited to advertising cost, compilation of the agreement of sale, rezoning as well as any legal costs that may arise from this transaction.*

- (ii) *That the above deposit be paid within 90 days from the Council resolution approving the purchase price, failing which Council's resolution will be revoked at the next Council meeting following the expiry of the 90 days.*
 - (iii) *That any remainder of the deposit in (i) above be refunded to the purchaser on completion of the transfer of the erf.*
 - (iv) *That once the statutory process of rezoning is finalized, Council's intention to sell the erf be advertised for possible objections as required in terms of the Local Authorities Act, Act 23 of 1992 at the cost of the purchaser.*
 - (v) *That the transaction be concluded within 120 days from approval being granted by the Ministry of Urban and Rural Development to proceed with the intended transaction.*
 - (vi) *That payment of the purchase price be secured either in cash or bank guarantee in favour of the Swakopmund Municipality within 120 days from the Honourable Minister's favourable response.*

 - *Failure to secure the purchase price within the required period will result in cancellation without the need to place the purchaser on terms.*
 - *Should the purchase price be secured by a bank guarantee the transfer must be effected on / before the 120th day, else interest will be levied as from the date of Ministerial approval (date of sale) until the date of registration of transfer at a rate as confirmed with Council's bank on the date of sale.*
 - (vii) *That the purchasers accept that no rights will accrue to them from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.*
 - (viii) *The erf is sold "voetstoots" or "as is" with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the lay-out or situation or subterranean composition of the property or any improvements thereon. The Council also does not warrant that the services installed at the property are suitable for the use intended by the Purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage and water connections are suitable for the intended use of the property.*
 - (ix) *That the property or any portion thereof may not be alienated without being offered to Council at the purchase price it was obtained from Council.*
 - (x) *That no development or additions to the property be permitted to commence until the statutory processes have been completed and the erf is transferred.*
 - (xi) *The agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of receipt thereof.*
 - (xii) *That the purchaser indemnifies Council against any claims resulting from blasting, should blasting need to be done.*
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11.1.5 **CANCELLATION CONFIRMATION: VARIOUS ERVEN OF THE SALES OF EXTENSIONS 34 AND 35 (2017)**

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

RESOLVED:

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

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

11.1.6 **INVITATION AND REQUEST: THE SWAKOPMUNDER KARNEVALSVEREIN (KÜSKA)**

(C/M 2019/04/25 - J 9/3)

RESOLVED:

- (a) That Council takes note of the request for assistance with regards to the hosting of the *Swakopmunder Karnevalsverein (Küska)* that will take place as from 21 -29 June 2019 in Swakopmund.
- (b) That the organizers be granted permission to erect a banner between the palm trees at the corner of Daniel Tjongarerero and Tobias Hainyeko Street as from 5 May -29 June 2019.
- (c) That the organizers be granted permission to host the *Narrenwecker* in the Main Street (Sam Nujoma Avenue) and that the lane in front of Nedbank will be closed as from 8h00 until 20h00 on 25 May 2019.
- (d) That the General Manager: Health Services avail ten (10) rubbish bins to the organizers.
- (e) That the Mayor indicates her availability to attend one of the evening programs during the carnival.
- (f) That the organizers liaise with the Traffic Services with regard to the closure of the lane in Sam Nujoma Avenue on 25 May 2019 and float procession which will take place on 29 June 2019.
- (g) That Council participates in the float procession at the *Swakopmunder Karnevalsverein (Küska)* on 29 June 2019.

- (h) That the Isuzu 250 Carrier - N 3546 S be used during the float procession and that six (6) municipal employees voluntarily participate and be provided with refreshments.
- (i) That the funds for the refreshments be defrayed from the Corporate Service's Publicity Vote: 102010212700 where N\$58 297.34 is available and for the decorations from the Promotional Items Vote: 102010212000 where N\$76 510.81 is available.

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

RESOLVED:

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

11.1.8 **PERMISSION TO CONDUCT SEGWAYS TOURS IN SWAKOPMUND**
(C/M 2019/04/25 - N 8/15/5, 16/2/9/1/3)

RESOLVED:

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

11.1.9 **AUDITED FINANCIAL REPORT FOR 2016 / 2017 FINANCIAL YEAR**

(C/M 2019/04/25 - D 11)

RESOLVED:

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

(C/M 2019/04/25 - D 11, D 12/1)

RESOLVED:

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

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

RESOLVED:

- (a) That Council approves the request of Messrs Ndeshi Fikameni to organise a flea market on 27 July 2019 at Thomas Hamunyela Amphitheatre including the parking area where the summer holiday fair is annually held, at a daily rental fee of N\$309.00 plus refundable deposit of N\$724.00.
- (b) That the Health Services Department avails enough wheelie bins free of charge to assist with the disposal of waste for the duration of the flea market (27 July 2019).
- (c) That the applicant indemnifies Council against all and any claims in respect of damage to property and / or bodily injury to / loss of life of people that may arise from the utilization of the property.

- (d) That Messrs Ndeshi Fikameni ensures that there is security during the event, and that the site be restored to its original state after use.
- (e) That Messrs Ndeshi Fikameni ensures that there is sufficient power supply for the event, and should additional electricity be required, it be supplied at her cost.
- (f) That Messrs Ndeshi Fikameni provides adequate ablution facilities during the event.

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

RESOLVED:

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

11.1.13 **REQUEST FOR SPONSORSHIP: SWAKOPMUND FOOD, MUSIC AND FASHION FESTIVAL**
(C/M 2019/04/25 - N 7/3/4, 14/2/2/1/3, N 7/3/1/2, 14/2/7/1/1)

RESOLVED:

- (a) That the request for sponsorship towards the hosting of the Swakopmund Food, Music and Fashion festival scheduled to take place on 20 April 2019 in Swakopmund be condoned.
- (b) That Mr R Shalulu pays for the rental cost of N\$5 914.00 for the venue (Vineta North Sport Stadium) and be exempted from paying the refundable deposit of N\$17 742.00.
- (c) That permission be granted to Mr R Shalulu to have access to the venue from 19 April 2019 in order to set up and prepare for the event and be exempted from the payment of the venue during the set up period.

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

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

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

RESOLVED:

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

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

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

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

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

RESOLVED:

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

No	Reg No	Make	Year Model	Fleet No	Engine No	Remarks
1.	N8650S	Hino Compactor	2012	CL0241	J08 CF 22203	Engine faulty, repair costs exceeds N\$100 000.00
2.	N15999S	Isuzu Compactor	2012	CL0216	FE6214195 C	P.T.O and hydraulic pump faulty
3.	N2299S	Hino Compactor	2008	CL0191	J08CTT30543	Gear selector faulty and truck is too old
4.	N11798S	Mercedes Atego	2006	CL0104	90491100490357	Mechanical problems, P.T.O and hydraulics slow

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

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

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

RESOLVED:

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

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

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

RESOLVED:

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

11.1.18 **APPLICATION FOR PARKING RELAXATION TO PROVIDE PARKING ON ANOTHER SITE *IN LIEU* OF ON-SITE PARKING**
(C/M 2019/04/25 - E 210)

RESOLVED:

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

11.1.19 **BEACH HOUSE OWNERS OF MOLEN WEG STREET:
APPLICATION TO PURCHASE OPEN SPACE LOCATED ON THE
NORTHERN AND SOUTHERN SIDE OF THE PROPERTIES**
(C/M 2019/04/25 - G 4/2/2, 16/1/4/2/1)

RESOLVED:

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

11.1.20 **EXTENSION 2, MATUTURA, SALE OF 26 OCTOBER 2018:
CANCELLATIONS**
(C/M 2019/04/25 - G 3/2/2, 8996, 534, 536, 542, 544, 545, 548, 549, 550, 561, 565,
576, 579, 590, 591, 592, 599, 601, 607, 608, 609, 611, 613, 617,
620, 623)

RESOLVED:

(a) That the transactions in respect of the following erven sold on 26 October 2018, be extended until 31 May 2019:

	<i>Erf</i>	<i>Surname</i>	<i>Name</i>	<i>Comments</i>	<i>Purchase price</i>
4	8996	Pieterse	Llewellyn Rainer	No payment. Submitted an application dated 25 March 2019 for 1,5 month extension.	395 871.63
6	534	Amukwa	Jason Shipepe	no payment	250 000.00
8	536	Khuiwiseb	Albertus Amos	no payment	400 199.00
14	542	Sam	Magy	Home loan application (not guarantee) was provided on 21 Feb 2019.	362 500.00
16	544	Ihuhua	Oscar	no payment	290 999.99
17	545	Afrikaner	Lorraine	no payment	253 000.00
20	548	Alfeus	Mokahwa	no payment	299 999.99
21	549	Gawanas	Anna	no payment	326 010.00
22	550	Mutota	Etikeli	no payment	200 000.00
33	561	Mayira	Moses	no payment	275 000.00
37	565	Van Wyk	Jerome Martino	No payment. Submitted an application dated 25 March 2019 for an extension.	320 900.00
48	576	Tjiposa	Merlyn	No payment. Submitted an application dated 26 March 2019 requesting extension of time until 26 March 2019. Intends to pay cash.	200 000.00
51	579	Claassen	Ramone Geneve	Guarantee received day after the due date on 26 March 2019.	220 000.00
62	590	Hendricks	Malcolm	no payment	289 999.99
63	591	Aseb	Frederick	No payment. Letter from bank dated 01 March on file.	280 000.00
64	592	Lukas	Paulina	no payment	210 990.99
69	599	Nangombe	David	no payment	300 010.99
71	601	Zaaruka	Benethelin Pekara	no payment	300 000.00
77	607	Ndeutala	Shafashike	no payment	232 000.00
78	608	Ui-Nuses	Chrisentia	no payment	164 000.00
79	609	Pahula	Maria Felicidade	No payment. Submitted a letter from the bank on 26 March 2019.	171 111.10
81	611	Vatekueleni	Israel Ngashipola	no payment	253 999.99
83	613	Gontes	Brigitte	no payment	160 000.00

	Erf	Surname	Name	Comments	Purchase price
87	617	Kuzatjike	Edmund Lafrenz	no payment	250 000.00
90	620	Sheunje	Josua Hiwapo	no payment	200 805.35
93	623	Hipondoka	Aini Ndinelago	No payment. Submitted a letter dated 08 March 2019 requesting an extension to pay until August 2019.	244 400.00

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

11.1.21 **REQUEST FOR ADDITIONAL FUNDS: PROVISION OF SECURITY SERVICES**

(C/M 2019/04/25 - E 1 / 12, 14/2/1/2)

RESOLVED:

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

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

(C/M 2019/04/25 - C 3/1, G 4/1)

RESOLVED:

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

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

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

(C/M 2019/04/25 - G 3/2/2)

RESOLVED:

- (a) That the Remainder of Portion B of the Swakopmund Town and Townlands Number 41 be subdivided into Portion 164

(approximately 282.1472 ha) and Remainder in terms of Section 21 of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963), free of conditions.

- (b) That the Need and Desirability for the township establishment on Portion 164 of Swakopmund Town and Townlands Number 41 in terms of Section 5(5) (a) (i) of Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) be approved.
- (c) That approval be granted for application to be made in terms of Section 5 of the Township and Division of Land Ordinance No. 11 of 1963 for the establishment of an extension of Swakopmund (to be allocated by Surveyor General) on Portion 164 as shown on the subdivisinal layout plan (on file).
- (d) That the Engineering Services Department be authorized to make minor changes to the layout, to accommodate infrastructure, improve layout dimensions or meet Townships Board and NABPAB requirements should it be necessary.
- (e) That a thirty two (32) metres wide servitude be surveyed and registered over the proposed Erf 122 of Portion 164 of the Remainder of Portion B of the Swakopmund Town and Townlands No. 41 in favour of Namwater.
- (f) That a three (3) metres wide servitude be surveyed and registered over the proposed Erven 1, 93, 101, 102, 110, 111, 113, 118, 119, 122, 123 and 125 of Portion 164 of Swakopmund Town and Townlands No. 41 in favour of Telecom Namibia.
- (g) That a three (3) metres wide servitude be surveyed and registered over the proposed Erven 1, 82, 83, 84, 85, 100, 101, 102, 103 and 123 of Portion 164 of Swakopmund Town and Townlands No. 41 in favour of Erongo RED.
- (h) That the zoning shown on the layout plan tabled at the meeting be approved.
- (i) That the maximum building heights in Portion 164 should not exceed 5 metres.
- (j) That the conditions of Establishment be as follows:
 - (i) *The following conditions shall be registered against the title deeds of all erven except those reserved as public open space and those zoned Local Authority:*

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

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

- (iii) *The following conditions shall be registered against the title deeds of Business Zoned Erven:*

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

11.1.24 **QUINTESSENTIAL TRADING CONSULTANCY CC: BUILDING CONTRACT FOR PORTION 141 A PORTION OF PORTION 137) OF THE TOWN AND TOWN AND TOWNLANDS NO.41**

(C/M 2019/04/25 - G 3/9/15, A 2/3/15, G3/9, H5, H5/4, H5/7)

During the discussion of this item, Councillor U Kaapehi requested that should any changes be required to the agreement, the staff and Council's attorneys be empowered to finalize it, without having to resubmit it to Council.

RESOLVED:

- (a) That Council approves the Building Agreement (on file).
 - (b) That the type and number of each house be agreed to and subsequently added as an addendum to the agreement.
 - (c) That the developer's offer to build houses on Council's erven be declined.
 - (d) That Council's resolution of 31 May 2018 paragraph 1.1.5.5 be amended from:
 - (a) *The Houses to be constructed shall consist of one (1) to two (2) to three bedroom houses, but structures to the value of not less than N\$500 000.00 but not more than N\$800 000.00. This excludes the cost of the land.*
- To read:
- (b) *The Houses to be constructed shall consist of two (2) to three bedroom houses, but structures to the value of not less than the value provided for in the township establishment but not more than N\$800 000.00 including the cost of the land.*
- (e) That the authority be delegated to the Chief Executive Officer to deal with any changes to the agreement in order to finalize it.

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

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

RESOLVED:

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

- 11.1.26 **BUILDING CONTRACT FOR SOCIAL GRANT HOUSES**
(C/M 2019/04/25 - G 3/9/15, A 2/3/15, G3/9, H5, H5/4, H5/7)

RESOLVED:

- (a) That Council approves the pro forma Building Contract (on file) for the construction of Social Grant Housing.
- (b) That a clause be added to the contract to allow / permit Council to terminate the contract should Council's available funds be depleted.
- (c) That in order to avoid a scenario where land is saddled with houses which cannot be sold, the Community Development Services Department identifies qualifying purchasers for each house before it is constructed.

- 11.1.27 **CAPITAL AND OPERATIONAL BUDGETS FOR 2019 / 2020 FINANCIAL YEAR**

(C/M 2019/04/25 - D 2/1)

During this discussion Councilor Groenewald mentioned on behalf of the Swakopmund Residents Association, that they do not support the 8% increase in rate & taxes.

RESOLVED:

- (a) That the capital budget amounting to N\$237 153 100.00 be approved.
- (b) That the Operational budget reflecting a surplus of N\$330 630.00 approved.
- (c) That the service related tariffs be increased as indicated below:
- | | | | |
|-----|--|---|-----|
| (1) | <i>Rates and Taxes</i> | - | 8% |
| (2) | <i>Refuse removal</i> | - | 7% |
| (3) | <i>Sewerage</i> | - | 8% |
| (4) | <i>Basic water increased from N\$101.75 to N\$125.70</i> | | |
| (5) | <i>Staggered tariffs:</i> | | |
| | <i>9m³ - 30m³</i> | - | 8 % |
| | <i>31m³ - 60m³</i> | - | 8 % |
| | <i>61m³ and above</i> | - | 8% |
| (6) | <i>Special tariff (Agricultural) - Smallholdings</i> | | |
| | <i>9m³ - 30m³</i> | - | 8% |
| | <i>31m³ - 60m³</i> | - | 8% |
| | <i>61m³ and above</i> | - | 8% |
- (d) That all other tariffs as per attached schedule be approved.
- (e) That General Managers ensures availability of funds prior to embarking upon approved major projects.

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

None.

The meeting adjourned: **20:50**

Minutes confirmed on: **29 May 2019**

Councillor M Elago
DEPUTY MAYOR

ak/

A Benjamin
CHIEF EXECUTIVE OFFICER