

MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Office Building, Swakopmund on **Thursday, 26 April 2012** at **19:00**.

PRESENT:

Alderwoman R //Hoabes	:	Chairperson of Council
Councillor J Kambueshe	:	Deputy Mayor
Councillor R N Andreas-Noabes	:	Alternate Chairperson of MC
Councillor L M Madi	:	Member of Management Committee
Councillor A N Bessinger	:	Member of Management Committee
Councillor U Kaapehi	:	Member of Council
Councillor F Hamukwaya	:	Member of Council
Alderman E //Khaoseb	:	Member of Council
Councillor P V Steinkopff	:	Member of Council

OFFICIALS:

Mr E U W Demasius	:	Chief Executive Officer
Mr M N Ipinge	:	GM: Community Development Services
Mr H !Naruseb	:	GM: Finance
Mr C Lawrence	:	GM: Health Services
Mr A Plaatjie	:	Acting GM: Corporate Services & Human Resources
Mr M Amedick	:	Acting GM: Engineering Services
Mr V S Kaulinge	:	Manager: Community Development Services
Mr M Cloete	:	Manager: Traffic
Ms M Bahr	:	Manager: Human Resources
Mr L Mutenda	:	Manager: Health Services
Mr U Tjiurutue	:	Corporate Officer: Administration

ALSO PRESENT:

One (1) representative from The Namibian. Also in attendance were twenty three (23) members of the public and six (6) staff members receiving Long Service Awards. The Governor of Khomas Region also attended the meeting.

1. OPENING

Mr C Lawrence opened the meeting with a prayer.

2. **APPLICATIONS FOR LEAVE OF ABSENCE AND DECLARATION OF INTEREST**

2.1 **APPLICATION OF LEAVE OF ABSENCE**

Councillor N N Salomon - Approved

2.2 **DECLARATION OF INTEREST**

2.2.1 None.

3. **CONFIRMATION OF MINUTES**

(C/M 2012/04/26 - A 2/3/5)

3.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 29 MARCH 2012**

On proposal of Councillor R N Andreas-Noabes seconded by Councillor A N Bessinger it was:-

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 29 March 2012, be confirmed as correct.

4. **INTERVIEWS WITH DEPUTATIONS OR PERSONS SUMMONED OR REQUESTED TO ATTEND THE MEETING**

None.

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

5.1 **ANNOUNCEMENTS BY HER WORSHIP THE MAYOR AND CHAIRPERSON OF COUNCIL**

(C/M 2012/04/26 - A 2/3/5)

QUOTED

COUNCIL ANNOUNCEMENTS FOR APRIL 2012

Fellow Councillors, Ds Christo van den Heever, Chief Executive Officer, General Managers, Managers, Officials, Junior Town Council, Members of the Community, Members of the Media, Ladies & Gentlemen

Good evening and welcome to our Council meeting for April 2012. A special word of welcome goes to our development partners the Swedish delegation from Malmo. Our relationship with the City of Malmo is indeed cordial and is growing from strength to strength.

Ladies and Gentlemen:

My office had the following commitments for April and this was attended by myself or by my fellow Councillors and I wish to thank them for their support:-

- I received the Vice-Premier of the State Council of China at the Walvis Bay Airport*
- I officiated at the handing over of the classroom which was build by the Municipality of Swakopmund and donated to Vrede Rede Primary School*
- I handed over a Breathalyzer donated by the Swakopmund Municipality to the Swakopmund Constituency Office.*
- I handed over school uniforms to needy learners of Hanganeni Primary School - the uniforms were bought with a donation from a good Samaritan who prefer to remain anonymous.*
- I had a Meeting with all the Principals or their representative from all local Schools*
- Cllr. Madi represented me at the Easter Road Safety Awareness Campaign.*

- *I delivered welcoming remarks at the belated 22nd Independence Celebrations held at the Mondesa Sportfield*
- *I attended the Master Parade of the Police at the Mondesa Police Station where I gave welcoming remarks.*
- *I attended the Namport's Social Investment Fund Gala Dinner*
- *I had dinner with members of the Constitutional and Legal Affairs Standing Committee.*
- *My fellow Councillors represented me at the C-Gals Choir's fundraising dinner in Walvis Bay*
- *I attended various in-house meetings.*
- *I attend to various appointments with members of the Public.*

Ladies and Gentlemen:

Latter tonight Council will consider its Budget for the Financial Year 2012/2013 which represents a total budget of N\$212 million. I repeat N\$212 million. The operating budget outlines the activities, services and functions carried out within our town. More details will be provided in the Budget Speech of the Deputy Chairperson of the Management Committee.

Ladies & Gentlemen

A milestone was achieved on the 30th March 2012 in the Garden Town of Okahandja where sixteen Local Authorities, including Swakopmund each received a Mercedes Benz Fire Truck donated by the Namibian Government.

Honourable Minister Jerry Ekandjo in his keynote address at the handing-over of the trucks emphasised that enhancing fire-fighting capacities in all Namibian towns is one of Government's strategies to safeguard peoples' lives and possessions. There is nothing as precious as life!

On behalf of the community of Swakopmund, the Town Council and on my own behalf I would like to express our sincere gratitude and appreciation to the Government of the Republic of Namibia in particular our Honourable Minister Jerry Ekandjo for including Swakopmund as part in this donation. This fire fighting equipment will enable us to provide better service to the community Swakopmund.

The donation has indeed come at the right time, when Council is in the process of streamlining the operations of the Fire Brigade in order to make it responsive to the needs of our community.

Ladies & Gentleman

May I use this opportunity to invite you all to the Official Inauguration of this New Office Complex by the President of the Republic of Namibia His Excellency Hifikepunye Pohamba. This prestigious event will take place tomorrow, Friday, 27 of April 2012 @ 08:00 in front of this building. It is a public event and you are all welcome to attend.

In the same vein, Ladies and Gentleman, I wish to inform you that due to this great event all our offices will be closed tomorrow and we wish to thank the community for their understanding and patience in this regard. As always we shall strive to provide better services to the community.

5.2

LONG SERVICE AWARDS

(C/M 2012/04/26 - B 1/8)

Her Worship, the Mayor, also announced as follows:

QUOTED

Long Service Awards

Ladies & Gentlemen

Today we will acknowledge individuals who have contributed to the quality service delivery in our beautifully town and, in so doing, we encourage them to continue their outstanding efforts. Once again, I would like to congratulate the following staff members, and thank them for their valued contributions to making Swakopmund a great town:

- Ms Annemarie Beukes - 10 Years
- Mr Abisai Eliaser - 10 Years
- Ms Erika Jass - 10 Years
- Ms Verena Reischauer-Buchert - 20 Years
- Mr David Isak - 20 Years
- Mr Andreas David - 20 years

Ladies & Gentleman

One more announcement before I conclude, I wish to congratulate our Deputy Mayor, Honourable Councillor Juuso Kambueshe on his birthday, today!

On behalf of all the Councillors, the Acting Chief Executive Officer, Staff Members and the entire Community of Swakopmund, congratulations on your birthday and may you experience good health and happiness during this year and beyond.

I thank you and may God Bless.

**Alderwoman Rosina //Hoabes
MAYOR**

6. **PETITIONS**

None.

7. **MOTIONS OF MEMBERS**

None.

8. **ANSWERS TO QUESTIONS FROM MEMBERS OF WHICH NOTICE HAS BEEN GIVEN**

None.

9. **FEEDBACK REPORT ON THE EXECUTION OF RESOLUTIONS TAKEN BY COUNCIL IN MARCH 2012**

- 9.1 The feedback on the resolutions taken by Council on 29 March 2012 was noted.

10. **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY MANAGEMENT COMMITTEE DURING APRIL 2012**

10.1 **MINUTES OF MANAGEMENT COMMITTEE MEETINGS HELD DURING MARCH AND APRIL 2012**

(C/M 2012/04/26 - A 2/3/5)

RESOLVED:

That the resolutions taken at an Ordinary Management Committee Meeting held on 12 April 2012 and Special Management Committees held on 29 March 2012 and 17 April 2012 be noted.

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**

11.1 **ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 12 APRIL 2012**

11.1.1 **APPLICATION BY MESSRS STOKVEL INVESTMENT CC TO PURCHASE A PORTION OF TOWNLANDS FOR COMMUNITY VEGETATION / CROP FARMING & HOUSING SCHEME**

(C/M 2012/04/26 - G 4/1/1 (5))

RESOLVED:

- (a) That the application by Messrs Stokvel Investment CC dated 23 March 2012 requesting Council to reconsider their application to purchase Portion A measuring ±50, 347ha at a purchase price of N\$400 000.00 for a community green scheme and housing project, be noted.
- (b) That Council remains with its decision passed on 28 July 2011, which decision was reiterated on 29 February 2012, being that the area remains solely for aquaculture development.

11.1.2 **REQUEST FOR PERMISSION TO OPERATE A RESIDENTIAL GUESTHOUSE**

(C/M 2012/04/26 - VS 96)

RESOLVED:

- (a) That the application to operate a Residential Guest House from Erf 96, Vogelstrand be approved subject to the following:
 - *That final approval only be granted once permission from the Namibian Tourism Board has been received.*
 - *That they register with the Health Services Department.*
 - *That the applicant adheres to Council's Accommodation Establishment policy at all times.*
 - *That Council reserves the right, to cancel a consent use should there be valid objections.*
 - *That they provide a minimum of 2 plus 1.5 parking bays per room.*
 - *That only 4 bed rooms be used for the proposed Guest House.*
 - *That no on-street parking be allowed.*
- (b) That Mr W C Kotze be informed of his right to appeal (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister, within 28 days of this notice against Council's decision, provided that written notice of such an appeal shall be given to the Ministry, as well as the Council within the said period.

11.1.3 **HITCH-HIKING AREA-TRUNK ROAD 2/2 TO USAKOS**

(C/M 2012/04/26 - N 8/4, N 8/15/1)

RESOLVED:

That Council remains with its original decision that no hitch-hiking area be created along the main road to Usakos (Trunk Road 2 / 2).

11.1.4 **APPLICATION BY MESSRS ERONGO DEVELOPMENT FOUNDATION FOR AN ERF TO ESTABLISH A SHELTER**

(C/M 2012/04/26 - T 503)

RESOLVED:

- (a) That the sale of a portion of Erf 503, Mondesa to Messrs Erongo Development Foundation, be approved, at:
- (i) *50% of the cost of the installation of services subject to a first right of refusal to obtain the land should Messrs Erongo Development Foundation wish to sell; at the market value of the improvements and the purchase price charged for Erongo Development Foundation; and subject to the condition that should no building activities be commenced with within 24 months from date of transfer, the erf reverts to Council and all moneys / fees paid by Messrs Erongo Development Foundation be forfeited to Council, without any compensation to Messrs Erongo Development Foundation for improvements made;*
 - (ii) *that the purchase price for a portion of Erf 503, Tamariskia be N\$15 467.25 (being 50% of N\$12.30/m²; i.e. N\$6.15/m² x 2 515m²).*
- (b) That Council attends to the following:
- (i) *Subdivision of the portion;*
 - (ii) *Subsequent permanent closure thereof as a "Public Open Space", in terms of section 50 of the Local Authorities Act, Act 23 of 1992, as amended;*
 - (iii) *Rezoning to "Institutional" of the newly created erf;*
 - (iv) *Compliance with section 27 (1) and (2) of the Environmental Management Act, 2007 (Act No 7 of 2007); and*
 - (v) *"Consent use" as a house of safety.*
- (c) That all costs of the transaction be for the applicant's account which include, but are not limited to, all statutory disciplines for the closure of a public open space, subdivision, rezoning, alienation and transfer of land.
- (d) That Messrs Erongo Development Foundation pays a deposit in the amount of N\$30 000.00 prior to Council attending to the statutory procedures set-out in (b) above and that Messrs Erongo Foundation will be required to pay for any shortfall and will be refunded should a balance remain.

11.1.5 **APPLICATION BY MESSRS TEARS OF HOPE FOR AN ERF TO ESTABLISH AN ORPHANAGE**

(C/M 2012/04/26 - M 1790)

RESOLVED:

- (a) That the sale of the "to be" consolidated "Institutional" Erven 3485, 3406, 3507 and 3508, Mondesa to Messrs Tears of Hope, be approved, at:
- (i) *50% of the cost of the installation of services subject to a first right of refusal to obtain the land should Messrs Tears of Hope wish to sell; at the market value of the improvements and the purchase price charged for Messrs Tears of Hope; and subject to the condition that should no building activities be commenced with within 24 months from the date of transfer, the erf reverts to Council and all moneys / fees paid by Messrs Tears of Hope be forfeited to Council, the land reverts to Council without any compensation to Messrs Tears of Hope for improvements made;*
 - (ii) *that the purchase price for Erven to be consolidated be N\$102 220.00 (being 50% of N\$102.22 / m²; i.e. N\$51.11 / m² x ±2 000m²).*

- (b) That all costs for the transaction be for the cost of Messrs Tears of Hope which include, but are not limited to the advertising of Council's intention to sell in terms of Section 63 of the Local Authorities Act, Act 23 of 1992, as amended, the compilation of a deed of sale and the transfer cost.
- (c) That all developments be in terms of the Town Planning Amendment Scheme.
- (d) That Messrs Tears of Hope apply for consent use to operate an orphanage.

11.1.6 BUSINESS DEVELOPMENT PROPOSALS FOR ERVEN AT THE PDA MONDESA

(C/M 2012/04/26 - H 5/2)

RESOLVED:

- (a) That the sale of Erf 3399, Mondesa to Messrs PJ Investments be cancelled.
- (b) That the sale of business erven at the PDA be determined at a later stage.

11.1.7 APPLICATION TO PURCHASE ERF 5370, SWAKOPMUND

(C/M 2012/04/26 - E 5370)

RESOLVED:

That Council remains with its' decision passed on 29 March 2012, which is as follows:

- (a) That the offer of Messrs Rössing Uranium Ltd's be accepted and that Council purchases Erf 5370 (a portion of Erf 2811), Swakopmund for N\$1 184 100.00 plus the transfer cost which will amount to approximately N\$27 227.50.*
- (b) That Ministerial approval be applied for in terms of section 64 of the Local Authorities Act, Act 23 of 1992, as amended to purchase Erf 5370, (a portion of Erf 2811), Swakopmund from Messrs Rössing Uranium Ltd.*
- (c) That the future use of Erf 5370 (a portion of Erf 2811), Swakopmund be determined at a later stage.*

11.1.8 APPLICATION BY MESSRS MANAH ENTERPRISES CC FOR LAND TO DEVELOP LOW AND MIDDLE INCOME ERVEN AND HOUSES

(C/M 2012/04/26 - H 5/8)

RESOLVED:

- (a) That Messrs Manah Enterprises be informed that Council remains with the decision of the Management Committee passed on 10 March 2011, whereby Council attends to all planning issues before land is sold; and in line with the Management Committee's resolution passed on 12 January 2012, that Council will only consider the sale of large portions of land once the revised Property Policy is finalized.
- (b) That once land is available, Council will consider inviting development proposals from private developers to the benefit of the low income community members.

11.1.9 **EXTENSION OF TIME TO COMMENCE AND COMPLETE THE CONSTRUCTION OF THE KEMPINSKI STRAND HOTEL**

(C/M 2012/04/26 - E 4743)

RESOLVED:

- (a) That the application of Messrs Ohlthaver & List Group of Companies requesting Council to reduce the penalty from N\$10 000.00 to N\$5 000.00 per day should they not complete the construction of the Kempinski Strand Hotel within a period of 82 weeks starting from 01 August 2012, not be considered.
- (b) That Messrs Ohlthaver & List Group of Companies be informed that Council remains with its decision passed on 29 February 2012 and that the penalty of N\$10 000.00 per day is a standard condition applicable to all developers.
- (c) That Messrs Kinghorn Associates be informed to proceed with the compilation of a further addendum to the main agreement of sale reflecting the extended dates for the commencement and completion of construction at the cost of the developer:
 - *commencement date: 01 August 2012*
 - *completion date: 82 weeks after 01 August 2012*
- (d) That the addendum must be signed on / before 30 April 2012 (as per Council's resolution passed on 29 February 2012), failing which Council will invoke the breach clause.

11.1.10 **AMENDMENT OF DUE DATE FOR PAYMENT OF MUNICIPAL SERVICE ACCOUNTS**

(C/M 2012/04/26 - D 7/3/1/1)

RESOLVED:

- (a) That Council *in principle* approves the adjustment of the due date for the payment of consumer accounts to the 7th of each month and that the adjustments be implemented as from 01 July 2013.
- (b) That resolution (a) above only be implemented once the reading process has been pre-dated to avoid any financial implications for the consumers and that the public be informed accordingly, well in advance.

11.1.11 **REQUEST TO REDUCE TARIFFS FOR LEASE OF MUNICIPAL LAND (PUBLIC OPEN SPACES)**

(C/M 2012/04/26 - N 7/3/1/2, G 3/10/2)

RESOLVED:

- (a) That point (a) of Council's resolution of 24 November 2009 under item 11.1.3 be repealed and replaced with the following:
 - (a) *That the tariffs for use of Municipal land including, but not limited to the Mole Area, Amphitheatre, Central Beach Area and Northern Beach Recreational Area, be as follows for all users (15% VAT excluded):*

For an area of 16m² or less

(i)	Daily	-	N\$ 50.00
(ii)	Weekends	-	N\$ 75.00
(iii)	Weekly	-	N\$100.00
(iv)	Monthly	-	N\$300.00

For an area bigger than 16m²

(i)	Daily	-	N\$ 75.00
(ii)	Weekends	-	N\$100.00
(iii)	Weekly	-	N\$125.00
(iv)	Monthly	-	N\$500.00

- (b) That the remaining conditions of Council's resolution passed on 24 November 2009 under item 11.1.3 remain unchanged, except the payment of the refundable deposit which was approved by Management Committee on 07 September 2010 in the amount of N\$357.50.
- (c) That Mr E H Xoagub be informed that the lease tariffs for public areas were last adjusted on 24 November 2009 and Council regards these affordable as no other requests for reductions were received; furthermore after an event took place the refundable deposit is paid out on written request and by presenting the original receipt.
- (d) That it should be noted that the installation of a temporary electricity connection is costly.

11.1.12 **REPORT ON UTILIZATION OF THE VEGETABLE GARDEN AT THE SWAKOPMUND NURSERY BY THE COMMUNITY OF HOPE PROJECT**
(C/M 2012/04/26 - N 7/4/1)

RESOLVED:

- (a) That the agreement with the Community of Hope Project be discontinued based on the findings of the Wellness Officer.
- (b) That permission be granted to the General Manager: Health Services to invite prospective Swakopmund HIV and AIDS Support Groups to run the Municipal Veggie Garden in conjunction with Swakopmund District AIDS Committee.
- (c) That the prospective Swakopmund HIV and AIDS Support Group submits a detailed project proposal to Council for consideration.

11.1.13 **CANCELLATION: SALE OF ERF 989, SWAKOPMUND TO MESSRS LUXURY INVESTMENTS ONE HUNDRED & ONE (PTY) LTD**
(C/M 2012/04/26 - E 989)

RESOLVED:

- (a) That the sale of Erf 989, Swakopmund to Messrs Luxury Investments One Hundred & One (Pty) Ltd be cancelled.
- (b) That Council invites closed bids for the alienation of Erf 989, Swakopmund at the upset price of N\$20 100 000.00.

11.1.14 **INTERNAL AUDIT REPORT: COMPLIANCE WITH THE LOCAL AUTHORITIES TENDER BOARD REGULATIONS : LOCAL AUTHORITIES ACT OF 1992**

(C/M 2012/04/26 - D 10/1 / D 16 / D 16/2 / A 2/2/9/1 / A 2/2/9)

RESOLVED:

That the Internal Audit Report from Messrs Ernst & Young on the compliance with the Local Authorities Tender Board Regulations: Local Authorities Act be accepted, and that the recommendations be implemented by all Departments accordingly.

11.1.15 **USE OF FUNDS IN CAPITAL BUDGET FOR PURCHASE OF AUDIO VISUAL EQUIPMENT**

(C/M 2012/04/26 - E 1/1, B 2/2/2)

RESOLVED:

- (a) That permission be granted to the General Manager: Corporate Services and Human Resources to use the amount of N\$220 000.00 which was budgeted for the Telephone Credit Management System, for the purchasing of audio visual equipment.
 - (b) That the project be made a continuation project for the 2012 / 2013 Financial Year.
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11.1.16 **BUILD TOGETHER LOANS NOT TAKEN UP BY BENEFICIARIES**

(C/M 2012/04/26 - H 5/3)

RESOLVED:

- (a) That the list (on file) with the names of Build Together applicants who are to take-over the loans of Build Together beneficiaries who failed to take-up their loans be approved.
 - (b) That the applicants be allocated with the erf numbers as assigned on the list on file.
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11.1.17 **APPROVAL OF AMENDMENT SCHEME NO. 50**

(C/M 2012/04/26 - G 3/2/2/2)

RESOLVED:

- (a) That Amendment Scheme No. 50 as submitted by Messrs Urban Dynamics Africa on behalf of their clients with the exception of portion 117 / 118 which will no longer be sold to Messrs DMA, be approved.
 - (b) That Messrs Urban Dynamics Africa be informed to submit Amendment Scheme No. 50 with the amendment as per (a) above to the Ministry of Regional and Local Government, Housing and Rural Development for approval by the Honourable Minister.
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11.1.18 **APPLICATION TO USE THE BEACH FRONT AREA AT THE MOLE FOR SWAKOPMUND TREASURE HUNT**

(C/M 2012/04/26 - N 7/2/1)

RESOLVED:

- (a) That permission be granted to Messrs Swakopmund Treasure Hunt to lease the main beach area on 29 December 2012 at the cost of N\$ 115.00 + 15% VAT plus a refundable deposit of N\$357.50.
- (b) That Messrs Swakopmund Treasure Hunt be responsible for keeping the area clean at all times.
- (c) That Council be indemnified against any claims that may arise from using the area (indemnity form to be attached, signed and returned to the Municipality).
- (d) That the area be restored to its original condition after the event and to the satisfaction of the Health Services Department.
- (e) That sound must be restricted to the immediate surrounding. On receipt of any complaints due to noise or misbehaviour, the use of the area will be cancelled immediately.
- (f) That the applicant be informed that public toilets are available on site, but should they require additional ablution facilities, they should contact a private supplier who can provide them with portable ablution facilities.
- (g) That Messrs Swakopmund Treasure Hunt arranges for refuse bins and the removal thereof afterwards (cost per bin N\$15.00 + 15% VAT and removal = N\$ 357.5 + 15% VAT).
- (h) That the General Manager: Community Development Services ensures that the Beach Area remains accessible to the public during that period.

11.1.19 **REQUEST BY MESSRS ERONGO REGIONAL COUNCIL TO USE SWAKOPMUND TOWN HALL FREE OF CHARGE FOR A CAREER EXHIBITION**

(C/M 2012/04/26 - I 1/12)

RESOLVED:

- (a) That permission be granted to Messrs Erongo Regional Council to make use of the Swakopmund Town Hall free of charge from 04-05 June 2012 for the hosting of a Career Exhibition.
- (b) That the expenses of N\$2 800.00 be defrayed from the Publicity Vote 500510212700 where N\$9 885.00 is available.
- (c) That Messrs Erongo Regional Council keeps the facility clean at all times and restored it to its original state after the event. Should it be found that the Hall was not cleaned, it will be cleaned by Council and the normal deposit for hiring the Hall will be payable on demand.
- (d) That Council's sponsorship be acknowledged and that the applicant be informed to display Council's banner prominently during the exhibition.

11.1.20 **REZONING OF ERVEN 5168 AND 5169, SWAKOPMUND FROM "SINGLE RESIDENTIAL" WITH A DENSITY OF 1:600m² TO "SINGLE RESIDENTIAL" WITH A DENSITY OF 1:300m²; CONSOLIDATION OF ERVEN 5168 AND 5169 INTO CONSOLIDATED ERF "X", SWAKOPMUND, EXT.15; AND SUBDIVISION OF CONSOLIDATED ERF**

“X” INTO PORTIONS A, B AND CONS. ERF RE/“X”, SWAKOPMUND, EXT 15

(C/M 2012/04/26 - G 3/9/6)

RESOLVED:

- (a) That the applicants be informed that the application is not supported by Council and that no further densification of the area is to take place.
- (b) That all erven to the west of the Henties Bay road are to remain with their low densities and current erf sizes as approved by Council.

11.1.21 **APPLICATION FOR PERMISSION TO OPERATE A RESIDENT OCCUPATION (ADMINISTRATIVE OFFICE)**

(C/M 2012/04/26 - E 1152)

RESOLVED:

- (a) That the following application for permission to operate an Administrative Office be approved:
 - *Erf 1152, Kramersdorf (114 Libertine Amadhila Street) - Mr G Brits t/a Messrs XD Information Technology Namibia CC (Administrative Office)*
- (b) That they register with the Health Services Department and the standard Health Regulations will apply.
- (c) That the consent use be subject to the following:
 - *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - *That they must operate within the Town Planning Scheme regulations.*
 - *That the consent is not transferable.*
 - *That no on street parking to be provided.*

11.1.22 **APPLICATION FOR THE RELAXATION OF BUILDING HEIGHT**

(C/M 2012/04/26 - VS 180)

RESOLVED:

That the application received from Messrs Deidre de Waal Architects on behalf of their client Mr P van Niekerk for the relaxation of height from 8.00m to 10.00m on Erf 180, Vogelstrand be approved.

11.1.23 **PARTIAL OUTSOURCING OF THE START-UP OPERATION - WASTE WATER TREATMENT WORKS AND NEW STAFF REQUIREMENTS FOR SWAKOPMUND WASTE WATER TREATMENT WORKS**

(C/M 2012/04/26 - B 1/1/4)

RESOLVED:

- (a) That the operation of the new Waste Water Treatment Works be partially outsourced to Messrs Aqua Utility Corporation, a sister company to Messrs Aqua Services & Engineering who installed the mechanical components for the new works and will assist in establishing the initial micro-organism needed for the purification process.
- (b) That the following be included in the agreement with Messrs Aqua Utility Corporation:
 - (i) *That the outsourcing period be for six (6) months, i.e. 1 January 2013 to 30 June 2013.*
 - (ii) *That the above period includes a transitional period of three (3) months; and*
 - (iii) *That a staff need assessment be identified by Messrs Aqua Utility Corporation.*
- (c) That condonation be obtained from the Tender Board to waive normal tender procedures.
- (d) That the estimated amount N\$4 294 162.50 be budgeted for under the 2012 / 2013 Operational Budget.
- (e) That the creation of four new position of Assistant Shift Operators / Trainees for the Sewerage Works be approved.
- (f) That provision be made in the 2013 / 2014 Operational Budget for the appointment of four Assistant Shift Operators / Trainees under Sewerage Works General Expenses and that the appointment be done in terms of Council's policy.
- (g) That job descriptions be submitted to Management Committee for approval.
- (h) That the structure of the Sewerage Works Section be changed accordingly.
- (i) That the appointment of staff members in (e) above be subject to review by Management Committee during April 2013.

11.1.24 **COUNCIL'S AUDIT & RISK MANAGEMENT COMMITTEE**
(C/M 2012/04/26 - D 10/1)

RESOLVED:

That Council's Audit & Risk Management Committee be changed to comprise of a minimum of four (4) members with a maximum of six (6), who are as follows:

- 1. *Member of Management Committee : Chairperson of Audit Committee*
- 2. *Member of Management Committee : Vice Chairperson of Audit Committee*
- 3. *Member of Management Committee*
- 4. *Member of Management Committee*
- 5. *Chief Executive Officer*
- 6. *Designated Representative-Internal Audit : Non-voting capacity*

11.1.25 **ALIENATION OF ERVEN 604 AND 605 MONDESA TO THE ANGLICAN CHURCH MONDESA AND IMMANUEL LUTHERAN CHURCH**
(C/M 2012/04/26 - M 604; 605)

RESOLVED:

- (a) That the alienation of Erf 605 and portion 604/1 with a combined size of 2121m² to Messrs Immanuel Lutheran Church and portion 604/2 measuring 2122m² to Messrs Anglican Church (Mondesa), be approved.
- (b) That the sale be advertised in terms of Section 63 (2) of the Local Authorities Act, Act 23 of 1992, as amended, for objections.
- (c) That all costs related to this transaction, including the carrying out of statutory processes, be for the applicant's account.
- (d) That the purchase price be determined through the Municipal valuers.

11.1.26 **SWAKOPMUND WATERFRONT DEVELOPMENT: COMMENCEMENT OF EARTHWORKS**

(C/M 2012/04/26 - G 4/1/1 (10))

RESOLVED:

- (a) That the permission granted to Messrs Safari Investments to commence with earthworks only on condition that a sign board be erected informing the public that earthworks only are being carried out and that a management plan be agreed upon which routes and construction times be adhered to during construction of the earthworks, be condoned.
- (b) That the permission granted in (a) above shall not prejudice any right of the Council to enforce the Building Regulations and / or the Town Planning Scheme as regards to the proposed Waterfront Development.

11.1.27 **OLD AND REDUNDANT ITEMS/EQUIPMENT: ENGINEERING SERVICES DEPARTMENT - WORKS SECTION**

(C/M 2012/04/26 - L 2)

RESOLVED:

- (a) That the writing off and selling of the following old and redundant vehicles, equipment and materials at the next public auction, be condoned:

Vehicles:

<i>Fleet No.</i>	<i>Reg. No.</i>	<i>Make</i>	<i>Model</i>
<i>S20M</i>	<i>N11807S</i>	<i>M/Benz Water Tanker</i>	<i>2000</i>
<i>S29M</i>	<i>N2698S</i>	<i>Hino Truck</i>	<i>1988</i>
<i>S14M</i>	<i>N3446S</i>	<i>Bomag Road Roller</i>	<i>1980</i>
<i>S178M</i>	<i>N3625S</i>	<i>Massey Furgasson Tractor</i>	<i>1979</i>
<i>S65M</i>	<i>N4022S</i>	<i>Toyota LDV-Wooden Load box</i>	<i>1990</i>
<i>S55M</i>	<i>None</i>	<i>Bomag Drum Roller</i>	<i>None</i>
<i>S79M</i>	<i>None</i>	<i>Walk Behind Mower</i>	<i>None</i>

Materials/Equipment:

<i>Description</i>
<i>Old Rota-vator</i>
<i>Old Aluminium irrigation pipes and fittings</i>
<i>Old and broken shovels, rakes & garden forks</i>
<i>Assorted tyres & rims: (a) 285/70 R19.5 (truck)</i>

(b)	1100 x 20 (Road Roller)
(c)	750 x R16 (Trailer)

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

11.1.28 **OPERATIONAL AND CAPITAL BUDGET 2011 / 2012 FINANCIAL YEAR**
(C/M 2012/04/26 - D 12/1)

RESOLVED:

- (a) That Capital budget for the Financial Year 2012 / 2013 amounting to N\$212 million be approved.
- (b) That the Operational budget for the Financial Year 2012/2013 reflecting a deficit of N\$ 909 180.00 be approved.
- (c) That the following services tariffs and all other tariffs as per Council's tariff list for the Financial Year 2012 / 2013, be approved:
- | | | | |
|-------|------------------------------------|---|------|
| (i) | Assessment Rates | - | 7.5% |
| (ii) | Water | | |
| | 9m ³ -30 m ³ | - | 5% |
| | 31m ³ -60m ³ | - | 7.5% |
| | 60m ³ and above | - | 7.5% |
| (iii) | Refuse removal | - | 10% |
| (iv) | Sewerage | - | 20% |
| (v) | Tourism | - | 10% |
| (vi) | Cemeteries | - | 10% |
- (d) That the General Managers obtain clarification of the availability of funds from the General Manager: Finance and the Chief Executive Officer before embarking on any major Capital Project.
- (e) That an amount of N\$4.5 million in respect of the operational costs of the new sewerage plant be funded from the surplus funds.

The meeting adjourned at 20:01.

Minutes confirmed on: 31 May 2012

Alderwoman R //Hoabes
CHAIRPERSON

E U W Demasius
CHIEF EXECUTIVE OFFICER

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