

# AGENDA

Ordinary Council Meeting

on

**WEDNESDAY**





**29 FEBRUARY 2012**

at

**19:00**



**MUNICIPALITY OF SWAKOPMUND**

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Ref No        A 2/3/5

Enquiries:    A Gebhardt

20 February 2012

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 Chamber, Municipal Office Building, Swakopmund on:

**WEDNESDAY, 29 FEBRUARY 2012 at 19:00,**

**E U W Demasius**  
**CHIEF EXECUTIVE OFFICER**

AG/-

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None.

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None.

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None.

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10. **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY PREVIOUS  
MANAGEMENT COMMITTEE MEETINGS HELD IN FEBRUARY 2012**

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10 (A) **MINUTES OF AN ORDINARY MANAGEMENT COMMITTEE MEETING  
HELD ON 16 FEBRUARY 2012**

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2. **CONFIRMATION OF MINUTES**  
(M/C 2012/02/16 - A 2/3/5)

2.1 **MINUTES OF AN ORDINARY MANAGEMENT COMMITTEE MEETING  
HELD ON 12 JANUARY 2012**

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

**RESOLVED:**

That the Minutes of the Special Management Committee meeting held on 12 January 2012 be confirmed as correct.

2.3 **MINUTES OF A SPECIAL MANAGEMENT COMMITTEE MEETING  
HELD ON 19 JANUARY 2012**

On proposal of Councillor A N Bessinger seconded by Councillor L M Madi it was:-

**RESOLVED:**

That the Minutes of the Special Management Committee meeting held on 19 January 2012 be confirmed as correct.

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5. **REPORTS: HEADS OF DEPARTMENTS**

5.5 **FINANCE**

5.5.1 **TOTAL EXPENDITURE**  
(M/C 2012/02/16 - D 7/3/2/1)

**RESOLVED:**

That the total expenditure of N\$19 520 252.37 for the period 01- 31 January 2012 be accepted and approved as correct.

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

7.4 **PROPOSALS FOR THE DEVELOPMENT OF NORTHERN  
BEACHFRONT**

(M/C 2012/02/16 - N 7/2/8)

**RESOLVED:**

That Messrs Waves Consortium be advised to provide the final design proposal within three (3) months before it is submitted to the Aesthetics Committee for consideration and approval.

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7.5 **BUILD TOGETHER FUND**  
(M/C 2012/02/16 - H 5/3)

**RESOLVED:**

That the General Manager: Community Development Services investigates and report back to Management Committee on the following:

- (i) *How many beneficiaries took their full loans and did not complete their houses;*
- (ii) *How many Build Together houses have started but are not complete;*
- (iii) *How many beneficiaries are up to date with their payments;*
- (iv) *How many beneficiaries have increased income and can now make an additional payment, should they be granted assistance.*

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7.6 **FEEDBACK REPORT: PUBLIC ABLUTION FACILITIES UNDERNEATH THE CLOSED MUNICIPAL SWIMMING POOL COMPLEX AND KIDDIE'S POOL**  
(M/C 2012/02/16 - E 1/6, E 4747)

**RESOLVED:**

That the feedback report regarding the public ablution facilities underneath the closed Municipal Swimming Pool complex and kiddie's pool submitted by the General Manager: Community Development Services be noted.

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7.7 **STATUS ON TOWNSHIP ESTABLISHMENT OF THE DRC AND 2<sup>nd</sup> PDA**  
(M/C 2012/02/16 - H 5)

**RESOLVED:**

- (a) That the General Manager: Community Development Services arranges public meetings with the residents of the DRC Informal Settlement to inform them about the formalization of the DRC and possible relocation during that period due to the installation of services.
  - (b) That the level of services for the erven in the DRC be discussed with the residents of the DRC Informal Settlement to ensure affordability.
  - (c) That the General Manager: Community Development Services distribute copies of the old and updated agreement to be signed by the residents of the DRC to all the Councillors.
  - (d) That a possible interim settlement area be identified.
  - (e) That the new lease agreement be amended to provide for relocation.
-

- 7.8 **APPLICATION BY MESSRS ELIZE INVESTMENT AND PARTNERS TO PURCHASE THE REMAINDER OF PORTION 5 OF SWAKOPMUND TOWN AND TOWN LAND NO. 41**  
(M/C 2012/02/16 - H 5/8)

**RESOLVED:**

That this item be kept in abeyance pending the approval of the revised Property Policy.

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- 7.9 **APPLICATION BY MESSRS SEGO INVESTMENT CC & PARTNERS TO PURCHASE ERF 785, MONDESA - "PUBLIC OPEN SPACE"**  
(M/C 2012/02/16 - M 785)

**RESOLVED:**

That this item be kept in abeyance pending the approval of the revised Property Policy.

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- 7.10 **SWAKOP RIVER ENTRANCE CONTROL**  
(M/C 2012/02/16 - G 1/1)

**RESOLVED:**

That an in-loco inspection be conducted after the meeting.

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- 7.11 **INCREASE IN AUTHORISATION LEVELS FOR PROCUREMENT OF GOODS AND SERVICES**  
(M/C 2012/02/16 - A 2/3/6)

**RESOLVED:**

- (a) That this item be referred back and be resubmitted at the next Management Committee meeting.
  - (b) That the General Manager: Finance submits a Table of Authority which should reflect emergency services required.
  - (c) That the Economic Development Officer offers training to SME's on the complication of Tender documents in order to minimize invalid tenders received.
- 

- 7.12 **OUTSTANDING AMOUNT ON ERF 3209, MONDESA**  
(M/C 2012/02/16 - M 3209)

**RESOLVED:**

That Ms A Uushona be informed to pay the outstanding balance before 02 March 2012, failing, which the property be sold.

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7.21 **CONSOLIDATION OF VARIOUS ERVEN IN THE PDA FOR THE CREATION OF INSTITUTIONAL ERVEN**  
(M/C 2012/02/16 - H 5/3)

**RESOLVED:**

That the consolidation of the additional erven constituting consolidated Erf "G" not be approved.

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7.26 **REQUEST FOR AN AUDIENCE:**  
**RENEWAL OF LEASE AGREEMENT AND SUB-LETTING: ERF 1308, SWAKOPMUND, WOERMANN HAUS - GARAGE**  
(M/C 2012/02/16 - E 1/4/1)

**RESOLVED:**

That Ms G Woermann of Messrs Woermann Brock Pty (Ltd) be invited to a Special Management Committee meeting scheduled for 23 February 2012 at 18H30.

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7.27 **REQUEST FOR AN AUDIENCE:**  
**TRANSFER OF ERF 4326 (A PORTION OF ERF 63, MONDESA), MONDESA IN THE NAME OF MESSRS MONDESA PROPERTY INVESTMENT CC**  
(M/C 2012/02/16 - M 4326)

**RESOLVED:**

That Mr J Kambueshe of Mondesa Property Investment CC be invited to a Special Management Committee meeting scheduled for 23 February 2012 at 18H30.

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7.28 **REPORT MAYORAL LUNCH FOR THE SENIOR CITIZENS: 2011**  
(M/C 2012/02/16 - A 2/3/2/1/4)

**RESOLVED:**

That quotations be obtained from service providers and be compared with the price of hiring caterers and hosting the event at the beach area.

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7.29 **PROGRESS REPORT: CONSTRUCTION OF THE NEW SWIMMING POOL COMPLEX**  
(M/C 2012/02/16 - E 5372)

**RESOLVED:**

That the progress report submitted by Messrs Light House Property Investment Trust for the period ending 31 December 2011 be noted.

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7.30 **PROGRESS AND NAME SELECTION FOR THE NEW TREATMENT PLANT**

(M/C 2012/02/16 - N 6//1/3 T)

**RESOLVED:**

That the public be invited to submit proposals on a fitting name for the New Sewage Treatment Plant.

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7.31 **OUTCOME OF THE FIRST TIME PROPERTY OWNER AUCTION HELD ON 28 OCTOBER 2005: FIVE YEAR RESTRAINT PERIOD LAPSED**

(M/C 2012/02/16 - G 3/3/2/9)

**RESOLVED:**

(a) That the following be noted:

- (i) *That 42% of the first time property owner erven was sold to third parties within one year since the restriction on alienation lapsed on 28 October 2010;*
- (ii) *That it was Council's intention to provide affordable erven for first time property owners to construct houses, only 26% of the erven still belonging to first time property owners have houses constructed thereon; and*
- (iii) *That only an anonymous survey may reveal the real reason why only 26% of the owners have built houses and why 42% have sold their property already.*

(b) That the new conditions of sale be discussed during the consideration of the revised Property Policy.

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7.32 **FEEDBACK ON THE OPERATION OF THE GAS REFILLING STATION CLOSE TO THE DRC INFORMAL SETTLEMENT**

(M/C 2012/02/16 - H 5)

During the discussion of this item Councillor R N Andreas-Noabes commended Council for approving the operation of the Gas Refilling Station. It was:-

**RESOLVED:**

That the feedback report submitted by the General Manager: Corporate Services and Human Resources regarding the operation of the Gas Refilling Station close to the DRC Informal Settlement be noted.

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7.33 **FEEDBACK REPORT ON THE SUBDIVISION OF ERF 604, MONDESA**

(M/C 2012/02/16 - M 604, M 605)

**RESOLVED:**

- (a) That the progress on the subdivision of Erf 604, Mondesa be noted and that this item be resubmitted to determine the exact sizes of the subdivided portions.
  - (b) That the General Manager: Community Development Services resubmits the invitation for development proposals for Erf 605, Mondesa to the Management Committee for consideration.
-

8. **POLICY MATTERS**

8.3 **PARKING METERS ASSESSMENT- CENTRAL BUSINESS AREA**

(M/C 2012/02/16 - N 8/15/12)

**RESOLVED:**

That the General Manager: Community Development Services obtain the cost estimate for the levelling, paving and marking of the new parking area.

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8.12 **APPLICATION TO OPERATE A HOME SHOP IN THE DRC**

(M/C 2012/02/16 - H 5/4/1)

**RESOLVED:**

That the General Manager: Health Services ensures that regular inspection is carried out at Home Shops to ensure compliance with regulations.

---

8.13 **APPLICATION TO OPERATE HOME SHOPS IN THE DRC**

(M/C 2012/02/16 - H 5/4/1)

**RESOLVED:**

That the General Manager: Health Services ensures that regular inspection is carried out at Home Shops to ensure compliance with regulations.

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9. **PERSONNEL MATTERS**

9.1 **INTEREST FREE LOAN FOR CORPORATE WEAR**

(M/C 2012/02/16 - B 1/1)

**RESOLVED:**

- (a) That an interest free loan to a maximum amount of N\$3 500.00, which shall be repaid optional in six (6) months or twelve (12) months be granted to staff members to purchase corporate wear.
  - (b) That Personal Assistants of the respective departments co-ordinate the ordering and the issuing of requisitions from the relevant departments' vote.
  - (c) That the staff members making use of the loan sign an agreement for the deduction from their salaries.
-

9.3 **INVITATION: WOMEN IN LEADERSHIP AND DEMOCRACY**  
(M/C 2012/02/16 - A 2/3/2/1)

During the discussion of this item Councillor P V Steinkopff requested for a copy of the Mayor's speech that she will present at the Women in Leadership and Democracy Conference in Johannesburg, South Africa. It was:-

**RESOLVED:**

- (a) That permission be granted to the Mayor to attend the Women in Leadership and Democracy Conference to be held from 23-24 May 2012 in Johannesburg, South Africa.
  - (b) That travel and accommodation for the Mayor be financed by the host.
  - (c) That the Subsistence allowance of N\$2 100.00 be defrayed from the Conference Expenses Vote 100510206500 where N\$81 878.17 is available.
  - (d) That a copy of the Mayor's speech at the Women in Leadership and Democracy Conference in Johannesburg, South Africa, be distributed to all the Councillors.
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9.6 **INVITATION TO THE eTRAFFIC™ SYSTEM TRAINING**  
(M/C 2012/02/16 - A 4/3/1/3)

**RESOLVED:**

- (a) That permission be granted to the Manager: Traffic Services (Mr M Cloete) and one Senior Traffic Officer to attend the eTraffic™ system training session on 24 February 2012 in Windhoek.
  - (b) That the subsistence and travelling allowances defrayed from the Training Vote 202010215700 where N\$14 812.00 is available.
  - (c) That special leave be granted to the staff members during this period.
  - (d) That in future, female officers also be delegated to obtain such training.
- 

9.8 **2-DAY TRAINING SEMINAR ON ADVANCED AUTOMATIC METER READING**  
(M/C 2012/02/16 - A 4/3/1/3 / N 10/2/4)

**RESOLVED:**

- (a) That the action of the Chief Executive Officer, after consultation with the Vice-Chairperson of the Management Committee, to grant approval to the Manager : Operations (Mr R Kubirske) to attend the 2-day training seminar on Advanced Automatic Meter Reading held in Midrand, South Africa, on the 31 January and 01 February 2012, be condoned.

- (b) That subsistence expenses, be defrayed from the Training Vote 305210201570, where N\$10 000.00 is available.
- (c) That the Manager: Operations submit feedback report to the next Management Committee meeting.

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9.9      **MEETING IN MALAWI ON PLANNING AND UPGRADING OF INFORMAL SETTLEMENT**

(M/C 2012/02/16                      -                      H 5/4)

**RESOLVED:**

- (a) That the permission granted to Chairperson of Management Committee and the General Manager : Community Development Services to attend the meeting on Planning and Upgrading of Informal Settlement in Malawi from 24-27 January 2012 be condoned.
- (b) That the out of town allowance for Councillor N N Salomon be defrayed from Conference Expenses Vote 100510206500 where N\$81 878.17 is available and that of the General Manager: Community Development Services be defrayed from Training of Personnel Vote 500510215700 where N\$9 931.00 is available.
- (c) That the General Manager: Community Development Services submit feedback report to the next Management Committee meeting.

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

10.1      **PRESENTATION: FINANCIAL LITERACY EMPOWERS**

(M/C 2012/02/16                      -                      A 3/3/1)

**RESOLVED:**

That the presentation regarding Financial Literacy Empowers presented by representatives from Partnership for Economic Growth (PEG) be noted.

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10.2      **LOCAL ECONOMIC DEVELOPMENT CONFERENCE 2012**

(M/C 2012/02/16                      -                      A 2/3/15)

**RESOLVED:**

- (a) That Councillor L M Madi, the General Manager: Community Development Services and the Economic Development Officer (Ms I Kanguuehi) attend the LED Conference in Windhoek on 16 -19 April 2012.
  - (b) That the General Manager: Community Development Services gives a presentation on LED in Swakopmund on The PPP initiative.
-

10.3 **ASSISTANCE WITH INTERVIEWS: MUNICIPALITY OF OMARURU**  
(M/C 2012/02/16 - A 3/3/1)

**RESOLVED:**

- (a) That permission be granted to the Chief Executive Officer or a secundi, to assist the Omaruru Municipality with the short-listing and interviewing of candidates for the Chief Executive Officer position on 08 March 2012 in Omaruru.
- (b) That special leave be granted to the Chief Executive Officer or a secundi during this period.
- (c) That the cost for subsistence and travelling be paid for by the Omaruru Municipality.

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10.4 **WORKSHOP: WATER AND WASTE WATER QUALITY REGULATIONS**  
(M/C 2012/02/16 - B 1/4/8)

**RESOLVED:**

- (a) That the permission granted to the Technician: Water and Waste Water, (Mr C McClune) and the Superintendent: Sewerage Works, (Mr W Schlechter) to attend a Water Regulations Workshop offered from 15-16 February 2012 at the Nampower Convention Centre in Windhoek be condoned.
- (b) That special leave be granted to the staff members during this period.
- (c) That the permission granted to make use of municipal transport to and from Windhoek be condoned.
- (d) That the cost for the workshop be defrayed from the Training Vote 302510215700 where N\$12 301.76 is available.

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10.5 **INVITATION: 2-DAY CONSULTATION WORKSHOP ON THE REVIEW OF THE CIVIL DEFENCE ORDINANCE IN KEETMANSHOOP**  
(M/C 2012/02/16 - A 1/3/6)

**RESOLVED:**

- (a) That permission be granted to the Chief Fire Officer to attend the Consultation Workshop on the Review of the Civil Defence Ordinance to be held from 20-21 February 2012 in Keetmanshoop.
  - (b) That special leave be granted to the Chief Fire Officer during this period.
  - (c) That the Subsistence and Travelling allowance be defrayed from the Conference Expenses vote 201010206500 where N\$7 000.00 is available.
-

10.6 **INVITATION TO PARTICIPATE IN THE LEGAL FRAMEWORK  
REVISION: ENVIRONMENTAL HEALTH POLICY AND GENERAL  
HEALTH REGULATIONS**

(M/C 2012/02/16 - F 26)

**RESOLVED:**

- (a) That the permission granted to the Manager: Health Services to participate in the revision of the General Health Regulations and Environmental Health Policy in Namibia from 13-17 February 2012 in Otjiwarongo be condoned.
  - (b) That Subsistence and Travelling allowances be defrayed from Vote 103510206500 where N\$17 092.09 is available.
  - (c) That special leave be granted to the Manager: Health Services during this period.
- 

10.7 **BUILD TOGETHER MASTER WAITING LIST**

(M/C 2012/02/16 - H 5)

**RESOLVED:**

- (a) That the Master Waiting List (on file) be approved and be the only list to be referred to in the future.
  - (b) That Community Development Services and a Build Together Committee member contact all applicants with incomplete applications and request them to submit all outstanding information within three (3) month.
  - (c) That failure to comply with (b) will lead to the disqualification of their applications.
  - (d) That once all information referred in (b) is received, the applications be added at the bottom of the Master Waiting List.
  - (e) That written proof be obtain from Henties Bay Municipality confirming that Ms G Gaingos owns a property in Henties Bay.
  - (f) That a meeting be held with the Build Together committee to determine whether preference will be given to the 45 Build Together beneficiaries who were allocated erven in lieu of beneficiaries whose salaries were higher than the stipulated N\$3 000.00.
-

10.8

**INVITATION TO THE OFFICIAL OPENING OF THE OHANGWENA  
CONSTITUENCY OFFICE**

(M/C 2012/02/16 - A 2/3/2/1)

**RESOLVED:**

- (a) That Councillor R N Andreas-Noabes attends the official opening of the Ohangwena Constituency Office at Onhuno on 02 March 2012.
  - (b) That the costs for Subsistence and Travelling allowances be defrayed from the Council's Conference Expenses Vote 100510206500 where N\$70 092.75 is available.
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11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**
- 11.1 **ORDINARY MANAGEMENT COMMITTEE MEETINGS HELD ON 16 FEBRUARY 2012**
- 11.1.1 **ENVIRONMENTAL ASSESSMENTS REQUIRED BY ENVIRONMENTAL ACT**  
(C/M 2012/02/29 - G 1/1)
- Ordinary Management Committee Meeting of 16 February 2012, Addendum 7.1 page 01 refers.**
- 

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

On **14 April 2011** the General Manager: Health Services submitted an addendum to Management Committee related to the Environmental Management Act, Act 7 Of 2007 and its impact on development projects in Swakopmund. After the matter was discussed it was inter alia resolved under item 8.5

*That this item be referred back and that it be submitted to the Planning Forum for consideration.*

**Background**

The Environmental Management Act was enacted by the Parliament of the Republic of Namibia and signed by the President on **21 December 2007** and subsequently gazetted according to notice No 232, Gazette No 3966.

The purpose of the Act is:

- *To make sure that people consider the impact of activities on the environment carefully and in good time.*
- *To make sure that all interested or affected people have a chance to participate in environmental assessments.*
- *To make sure that the findings of environmental assessments are considered before any decisions are made about activities which might affect the environment?*

It will be expected from all Government institutions as well as private persons and bodies to follow the principles of environmental management by:

- *Using renewable resources on a sustainable basis for the benefit of current and future generations of Namibia.*
- *Promoting community involvement in the management of natural resources, and community sharing in the benefits from those resources.*
- *Promoting public participation in decisions affecting the environment.*
- *Promoting equitable access to all environmental resources.*
- *Doing environmental assessments of all projects that may affect the environment or the use of natural resources.*
- *Promoting sustainable development in everything that affects the environment.*
- *Protecting Namibia's cultural and natural heritage, including its biological diversity, for the benefit of current and future generations.*
- *Adopting methods to reduce waste generation of pollution at source.*
- *Promoting reduction, re-using and recycling of waste.*

- *Paying for the cost of any pollution and of preventing thereof.*
- *Taking precautions to prevent environmental damage.*

The Act, (Read together with Namibia's Environmental Assessment Policy approved in **August 1994** by Cabinet Resolution, 16.8.94/002) further stipulates that an environmental assessment is needed for activities in respect of any of the following areas:

- (i) *Land use and transformation (Structure Plans, Land-use plans and policies, rezoning applications, establishment of Settlements, declaration of limited development areas, any project on the use of natural resources, Pest control programmes, motorvehicle racing and test tracks, filling stations, any activity which requires a permit for the release of emissions ,pollution, effluent or waste, the establishment of cemeteries, construction of masts of any material or any type and of any height including those used for telecommunication broadcasting and radio transmission but excluding those masts of 15meters and lower exclusively used for radio amateurs, or lighting purposes, flagpoles and lightning conductor poles.)*
- (ii) *Water use and disposal (Sewage plants and reservoirs)*
- (iii) *Resource removal (Sand Mining, Salt works, aquaculture and mariculture.)*
- (iv) *Resource renewal (Desalination)*
- (v) *Agricultural processes*
- (vi) *Industrial processes (Storage facilities for chemical products, fuel depots, tanneries)*
- (vii) *Transportation (Hazardous products, substances and radio-active waste) major roads, harbours, pipelines, river diversions, water transfers,*
- (viii) *Energy generation and distribution*
- (ix) *Waste and sewage disposal / chemical treatment (Sites) the use, recycling, handling, temporary storage, treatment or final disposal of waste.*
- (x) **Recreation**, *(Commercial tourism and recreation facilities (eg. Restcamps, resorts, hotels or other tourism and hospitality facilities,) and*
- (xi) *Any other area which the Minister considers necessary for the purpose of listing.*

The above implies that all organs of state which includes local authorities must consider and assess the impacts of their activities on the environment. It also means that environmental assessments are required in the form of Strategic Environmental Assessment for any plans, policies and programmes that are developed. Further implications of the Act are that authorization of listed activities by local authorities without the necessary environmental clearance will be in contravention of the Act.

In addition, the “*polluter pays principle*” would apply and when a municipality is found to be causing pollution or land degradation, it will be held responsible for the remedial and preventative costs of such damage.

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

**RECOMMENDED:**

- (a) **That in future, an Environmental Assessment and Environmental Management Plan be done by the relevant Town Planner and be a pre-requisite by Council at the planning stage of any town extension in Swakopmund.**
  - (b) **That in addition to (a) above, a developer must submit an Environmental Clearance Certificate, where required, before building / development plans are approved.**
-

## 11.1.2 **WATER TARIFF FOR SMALLHOLDINGS**

(C/M 2012/02/29 - D 2/1, G 2)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 7.2 page 06 refers.

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

Council Meeting on **31 August 2011** under item 11.1.28(b) resolved as follows:

*That the owners of Smallholdings henceforth pay the tariffs applicable to the rest of Swakopmund for water consumption.*

After the subsequent implementation of the above resolution, written requests were received from the Smallholding owners requesting Council to reconsider their decision.

The matter was hereafter again referred to Council and the following resolution under item 7.6 of the Council Meeting of **13 October 2011** was taken:

*That the General Manager: Finance submits a report to Management Committee providing an analysis of the impact of the new tariffs versus the old tariffs.*

Below table summarises the statistics for four (4) of the larger water consumption users at the Smallholdings for the period **August 2011** until **January 2012** with **August 2011** still being billed according to the staggered water tariff:

<b>Consumption - l<sup>3</sup></b>						
	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12
1	192	201	212	204	198	297
2	205	157	180	161	217	209
3	225	180	220	224	198	309
4	800	972	1167	1139	982	987

<b>N\$ Costs</b>						
	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12
1	1,608.00	2,793.00	3,006.40	2,851.20	2,734.80	4,605.40
2	1,785.00	2,492.60	2,574.60	2,570.20	3,656.60	3,501.40
3	1,965.00	2,938.80	3,714.80	3,792.40	3,288.00	5,441.10
4	7,140.00	17,750.40	22,086.60	21,543.40	18,497.60	18,594.60

(Smallholding 4 applied for an additional meter which started running from **September 2011**)

It is apparent from the above that the newly adjusted rates resulted in a considerable increase in water consumption costs for the Smallholding owners.

The tariffs prior to the amendment were as follows:

- $1-30/m^3 = N\$7.00/m^3$
- $31 m^3 = N\$9.00/m^3$

The amended tariffs that are currently in place are on par with the rates applicable to the rest of Swakopmund and are depicted in the table below. Also shown is the resultant effect should it be reduced with the indicated percentages:

Amended Rates - Possible Scenario							
		Reduction %					
I <sup>3</sup>	Rate	15%	17.50%	20%	22.50%	25%	30%
1-8	61.50	Tariff to remain unchanged					
9-30	9.90	8.42	8.17	7.92	7.67	7.43	6.93
31-60	13.10	11.14	10.81	10.48	10.15	9.83	9.17

The purpose of the information is for Council to consider adjusting the current tariffs applicable to Smallholdings using its discretion in consultation with the above table as a guide.

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

**RECOMMENDED:**

**That Council's resolution of 31 August 2011 under item 11.1.28 be repealed and replaced with the following:**

- (a) That Council approves an increase in the water tariff for smallholdings staggered over three (3) years as follows:**

		Suggested Rates		
I <sup>3</sup>	Current Rate	Rate 2011/2012	Rate 2012/2013	Rate 2013/2014
1-8	Basic charges were not previously levied.	61.5 (incl. basic&meter rent)	61.5 (incl. basic&meter rent)	61.5 (incl. basic&meter rent)
9-30	7.00	7.40	7.80	8.20
31-60	9.00	9.60	10.20	10.80

- (b) That the final tariff after the three (3) years be fixed at 17.5% below the normal tariff for the rest of Swakopmund.**
- (c) That the abovementioned reduced tariff only be applicable to smallholdings who engage in commercial agriculture and farming activities on their respective smallholdings.**

11.1.3 **APPLICATION BY MESSRS NAMIBIA OYSTERS (PTY) LTD FOR TOWNSHIP ESTABLISHMENT ON PORTION 96, SWAKOPMUND**  
(C/M 2012/02/29 - G 4/1/1 (7))

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 7.3 page 08 refers.

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

1. **INTRODUCTION**

With reference to an application by Messrs Lithon Project Consultants on behalf Messrs Namibia Oysters (Pty) Ltd for a proposed Township Establishment on Portion 96, Swakopmund, Council on **27 October 2011** passed the following resolution:

- (a) *That the application for Township Establishment on Portion 96, Swakopmund, be turned down.*
- (b) *That the applicant adheres to the provisions of clauses 7.2, 7.4 and 4.2 of the Deed of Sale.*

Following the above, Messrs Lithon Project Consultants on **03 November 2011** requested reasons for the above decision and also reasons why the request for an audience with Council was declined.

In addition to the above, a letter dated **16 November 2011** was also received from Messrs Namibia Oysters (Pty) Ltd. Copies of the letter were addressed to all Councillors.

2. **PROPOSAL**

It is proposed that Messrs Namibia Oysters (Pty) Ltd be invited to a Special Management Committee at which meeting all their concerns can be discussed.

3. **BACKGROUND**

The submission compiled by the Engineering Services Department, tabled to Council on **27 October 2011** is quoted for ease of reference.

3.1 Application was received from Messrs Lithon Project Consultants on behalf Messrs Namibia Oysters (Pty) Ltd for a proposed Township Establishment on Portion 96, Swakopmund.

Portion 96 is located just north of the Mile 4 Rest Camp as indicated on the locality map. The area is earmarked for “*Aquaculture*” purposes along with a few other portions that is to be created within the area for such purposes.

It is the intention of the owner/developer to subdivide Portion 96 into 103 Single Residential erven with a density of 1:900m<sup>2</sup>, 3 General Residential erven, 3 Public Open Space, 2 Local Authority erven, 1 Local Business erf and Remainder (Street).

3.2 The oyster company was recently sold to a new group of owners who now are of the opinion that “*Aquaculture*” is not possible on the proposed site. Within the application reference is made to a telephonic conversation between the owners and Ms B Curry of the

Ministry of Fisheries & Marine Resources who apparently indicated to them that the site is not suitable for mariculture farming. Ms B Curry was contacted with regard to this and it was indicated by her that this is not a true reflection of the situation.

A meeting was held at the Engineering Services Department with Ms B Curry and when shown the letter from the Ministry she was unaware of the contents. Ms B Curry took the issue up with the Permanent Secretary and Director of Fisheries who had the letter repealed and changed to represent the true nature of the situation (documents on file). It is the opinion of MFMR that the area is suitable for aqua/mariculture and that it is only the type of oyster farming attempted by the applicant that was not viable.

It was also indicated on the same letter that the Minister of Fisheries and Marine Resources is not in support of such application for Township Establishment on Portion 96, Swakopmund.

- 3.3 From a Municipal point of view the applicant is not honouring the original Deed of Sale that was drawn up between the Municipality Council and Namibia Oyster Farming (Pty) Ltd (documents on file).

**Clause 6.3** states: *"The Purchaser shall, as soon as possible after the date of transfer but in any event not later than 24 (twenty-four) months after the date, at its own expense, procure the rezoning of the property so as to provide for the mari/aquaculture usage of the Property".*

This according to our records was never done.

**Clause 6.4** states: *"Irrespective of whether or not the Purchaser has successfully procured the rezoning of the Property as stipulated in clause 6.3 above, the Purchaser shall at all times only be entitled to utilise the Property for mari/aquaculture usages".*

Messrs Lithon Project Consultants' emphasis is that the permitted use is not viable due to environmental conditions experienced during the year. Although the use can apparently not be exercised according to the application, the Deed of Sale provides the following:

**Clause 7.2:** *"The sale of the Property is subject to and conditional upon a restraint of alienation in favour of the Seller in terms whereof the Purchaser shall be prohibited from **alienating the property or any subdivision thereof until and unless the property has first been offered to the Seller in writing** at a price as determined in clause 7.4. below and the Seller has rejected the offer in writing, which restraint of alienation shall also, on transfer of the Property into the name of the Purchaser, be simultaneously imposed against the title deed of the Property".*

**Clause 7.4:** *"The price referred to in clause 7.2. shall be equal to the purchase price as stipulated in Clause 4.2. and the market value of those improvements effected by the Purchaser to the Property after the signature date, which the seller, in its sole discretion deems useful, and which discretion shall not be exercised unreasonably. For purpose of this clause, improvements to the Property as at the signature date are recorded in the document annexed hereto marked "D"."*

**Clause 4.2:** *"The purchase price is the amount of N\$675 000.00 (SIX HUNDRED AND SEVENTY FIVE THOUSAND NAMIBIA DOLLARS), and shall be paid free of any bank costs or other deductions to the Seller on the date of transfer.*

No record could be found on file that the above process was ever initiated by the new owners. The purpose of these clauses was to ensure that someone does not obtain prime beach front land under false pretences due to the extremely low price and then develop it into a township.

- 3.4 It is clear from the above that the proposal will be in breach of the sales agreement as entered into between the Municipality (referred to as the Seller) and Namibia Oyster (Pty) Ltd (The Purchaser).

After the Special Management Committee Meeting held **19 January 2012** the Chief Executive Officer was instructed to request in writing from the Ministry of Fisheries and Marine Resources to confirm to Council the Ministry's position regarding the use of portion 96 in Swakopmund. **(Letter attached).**

**Attached**, please find the response from the Ministry of Fisheries and Marine Resources, in which they confirm that portion 96 solely be utilized for aquaculture development and NOT for property development.

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

**RECOMMENDED:**

- (a) That Messrs Namibia Oysters (Pty) Ltd be informed that portion 96, Swakopmund remains solely for aquaculture development and shall not be rezoned for township development.
  - (b) That Messrs Namibia Oysters (Pty) Ltd be informed that they are required to notify Council about the change of shareholding of the company in line with the deed of sale.
-

11.1.4 **SWAKOP RIVER ENTRANCE CONTROL**  
(C/M 2012/02/29 - G 1/1)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 7.10 page 61 refers.

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

**Introduction:**

Council on **27 May 2010** under item 11.1.12 resolved as follows:

- (a) *That permission be granted to the Ministry of Environment and Tourism to erect a wooden pole barrier on the northern banks of the Swakop River behind Kramersdorf.*
- (b) *That the cost to erect the barrier be for the account of the Ministry of Environment and Tourism.*
- (c) *That the Ministry of Environment and Tourism be informed that Council has no objection if they wish to control illegal entry into the Swakop River from the northern banks (Kramersdorf Area) without affecting the location of the Townland boundaries.*
- (d) *That the General Manager: Engineering Services determines the site where the barrier will be erected considering the envisaged developments approved by Council in the area.*

In the meantime NACOMA (The Namibian Coast Conservation and Management Project) has decided to use a different material for this barricade.

Mr J Gossow of Messrs Salz-Gossow (Pty) Ltd called the Acting General Manager: Engineering Services to inform him that he was approached by NACOMA for permission to use the rock boulders which resulted from a blasting operation for the construction of infrastructure in the residential extension (Dunes Development) in Kramersdorf. They intend to negotiate with him to place these boulders along the envisaged line of the barricade instead of the wooden poles. These boulders which are of almost the same rock material as the rocky banks to the Swakop River will look much more natural and may even offer a better protection against vehicles trying to cross this line.

**Discussion:**

The Acting General Manager: Engineering Services supports this proposal. A map depicting the proposed position of the barrier and relevant correspondence is enclosed in the **ANNEXURE**.

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

**RECOMMENDED:**

- (a) **That Council repeals point (a) of its decision of 27 May 2010, which read as follows:**
    - (a) *That permission be granted to the Ministry of Environment and Tourism to erect a wooden pole barrier on the northern banks of the Swakop River behind Kramersdorf.*
  - (b) **and replaces it with the following wording:**
    - (a) *That permission be granted to the Ministry of Environment and Tourism to erect a barrier on the northern banks of the Swakop River behind Kramersdorf of a material which blends in harmoniously into the natural landscape of the river bank.*
-



11.1.5 **BUILDERS DEPOSIT REFUND: MR B GAINGOB**  
(C/M 2012/02/29 - D 7/1/1)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 7.13 page 82 refers.

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

Management Committee with regard to refundable deposits on **17 February 2007** under item 8.1 resolved as follows:

*That in future refunds only be honoured upon proof of original receipt (status quo).*

Council in the past required a refundable builders deposit for any building activities on approved building plans. Mr B Gaingob was one those who paid an amount of N\$1 000.00 as deposit.

It is a standing procedure that clients are only refunded their deposit upon proof of original receipt.

Mr B Gaingob has lost his original receipt, and only has a copy of the receipt he has received from the Engineering Services Department where the receipt number (#224893) is quoted (**Annexure A**). He requested that his deposit be refunded to him on this grounds.

Finance Department however has a list (**Annexure C**) of unclaimed Builders deposits, and this receipt number and the date corresponds, but only named as Mondesa on the list.

**Annexure B** is an affidavit from Mr B Gaingob that he has lost the original receipt # 224893.

In scenarios like above, clients can only be refunded with Council's consent.

After submission of this matter to Management Committee of **14 January 2010** under 8.5 it was resolved that:

*That the request for a builders deposit refund of N\$1 000.00 by Mr B Gaingob be turned down.*

On **1 February 2012**, Mr B Gaingob once again submitted a request to Council to reconsider the matter stating that as resident and account holder of Swakopmund, he is not trying to defraud Council. He remains adamant and requests that Council should consider his plea favourably.

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

**RECOMMENDED:**

**That Council refunds the N\$1 000.00 builder's deposit to Mr B Gaingob, on condition that he provides acceptable proof of identity.**

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11.1.6 **BENGUELLA LOW COST HOUSING ASSOCIATION**  
(C/M 2012/02/29 - H 5/3/2)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 7.14 page 89 refers.

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

Management Committee on **14 October 2010** under item 7.5 resolved as follows:

*That the General Manager: Community Development Services arranges a meeting with the leadership of Messrs Benguella Low Cost Housing Association and explain the modalities of the transaction.*

**RESOLVED:**

- (a) *That the latest bank statement of Messrs Benguella Low Cost Housing Association indicating a balance of N\$291 378.88 be noted.*
- (b) *That permission be granted to the General Manager: Corporate Services to draw up the Deed of Sale for purchasing the 78 erven at the PDA.*
- (c) *That Messrs Benguella Low Cost Housing Association beneficiaries be allowed to settle on their erven as soon as the Deed of Sale is signed.*
- (d) *That the outstanding amount of N\$380 617.80 plus 4% interest (N\$380 617.80 + N\$15 224.71 = N\$395 842.51) be paid in equal monthly instalments of N\$6 597.38 for the period of 5 years.*

Management Committee on **13 October 2011** under item 7.10 resolved as follows:

*That the General Manager: Finance arranges a meeting with all the members of Messrs Benguella Low Cost Association to discuss possible assistance that Council can render to the association, with report back to Management Committee.*

A meeting was held with the members of Messrs Benguella Low Cost Housing Association on Monday, **07 November 2011** at the Vrede Rede Primary School Hall where the following information was shared with the members:

- *Council's intention to grant loans to individual members of the Association due to the ongoing disputes between the Association and its members.*
- *Loans will only be granted to those members as it was resolved by the Management Committee on **14 October 2010**.*
- *The interest rate applicable will be 4% and the loan period will be twelve (12) months.*

The members have however requested Council to grant them a twenty four (24) month period to settle their outstanding loan amounts. Those members who have the financial means will settle their loans earlier than the said period.

The **attached** schedule contains the names of those members with outstanding loan amounts for approval as well as the cost implications if the loans are to be granted over a twelve (12) or twenty four (24) month period.

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

**RECOMMENDED:**

**That the Management Committee resolution of 14 October 2010 under item 7.5 be repealed and replaced with the following:**

- (a) That Council approves the granting of individual loans to members of Messrs Benguella Low Cost Housing Association.**
  - (b) That (a) above only be applicable to the beneficiaries approved on 14 October 2010.**
  - (c) That the individual loans be granted to the beneficiaries for the remaining balances at 4% interest and that the loan period be (twenty four) 24 months.**
  - (d) That written confirmation be obtained from Messrs Benguella Low Cost Housing Association that they grant approval for the beneficiaries to pay back their loans individually to Council.**
  - (e) That the individual beneficiaries sign a separate agreement with Council and that erven be transferred into the individual beneficiaries names.**
  - (f) That the future process of selling erven in the DRC be reviewed.**
-

11.1.7 **MAYORAL DEVELOPMENT FUND: SCOPE, FUNCTION AND MISSION**

(C/M 2012/02/29 - A 2/3/2/1/3)

**Ordinary Management Committee Meeting of 16 February 2012, Addendum 7.15 page 92 refers.**

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

The granting of financial assistance and sponsorships by any local authority to other institutions is regulated under Section 30(1)(ii) of the Local Authorities Act, 1992 (Act No. 23 of 1992), as amended.

This section of the Act provides that a local authority can only make a grant or give a donation if the prior written approval (in every particular case) of the Minister of Regional and Local Government, Housing and Rural Development was obtained. Section 84 of the same Act prescribes that a local authority shall not apply its money otherwise than in accordance with its approved budget.

This is the reason Council should not consider any requests other than through the Mayoral Development Fund.

Therefore, a charter and guidelines is proposed to be channelled through the Mayoral Development Fund to provide assistance to the community of Swakopmund on merit.

The purpose of this submission is to obtain approval of this concept document as the framework governing the administration and management of the Mayoral Development Fund. It further seeks Council's approval for the establishment of the Mayoral Development Fund Management Committee as proposed. Its approval will result in an efficient and effective allocation and utilization of funds purely on merit and ensure that funds are used for the purpose for which they are being sourced or budgeted for.

The Municipal Council of Swakopmund is aware of the needs of the under-privileged, the rising cost of education, the old and destitute residents of Swakopmund. For these reasons the Mayoral Development Fund was established.

As a responsible entity, tasked with the provision of services as outlined in the Local Authorities Act, Act 23 of 1992, as amended, the Municipality of Swakopmund should add value to the community it serves. Social responsibility is the accepted and prescribed modus operandi of present day companies all over the world. It is necessary and fitting for organisations to give something back to the communities in which they operate.

The Mayor is always the first person, people turn to when they are in need of assistance. Their expectations are generally high, given the fact that the Mayoral Development Fund has in the past provided assistance to schools in Swakopmund and some other cases of specialized medical

supplies, and food and clothing to needy community members affected by natural and other disasters.

**Attached**, the Charter & Guidelines of the Mayoral Development Fund, including the composition and operations of the Mayoral Development Fund Management Committee.

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

**RECOMMENDED:**

**That the Charter & Guidelines of the Mayoral Development Fund, including the composition and operations of the Mayoral Development Fund Management Committee, (on file), be approved subject to corrections.**

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11.1.8 **MESSRS MORIA CONGREGATIONS OF AFRICA (SWAKOPMUND BRANCH): AMENDMENT OF COUNCIL'S RESOLUTION**  
(C/M 2012/02/29 - M 1898, I 1/1/5)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 7.16 page 98 refers.

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

**1. Introduction**

**1.1 Council on 28 July 2011 passed the following resolution:**

*That Council's resolution of 02 June 2009 under item 11.1.1 be repealed and be replaced with the following:*

- (a) That a portion on the subdivision of Portion 5 be offered to Messrs Moria Congregations of Africa (Swakopmund Branch) at a purchase price of 50% of the cost of installation of services to Portion 5.*
- (b) That Erf 1898, Mondesa be rezoned to a suitable zone to prevent future similar complaints from the public.*

Messrs Moria Congregations of Africa was informed of the above decision on **03 August 2011**; whereafter they accepted Council's resolution in writing on **31 August 2011**.

As per a letter dated **18 November 2011** the Church indicated that with reference to the available portions on Portion 5, they wish to acquire Portion A as their first choice, or Portion K as their second choice, should the sale of Portion A not be approved (**Annexure "A"**).

The subdivision of Portion 5 is being attended to and once the process is finalized all applications for portions will be considered.

**2. Council's Intention to Purchase Erf 1898, Mondesa**

Although it is Council's intention to purchase Erf 1898, Mondesa from Messrs Moria Congregations of Africa (Swakopmund Branch), it is not clearly stated as such in the Council resolution of **28 July 2011**.

Therefore, it is necessary to add the following points / conditions to the said resolution:

- (c) That Council's intention to acquire Erf 1898, Mondesa be advertised in terms of section 63 of the Local Authorities Act, Act 23 of 1992, as amended at Council's cost.*
- (d) That Erf 1898, Mondesa be transferred to Council at Council's cost*
- (e) That the purchase price paid for Erf 1898, Mondesa in the amount of N\$4 183.98 be refunded to Messrs Moria Congregations of Africa (Swakopmund Branch) (The National Council of the Moria Congregations of Africa);*
- (f) That Messrs Moria Congregations of Africa (Swakopmund Branch) provide proof of their financial ability to develop the Portion of the subdivision of*

*Portion 5, immediately after transfer, as was resolved as an additional condition by the Management Committee on 14 January 2010.*

3. **Brief Background**

The submission which was tabled to the Management Committee of **14 July 2011** is **attached** as **Annexure “B”**.

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

**RECOMMENDED:**

**That the following points / conditions be added to Council’s resolution 11.1.15 passed on 28 July 2011:**

- (a) That Council’s intention to acquire Erf 1898, Mondesa be advertised in terms of section 63 of the Local Authorities Act, Act 23 of 1992, as amended at Council’s cost.**
  - (b) That Erf 1898, Mondesa be transferred to Council at Council’s cost.**
  - (c) That the purchase price paid for Erf 1898, Mondesa in the amount of N\$4 183.98 be refunded to Messrs Moria Congregations of Africa (Swakopmund Branch) (The National Council of the Moria Congregations of Africa).**
  - (d) That Messrs Moria Congregations of Africa (Swakopmund Branch) provide proof of their financial ability to develop the new Portion of the subdivision of Portion 5, immediately after transfer, as was resolved as an additional condition by the Management Committee on 14 January 2010.**
-

11.1.9 **ASSEMBLIES OF GOD: APPLICATION TO EXCHANGE ERF 4056, SWAKOPMUND**

(C/M 2012/02/29 - E 4056; M 1898, H 1/10/1)

**Ordinary Management Committee Meeting of 16 February 2012, Addendum 7.17 page 105 refers.**

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

**1. INTRODUCTION**

The **attached** application dated **21 November 2011** was received from Messrs Harmse Attorneys (**Annexure "A"**) on behalf of **Assemblies of God**, requesting Council to consider allowing them to exchange their Erf 4056, Swakopmund for Erf 1898, Mondesa.

The reason being that Erf 4056, Swakopmund is located within the industrial area and quite far from the dwelling of their parishioners.

**2. BRIEF BACKGROUND**

2.1 Council approved the sale of a Portion of Erf 630, Mondesa to Assemblies of God and a Deed of Sale was signed on **22 September 1997**. Pending the finalization of the subdivision of Erf 630, Mondesa to create Erf 2069, Mondesa, permission was granted to the Assemblies of God to pitch a tent on the said portion to conduct church services.

2.2 On **21 February 1998** a petition was received from the neighbouring residents to the tent, objecting mostly because of noise to the proposed building of a church by the Assemblies of God.

2.3 A meeting was conducted between the church leadership, representatives of the community and the municipality.

2.4 Meetings with the church started in order to find an amicable solution for a suitable erf for the Assemblies of God and on **13 March 1998** they accepted the exchange of Erf 2069, Mondesa with Erf 4056, Swakopmund. On **30 April 1998** Council approved the exchange.

2.5 The purchase price for Erf 4056, Swakopmund in the amount of **N\$1 462.83** was paid and the erf was transferred on **27 September 2001** into the name of The Trustees for the Time Being of the Assemblies of God.

2.6 In terms of the deed of sale, signed on **29 August 2000**, a main building to the value of N\$188 000.00 should have been completed by **1 July 2004**.

Quoted from the said agreement:

6. *This sale is subject to the following conditions, whether such conditions are registered against the Title of the Property in the Deed of Transfer or not and which shall be binding on any successor-in-title.*

(c) *The Purchaser shall be obliged to develop the land within a period of 4 years from date of sale, failing which the erf will revert back to Council and all monies and or fees paid to Council will be forfeited to Council.*



2.7 On **31 May 2006** a submission was tabled to Council explaining that due to a court case regarding internal differences within the denomination, building activities could not be commenced with. At that stage the municipal services account was in arrears since 2003 in the amount of N\$12 801.35. The following resolution was passed by Council:

- (a) *That the Assemblies of God be requested to settle the outstanding amount on their services account forthwith and provide Council with information with regard to their intentions as to when development will commence.*
- (b) *That should the Church fail to provide proof of their financial ability to commence by 31 July 2006 Erf 4056 be offered to the next denomination on the waiting list which qualifies for a church erf.*

2.8 Since no development was commenced with, Council on **27 March 2008** resolved that in terms of the Property Policy, paragraph 5 (iii) the sale of Erf 4056, Swakopmund be cancelled. Messrs Conradie & Damaseb Attorneys was instructed to retransfer the property in the name of the Municipality of Swakopmund.

2.9 Subsequent to a letter received from Harmse Attorneys, Council reconsidered its decision and on **31 July 2008** granted an extension of time for the completion of a main building until **31 May 2010**.

Council on **31 July 2008** resolved as follows:

*That Council grants the Assemblies of God extension of time to erect a church building until 31 May 2010, failing which the sale of Erf 4056, (Extension 7), Swakopmund to them will be cancelled with immediate effect and the property will be retransferred to Council for the cost of the Assemblies of God.*

} first extension

2.10 Messrs Harmse Attorneys, the legal representative of the Assemblies of God was informed accordingly on **14 August 2008** and a reminder was forwarded to the Assemblies of God on **13 January 2010**. A reply was received on **19 April 2010** requesting a further extension of the building period. A reply was addressed to the Assemblies of God on **26 April 2010**, explaining to them that even though an extension was previously granted, the finalization of a main building is long overdue in terms of their deed of sale and requesting them to submit financial proof of their ability to complete a main building in-line with the Management Committee resolution of **14 January 2010**:

- (a) *That churches applying for land shall provide proof of their financial ability to develop the erf immediately after transfer.*

2.11 That matter was submitted to the Management Committee, whereafter Council passed the resolution as quoted under point 3 above on **7 September 2011**.

Messrs Assemblies of God was informed accordingly on **15 September 2010** and a reminder was sent on **10 August 2011**; whereafter the letter attached as **Annexure "A"** was received.

### 3. ERVEN CONCERNED

#### 3.1 Erf 4056, Swakopmund – Assemblies of God

- 3.1.1 Erf 4056, Swakopmund measures 2 334m<sup>2</sup> and is located within an industrial area and is zoned “*Light Industrial*”. Consent use to operate a place of public worship was obtained on **21 May 2001**.

A map indicating the location of Erf 4056, Swakopmund is **attached** as **Annexure “B”**.

- 3.1.2 As per the attached letter from the Ministry of Regional and Local Government, Housing and Rural Development dated **19 June 2000 (Annexure “C”)**, the said Ministry was not in favour of the erf being used for a church:

*It was already noted at the Townships Board meeting of 20 October 1998 that the use of the above-mentioned erven for a church and kindergarten, are not acceptable in an area where industrial is the prevailing land use. ... NAMPAB is of the opinion that more suitable areas exist, closer to residential areas and where land values are not as high as in industrial areas, to put up a church and a crèche.*

- 3.1.3 As per submission regarding the market valuation of Erf 3486, Swakopmund (SWAPO office), located in the vicinity of Erf 4056, Swakopmund, the following valuations were obtained during 2010:

Ludwig Schröder Estate Agents CC	-	N\$450.00/m <sup>2</sup>
Nasikama Property Valuations & Consult	-	N\$481.30/m <sup>2</sup>
The Trust & Estate Company	-	N\$419.43/m <sup>2</sup>

Accordingly, if Council decides to purchase Erf 4056, Swakopmund and refund the Assemblies of God the purchase price in the amount of **N\$1 462.83**; the sale of the industrial erf will raise a minimum of N\$978 949.62 (N\$419.43 x 2 334m<sup>2</sup>), which could be used to finance the creation of a number of institutional erven in more suitable / appropriate areas.

#### 3.2 Erf 1898, Mondesa - Moria Congregations of Africa

- 3.2.1 With reference to the problems the Moria Congregations of Africa experienced with a bar located in close proximity to their Erf 1898, Mondesa, Council passed the following resolution on **28 July 2011**:

*During the discussion of this item Councillor J Kambueshe proposed that Erf 1898, Mondesa be rezoned to a suitable zone in order to prevent future similar complaints from the public. The proposal was unanimously accepted. It was:-*

RESOLVED:

*That Council's resolution of 02 June 2009 under item 11.1.1 be repealed and be replaced with the following:*

- (a) That a portion on the subdivision of Portion 5 be offered to Messrs Moria Congregations of Africa (Swakopmund Branch) at a purchase price of 50% of the cost of installation of services to Portion 5.*
- (b) That Erf 1898, Mondesa be rezoned to a suitable zone to prevent future similar complaints from the public.*

3.2.2 Messrs Conradie & Damaseb Attorneys is in the process of transferring Erf 1898, Mondesa to the Swakopmund Municipality whereafter the Engineering Services will attend to the rezoning of the erf.

Messrs Moria Congregations of Africa indicated that they opt to purchase Portion A as first choice or Portion K as second choice (both measures  $\pm 2\,500\text{m}^2$ ) of the subdivided Portion 5, as per **Annexure "D"**.

3.2.3 An application was received from Messrs ORUAANO to purchase Erf 1898, Mondesa dated **2 August 2011**. In reply the Church was informed on **8 August 2011** of the above Council resolution.

4. **LATEST COUNCIL RESOLUTION REGARDING THE EXTENSION OF THE BUILDING PERIOD FOR MESSRS ASSEMBLIES OF GOD**

Council on **7 September 2010** passed the following resolution:

- (a) *That extension of time (an additional two years) be granted to Messrs Assemblies of God to erect a church building from 31 May 2010 (as was resolved by Council on 31 July 2008) until 31 May 2012.*
- (b) *That failing compliance with (a) above the sale of Erf 4056, (Extension), Swakopmund to Messrs Assemblies of God be cancelled and the property be transferred back to Council for the cost of Messrs Assemblies of God.*
- (c) *That Messrs Assemblies of God be informed to consult with the Engineering Services Department regarding the renewal of the approval for the building plans which were approved during 1997.*

} *second extension*

5. **PROPOSAL**

**The following is proposed:**

- ① That Messrs Harmse Attorneys be informed that should Council decide to offer Assemblies of God another erf, the purchase price in the amount of **N\$1 462.83** will be refunded to them for Erf 4056, Swakopmund.

The Assemblies of God must take note that due to escalation of costs a new erf will be much more expensive. **Annexure "E"** reflects the cost for the installation of services to the PDA erven which vary between N\$69.17 to N\$112.23/m<sup>2</sup>. In terms of Council's Property Policy, Churches purchase land at 50% of the cost of installation of services.

- ② Taking into consideration the •comments from the Ministry of Regional and Local Government and Housing as per **Annexure "C"**, •the fact that no building operations commenced since the transfer of Erf 4056, Swakopmund in September 2001 and the •income that Council can generate by selling an industrial erf which is high in demand, the following is recommended:

- (i) *that Council considers to purchase Erf 4056, Swakopmund from Assemblies of God and in exchange offer them one of the two portions remaining on **Portion 5** (being either Portion I or K); or one of the consolidated corner erven being created in the **PDA** for Churches;*
- (ii) *that Council refunds Assemblies of God the purchase price for Erf 4056, Swakopmund in the amount of **N\$1 462.83** and that Council bears the cost of transfer of the erf to Council;*

- (iii) that upon finalization of the transfer of Erf 4056, Swakopmund, valuations be obtained and submitted to Council for the determination of an upset price for Erf 4056, Swakopmund (light industrial); to be sold by closed bid.

6. **ANNEXURES**

- Annexure "A" - letter from Messrs Harmse Attorneys on behalf of the Assemblies of God.
- Annexure "B" - map indicating the location of Erf 4056, Swakopmund
- Annexure "C" - letter dated 19 June 2000 received from the Ministry of Regional and Local Government and Housing
- Annexure "D" - map indicating the location of the subdivided Portion 5
- Annexure "E" - latest cost of installation of services to the PDA

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

**RECOMMENDED:**

- (a) That Messrs Harmse Attorneys be informed that Erf 4056, Swakopmund cannot be exchanged for Erf 1898, Mondesa as Council resolved on 28 July 2011 to rezone the said erf to a suitable zoning, therefore the erf is no longer available as a church erf.
  - (b) That Council purchases Erf 4056, Swakopmund, zoned "light industrial" from Assemblies of God at the original purchase price of N\$1 462.83 and bears the transfer cost.
  - (c) That Council's intention to acquire Erf 4056, Swakopmund be advertised in terms of section 63 of the Local Authorities Act, Act 23 of 1992 as amended at Council's cost.
  - (d) That the Engineering Services Department attends to the subdivision of the portion of Erf 4056, Swakopmund on which the electrical substation is located.
  - (e) That Assemblies of God be offered one of the two remaining portions on the subdivided Portion 5 (*being either Portion I or K*); or one of the consolidated erven in the Progressive Development Area.
  - (f) That Assemblies of God take note that even though the erven will be sold at 50% of the cost of installation of services, it will be much higher than N\$1 462.83 as the current cost for the installation of services is approximately N\$112.00/m<sup>2</sup>.
  - (g) That Assemblies of God take note that the subdivision of Portion 5 and the consolidation of the corner erven in the PDA might take up to 18 months to finalize.
  - (h) That Assemblies of God provide proof of their financial ability to develop the new erf immediately after transfer, as was resolved as an additional condition by Council on 14 January 2010.
  - (i) That once the transfer of Erf 4056, Swakopmund in Council's name is finalized, valuations be obtained in order for Council to determine an upset price and the erf be sold by closed bid to registered bidders.
-

11.1.10 **LEASE OF PAVEMENT: KUCKI'S PUB - COMMENCEMENT DATE OF RENTAL PERIOD**

(C/M 2012/02/29 - N 8/11, E 267)

**Ordinary Management Committee Meeting of 16 February 2012, Addendum 7.18 page 115 refers.**

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

**1. Brief Background**

The following was resolved by **Council** on **31 May 2011** under item 11.1.13:

- (a) *That a lease agreement be entered into by and between the Swakopmund Municipality and Mr N Sadlowski t/a Kucki's Pub, for the lease of a pavement area measuring 18m<sup>2</sup> adjoining Erf 267 Swakopmund, with commencement date 01 December 2009, irrespective the date of signing of the lease agreement.*
- (b) *That the lease be for a period of 5 (five) years at a lease amount of N\$21.03/m<sup>2</sup> per month (+15% VAT); i.e. N\$378.54 = N\$56.78 (15% VAT) with an annual escalation of 10% starting 1 July 2012.*
- (c) *That the lease be subject to the standard conditions and to the following:*
  - (i) *That the proposed lease must be advertised in terms of the Local Authorities Act, (Act 23 of 1992), as amended, section 63 (2) (b).*
  - (ii) *That all costs involved will be for the applicant's account. Should they cease operating they have to reinstate the area to its original layout at their own cost.*
  - (iii) *That the applicant shall indemnify and keep Council indemnified during the full period of this agreement against possible claims, which may arise from the use of the pavement by the applicant.*
  - (iv) *That a deposit equal to 2 months lease be paid in advance by the applicant.*
  - (v) *That a notice of termination period of 3 (three) months for both parties be applicable.*

**Attached as Annexure "A"** is a comprehensive background regarding the matter. (Submission that was tabled to Council for consideration on **31 May 2011**)

**2. Introduction**

A letter dated **21 November 2011 (Annexure "B")** was received from Messrs Van Rensburg Associates on behalf of Mr Sadlowski, indicating that their client is willing to enter into an agreement with Council, but that the rental of **N\$21.03 per m<sup>2</sup> x 18m<sup>2</sup> = N\$378.54 + 15 % VAT (N\$56.78) = N\$435.32 per month** for a five year period, only commence from date of signing the lease agreement.

Reasons are that no lease agreement is in place and the rental amount is too high as it has been back dated from **December 2009**. Our reply to their letter is attached as **Annexure "C"**.

### 3. **Current Situation**

The raising of the pavement benefits both parties in the light of an improved entrance for Messrs Kucki's Pub and the improved flow and safety of the pedestrians.

It is therefore proposed that Council's resolution taken on **31 May 2011, point (a)** be repealed and replace with the following:

- (a) *That a lease agreement be entered into by and between the Swakopmund Municipality and Mr N Sadlowski t/a Kucki's Pub, for the lease of a pavement area measuring 18m<sup>2</sup> adjoining Erf 267 Swakopmund, with commencement date being the date of signing of the lease agreement.*

It is also proposed that the following condition be added to Council's resolution passed on **31 May 2011** under point (c):

- (vi) *That the lessee not operate later than 22:00.*

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

#### **RECOMMENDED:**

**That point (a) of item 11.1.13 of Council's resolution of 31 May 2011 be repealed**

- (a) *That a lease agreement be entered into by and between the Swakopmund Municipality and Mr N Sadlowski t/a Kucki's Pub, for the lease of a pavement area measuring 18m<sup>2</sup> adjoining Erf 267 Swakopmund, with commencement date 01 December 2009, irrespective the date of signing of the lease agreement.*

**and replaced with the following:**

- (a) **That a lease agreement be entered into by and between the Swakopmund Municipality and Mr N Sadlowski t/a Kucki's Pub, for the lease of a pavement area measuring 18m<sup>2</sup> adjoining Erf 267 Swakopmund, with commencement date being, the date of signing of the lease agreement.**
  - (b) **That the following condition be added to item 11.1.13 of Council's resolution of 31 May 2011 under point (c):**
    - (vi) *That the lessee not operate later than 22:00.*
  - (c) **That the remaining points remain unchanged.**
  - (d) **That Mr N Sadlowski t/a Kucki's Pub be responsible for the cleaning and maintaining of the leased pavement area.**
  - (e) **That Mr N Sadlowski t/a Kucki's Pub be informed to sign the lease agreement within seven (7) days from the date of the Council meeting.**
-

11.1.11 **REQUEST FOR EXTENSION OF TIME TO COMMENCE AND COMPLETE THE CONSTRUCTION OF THE KEMPINSKI STRAND HOTEL**

(C/M 2012/02/29 - E 4743)

Ordinary Management Committee Meeting of 16 February 2012, Addendum 7.19 page 123 refers.

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

**1. INTRODUCTION**

The **attached** letter (**Annexure “A”**) dated **05 December 2011** was received from Messrs Ohlthaver & List Group of Companies requesting Council for an extension of time to construct and complete the development of Kempinski Strand Hotel as follows:

- *Commencement date* : 01 August 2012
- *Completion date* : 20 months from the commencement date being (31 March 2014)

**2. BACKGROUND**

2.1 With reference to the memorandum of agreement entered between Council and Messrs W.U.M Properties Limited on **17 December 2006** the commencement and completion date for the construction of the hotel were as follows:

- *Commencement Date* : 01 June 2007
- *Completion Date* : 31 May 2009

2.2 They then applied for an extension as follow:

- *Commencement Date* : 30 June 2011
- *Completion Date* : 31 March 2013

A further addendum was approved by Council and signed on **04 November 2010**.

2.3 Subsequent to the above extension, another application dated **20 April 2011** was received from Messrs Broll Namibia on behalf of Messrs Ohlthaver & List Group of Companies requesting Council for a further extension of time to commence with the construction of the hotel as from **01 February 2012** and complete the project by **31 October 2013** pending the approval of the Heritage Council, finalization of design plans and Municipality permit approval. The Management Committee on **14 July 2011** passed the following resolution:

*That this item be kept in abeyance pending the decision of the National Heritage Council.*

The submission which was submitted to the Management Committee on **14 July 2011** is attached **Annexure “D”**.

2.4 Approval was granted by the National Heritage Council for the development of the Kempinski Hotel in Swakopmund as per letter attached **Annexure “B”**.

Messrs Ohlthaver & List Group of Companies and Messrs Broll Namibia were informed of the National Heritage Council's approval and were requested as per letter on file dated **29 September 2011** to submit their revised commencement and completion dates of the development project for submission to the Management Committee for consideration. Their response is attached **Annexure "A"**.

3. **DISCUSSION**

Messrs Ohlthaver & List Group of Companies in their letter dated **05 December 2011** indicated that they will only be able to commence with the project development on **01 August 2012** subject thereto that their company achieve the following on / before **31 July 2012**:

- *securing the required funding for the overall development;*
- *selling at least 80% of the proposed apartments forming part of the development; and*
- *obtaining Municipal approval of the building plans.*

The securing of funds and selling of apartments were never communicated to Council by the developer as these outstanding activities are unknown, the only activities which were outstanding as mentioned in their letter dated **20 April 2011 (Annexure "C")** were approval from National Heritage Council, finalization of the designs and submission of drawings to the Municipality for approval.

Considering the above outstanding issues, it must be borne in mind that the public has repeatedly objected and expressed concern whether the project will ever commence as Council has extended the commencement date several times and the developer did not comply with their own proposed dates.

4. **CONCLUSION**

In view of the explanations of the breach of the contractual terms providing for commencement and completion dates in the main agreement and first addendum, i.e. that the developer needs additional time to commence with the development of the hotel; it is recommended that Council repeals point (d) of the resolution of **30 September 2010**, as well as the Council resolution passed on **31 May 2011** and extends the commencement and completion dates as follows:

<b><i>Further Addendum</i></b>		
<i>Commence Date</i>	:	<i>01 August 2012</i>
<i>Completion Date</i>	:	<i>31 March 2014</i>

Seeing that Erf 4743, Swakopmund belongs to **Messrs Olifa Hotel & Resorts Namibia (Pty) Ltd** and even though no building activities have commenced, Council receives rates and taxes in the sum of **N\$19 977.62** monthly from the developer since **April 2007** and incurs no loss of income due to the delay; accordingly Council considered the request for extension of time favourably in the past.

The matter was discussed and in order to be consistent with recent decisions, it is recommended that the developer be provided with 82 weeks to complete the development. The additional time (beyond 54 weeks) is in consideration of the fact that it is a multi-storey development with an underground parking area. They must provide a schedule of works



and if the project is not complete within the given period, penalties of N\$ 10 000.00 per day must apply.

The developer must accept or reject the conditions by **23 March 2012** in order that the addendum can be signed by end of **April 2012**.

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

**RECOMMENDED:**

- (a) That point (d) of Council's resolution passed on 30 September 2010 be repealed:

*(d) That Messrs Broll Namibia be informed that no further extension of periods or changes in the usages will be granted by Council and the remaining clauses of the existing agreement remain unaltered and enforced.*

**And**

That Council's resolution passed on 31 May 2011 also be repealed:

*That the request by Messrs Broll Namibia for the extension of project implementation timelines not be approved.*

- (b) That Messrs Ohlthaver & List Group of Companies be advised that Council does not accept the new condition of 80% sales for construction to commence.
- (c) That the developer shall commence with construction not later than 01 August 2012, failing which Council will invoke the breach clause.
- (d) That the developer be offered 82 weeks from 01 August 2012 to complete the project.
- (e) That the developer must accept the conditions and provide a schedule of works accordingly on or before 23 March 2012.
- (f) That penalties be levied to the amount of N\$10 000.00 per day should the developer not complete the project on schedule.
- (g) That Messrs Kinghorn Associates be requested to compile 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
- (h) That Messrs Ohlthaver & List Group of Companies be advised to accept the conditions by 23 March 2012 and the developer must sign the addendum by end of April 2012 failing which Council will invoke the breach clause.
- (i) That the developer be informed to submit monthly progress reports once construction starts.
- (j) That the Developer be informed that they are responsible for the cleaning of the Arnold Schad Promenade which falls within their property.
-

11.1.12 **OBJECTIONS AGAINST THE CLOSURE AS A “PUBLIC PLACE”:  
ERVEN 266, A, B & C, SWAKOPMUND**

C/M 2012/02/29 - E 266, ABC)

Ordinary Management Committee Meeting of 16 February 2012,  
Addendum 7.20 page 160 refers.

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

**1. Introduction**

Council on **27 October 2011** passed the following resolution:

- (a) That the permanent closure of Erven 266, A, B & C, Swakopmund as a public place in terms of the requirements of section 50 of the Local Authorities Act, Act 23 of 1992, as amended be approved.
- (b) That point (b) of Council's resolution 11.1.8 passed on 30 June 2011 be repealed and a final date to have a signed deed of sale in place be considered after the process of permanently closing Erven 266, A, B & C, Swakopmund is finalized.
- (b) That the time to sign the agreement be extended to 28 October 2011 pending the outcome of the public scoping exercise; where after Council can consider the matter again.

The above decision was passed as Erven 266, A, B & C, Swakopmund are currently still being used for public parking (located in front of Woolworths); and although not zoned “Public Open Space” falls within the meaning of “public place” as defined in the Local Authorities Act, Act 23 of 1992 - **“public place” means any square, garden, park, recreation ground, show ground, rest camp or other open or enclosed space intended for the use, enjoyment or benefit of residents in a local authority area.**

This is a very wide definition and Council is satisfied that it includes a public parking area on Municipal land.

The proposed closure as a “public place” was advertised in terms of section 50 of the Local Authorities Act, Act 23 of 1992, as amended. At the closing date being **18 January 2012**, the following objections were received:

	<i><b>Objector</b></i>	<i><b>Brief Summary</b></i>
1	<b>Kerry McNamara Annexure “A”</b>	<ul style="list-style-type: none"><li>• shortage of parking in the CBD, which will become even more essential due to the growth of the town;</li><li>• in the past Council was not in favour of selling the area, what made Council change it's mind?</li><li>• the advertisement of the proposed closure is seen as a laundering process;</li><li>• the existing historic character of the town must be maintained.</li></ul>
2	<b>Ingo Woermann Annexure “B”</b>	<ul style="list-style-type: none"><li>• open areas should be retained;</li><li>• additional vehicular traffic to the new development will result in the streets being congested; and</li><li>• not sufficient parking for the general public</li></ul>
3	<b>Konrad Woermann Annexure “C”</b>	<ul style="list-style-type: none"><li>• open areas should be retained;</li><li>• 20 years ago Council was not in favour of selling the area;</li><li>• the CBD is suffocating due to a lack of parking;</li><li>• number of cars increased since the development invitations in 2007;</li><li>• maintain the historic character; and</li><li>• not against the development, but should be on another area.</li></ul>

	<i><b>Objector</b></i>	<i><b>Brief Summary</b></i>
4	Gabi Woermann Woermann Brock Haus Pty Ltd <b>Annexure “D”</b>	<ul style="list-style-type: none"> <li>• developer must provide more parking than the existing parking bays;</li> <li>• Stadtmitte No 1's underground parking is not open to the public - 97 bays are missing; and</li> <li>• the area was a parking lot for more than 20 years.</li> </ul>
5	Gabi Woermann <b>Annexure “E”</b>	<ul style="list-style-type: none"> <li>• this precious piece of land belongs to the public; and</li> <li>• in favour of the development, but not at the site.</li> </ul>
6	Gabi Woermann Petition signed by 1 200 members of the public <b>Annexure “F”</b>	<ul style="list-style-type: none"> <li>• more parking is required in the CBD, not less;</li> <li>• was a parking area for more than 20 years; and</li> <li>• no sufficient alternative parking in the vicinity.</li> </ul>
7	Body Corporate Haus Germania <b>Annexure “G”</b>	<ul style="list-style-type: none"> <li>• shortage of parking for residents and visitors / guests</li> </ul>
8	Andreas Lacheiner- Kuhn <b>Annexure “H”</b>	<ul style="list-style-type: none"> <li>• as the owner of Shop 17 at Haus Meeresruh he and his customers will be denied free access to his property which will result in financial loss.</li> </ul>
9	The Lighthouse Group Quinton Liebenberg <b>Annexure “I”</b>	<ul style="list-style-type: none"> <li>• developer must be held to condition to provide same number of bays and additional public parking at no cost; and</li> <li>• general public must have free access to all parking bays</li> </ul>
10	Ahrens & Associates Atlantic Brickworks W W Gossow <b>Annexure “J”</b>	<ul style="list-style-type: none"> <li>• Messrs Atlantic Brickworks was promised parking facilities on Erven 266, A, B &amp; C, Swakopmund;</li> <li>• as land owners contributed to the Parking Fund; and</li> <li>• the development is not in the interest of the public and will only enrich the developer.</li> </ul>
11	Kurt Trede Building Hans-Dieter Gothje <b>Annexure “K”</b>	<ul style="list-style-type: none"> <li>• loss of numerous parking bays which cannot be compensated satisfactorily elsewhere;</li> <li>• will block the view of historical buildings; and</li> <li>• request to retain open areas.</li> </ul>
12	E Tolken <b>Annexure “L”</b>	<ul style="list-style-type: none"> <li>• shortage of parking;</li> <li>• area is a high frequented parking area for short periods; and</li> <li>• where will the public park during the construction period.</li> </ul>
13	Martin Krafft <b>Annexure “M”</b>	<ul style="list-style-type: none"> <li>• less parking space will be available in central town;</li> <li>• to provide parking in the vicinity, but further away from the center of town is not an adequate solution, especially not for older people; and</li> <li>• closing the parking area will result in deteriorated access to the International University of Management and other businesses in the vicinity.</li> </ul>
14	Body Corporate Haus Meeresruh <b>Annexure “N”</b>	<ul style="list-style-type: none"> <li>• new development will deny owners and customers of office and shop units access to their property – will result in financial lost; and</li> <li>• proposes that new proposals be invited with no residential units.</li> </ul>
15	International University of Management <b>Annexure “O”</b>	<ul style="list-style-type: none"> <li>• development of the area will result in deteriorated access to their facilities.</li> </ul>

Council's comments to the objections are elaborated on under **Point 3 - Objections**.

## 2. **Brief Background**

2.1 At the end of 2007 Council published a notice inviting development proposals for Erven 266, A, B & C, Swakopmund. In terms of the notice all interested parties had to attend a compulsory site meeting on **12 November 2007**; only proposals from those who attended the meeting would be considered. On conclusion of the meeting Ms G

Woermann congratulated the Municipality for the initiative to develop Erven 266, A, B & C, Swakopmund.

2.2 Council awarded the alienation and development of Erven 266, A, B & C, Swakopmund to **Messrs Fison Investments Twenty Three CC** on **26 June 2008**.

2.3 The allocation of development proposals has never been advertised for public objection in the past, as this is not a requirement in terms of the Local Authorities Act, Act 23 of 1992, as amended. Several letters of concerns were received subsequent to the above Council resolution awarding the sale and development to **Messrs Fison Investments Twenty Three CC**:

1. **The Swakopmund Residents Association** (dd 08 Jul 08) - parking
2. **Detlev Doll** (dd 26 Mar 08) - various concerns
3. **Detlev Doll** (dd 27 Aug 09) - various concerns
4. **Body Corporates of Meeresruch & Bruckenkamp** (dd 17 Aug 08) - against development
5. **Conrad Woermann** (dd 07 Mar 09) - parking, space and character of the town
6. **Pick 'n Pay** (dd 11 Sep 09) - parking
7. **Gabi Woermann** (17 Oct 09) - parking & vehicular access
8. **Jan Olivier & Co** (23 Nov 09) - requesting information
9. **First National Bank** (20 Nov 09) - parking
10. **Michael Krafft** (06 Feb 10) - traffic & space

2.4 In order to accommodate the above concerns, Council required that the developer entertain various discussions and had to revise the development plans accordingly. At some of the meetings Mr Doll, Mr Woermann, Mr Thomson and representatives of Pick 'n Pay were present with the developer in its' attempts to address the complaints.

The Municipality was constantly kept abreast on the progress made and revised development plans were submitted by the developer on **16 September 2010**, whereafter Council passed the following resolution on **28 October 2010**:

(a) That the revised development plans for Erf 266 ABC, Swakopmund by Messrs Fison Investments Twenty Three CC, subject to the conditions as per the development proposal invitation be approved.

(b) That Messrs Fison Investments Twenty Three CC be requested to proceed with the public scoping meetings; whereafter Council's intention to alienate Erf 266 ABC, Swakopmund be advertised in terms Section 63 (2) (b) of the Local Authorities Act, Act 23 of 1992, as amended.

During 2011 a public scoping exercise was conducted by Fison Investments 23 CC. The process was advertised and the development plans were shown and explained to the public. The report on the outcome was submitted by Messrs Stubenrauch Town Planning Consultants to the Swakopmund Municipality.

(c) That the revised development plans for Erf 266 ABC, Swakopmund be submitted to the Aesthetic Committee for approval.

(d) That the non-compliance with the terms of the Council resolution i.e. that the agreement is to be signed within 12 months and that the period be extended until 29 April 2011 be condoned.

Due to the delays caused by the various objections / concerns and the pending public scoping meetings an agreement could not be finalized by this date. See Council's resolution passed on 27 October 2011.

2.5 As soon as the final development plans are received after the public scoping meeting which was held during 2011, such will be submitted to the Aesthetic Committee for scrutiny, consideration and approval, whereafter same must be submitted to the Building Section of the Engineering Services Department for approval. As the development

fall within the conservation area, consent / approval from the National Heritage Council must also be obtained.

- 2.6 Messrs Stubenrauch Town Planning Consultants commenced with the **rezoning** of Erven 266, A, B & C, Swakopmund from “*local authority*” to “*General Business*”, the advertising for objections being the first step. If the objections are overruled, the process can resume, if not the transaction cannot proceed.

3. **Objections Received against the closure as a public place**

The following objections were received and Council's comments are quoted below each objection:

3.1 **Mr Kerry McNamara - Annexure “A”**

Main Concerns:

- *shortage of parking in the CBD, which will become even more essential due to the growth of the town;*
- *in the past Council was not in favour of selling the area, what made Council change it's mind?*
- *the advertisement of the proposed closure is seen as a laundering process;*
- *the existing historic character of the town must be maintained.*

Comments:

- *Council will provide parking on Erven 3663, 3664, 3657 and the Remainder of Erf 313, Swakopmund (100 new parking bays).*

*The combined size of these erven is 3 315m<sup>2</sup>. The size of Erven 266, A, B & C is 4 196m<sup>2</sup> and currently consists of 115 parking bays. The development proposal for the proposed development also provides parking and open space.*

- *Council initiated the process by inviting development proposals for the area; it was not initiated by an application from the developer.*
- *It is not clear what the objector implies with “laundering process”.*
- *The existing character will be maintained and in this regard the Aesthetic Committee will also scrutinize the development plan to ensure that it complies with the necessary standards. In addition consent / approval from the National Heritage Council must be obtained as the development falls within the conservation area.*

3.2 **Mr Ingo Woermann - Annexure “B”**

Main Concerns:

- *Open areas should be retained;*
- *Additional vehicular traffic to the new development will result in the streets being congested; and*
- *Not sufficient parking for the general public*

Comments:

- *In addition to the parking and open space provided as per the development plan, 100 new parking bays will be made available on Erven 3663, 3664, 3657 and the Remainder of Erf 313, Swakopmund which is in proximity of Erven 266, A, B & C, Swakopmund.*

- *The increase in vehicular traffic is part of a growing CBD and traffic control measures can be put in place to regulate such, should it be required.*
- *Various other commercial developments are being planned and constructed in residential neighbourhoods which will result in a less congested CBD.*

### 3.3 **Mr Konrad Woermann - Annexure "C"**

#### Main Concerns:

- *open areas should be retained;*
- *20 years ago Council was not in favour of selling the area;*
- *the CBD is suffocating due to a lack of parking;*
- *number of cars increased since the development invitations in 2007;*
- *maintain the historic character; and*
- *not against the development, but should be on another area.*

#### Comments:

- *As per **point 3.2 above** quoted: In addition to the parking and open space provided as per the development plan, 100 new parking bays will be made available on Erven 3663, 3664, 3657 and the Remainder of Erf 313, Swakopmund which is in proximity of Erven 266, A, B & C, Swakopmund.*
- *It might be that the area was a parking area for 20 years, but times change and towns evolve which necessitates development.*
- *As per **point 3.1 above**, the existing character will be maintained and in this regard the Aesthetic Committee will also consider the development plan.*
- *The specific area was identified by Council for development to enhance the CBD and to move parking to the periphery of the CBD.*

### 3.4 **Ms Gabi Woermann (as Woermann Brock Haus Pty Ltd) - Annexure "D"**

#### Main Concerns:

- *developer must provide more parking than the existing parking bays;*
- *Stadtmitte No 1's underground parking is not open to the public – 97 bays are missing; and*
- *the area was a parking lot for more than 20 years.*

#### Comments:

- *As per **point 3.2 above** quoted: In addition to the parking and open space provided as per the development plan, 100 new parking bays will be made available on Erven 3663, 3664, 3657 and the Remainder of Erf 313, Swakopmund which is in proximity of Erven 266, A, B & C, Swakopmund.*
- *As per **point 3.3 above**, it might be that the area was a parking area for 20 years, but times change and towns evolve which necessitates development.*

### 3.5 **Ms Gabi Woermann - Annexure "E"**

#### Main Concerns:

- *this precious piece of land belongs to the public; and*
- *in favour of the development, but not at the site.*

Comments:

- *As per **point 3.3 above**, the specific area was identified by Council for development to enhance the CBD and to move parking to the periphery of the CBD.*

3.6 **Ms Gabi Woermann (PETITION - 1 200 signatures - on file) - Annexure "F"**

Main Concerns:

- *more parking is required in the CBD, not less;*
- *was a parking area for more than 20 years; and*
- *no sufficient alternative parking in the vicinity.*

Comments:

- *As per **point 3.2 above** quoted: In addition to the parking and open space provided as per the development plan, 100 new parking bays will be made available on Erven 3663, 3664, 3657 and the Remainder of Erf 313, Swakopmund which is in proximity of Erven 266, A, B & C, Swakopmund.*
- *As per **point 3.3 above**, it might be that the area was a parking area for 20 years, but times change and towns evolve which necessitates development.*

3.7 **Body Corporate Haus Germania - Annexure "G"**

Main Concerns:

- *shortage of parking for residents and visitors / guests*

Comments:

- *residents of Haus Germania must park on their own premises.*
- *As per **point 3.2 above** quoted: In addition to the parking and open space provided as per the development plan, 100 new parking bays will be made available on Erven 3663, 3664, 3657 and the Remainder of Erf 313, Swakopmund which is in proximity of Erven 266, A, B & C, Swakopmund.*

3.8 **Mr Andreas Lacheiner-Kuhn - Annexure "H"**

Main Concerns:

- *as the owner of Shop 17 at Haus Meeresruch he and his customers will be denied free access to his property which will result in financial loss.*

Comments:

- *The development will in no way deny access to Shop 17 at Haus Meeresruch, but will attract more people to the area which will result in the shop being exposed and financial gain.*

3.9 **The Lighthouse Group - Annexure "I"**

Main Concerns:

- *developer must be held to condition to provide same number of bays and additional public parking at no cost; and*
- *general public must have free access to all parking bays*

Comments:

- *As per **point 3.2 above** quoted:* In addition to the parking and open space provided as per the development plan, 100 new parking bays will be made available on Erven 3663, 3664, 3657 and the Remainder of Erf 313, Swakopmund which is in proximity of Erven 266, A, B & C, Swakopmund.
- *Parking will be at a cost to the public, currently car guards are being paid.*

3.10 **Messrs Ahrens & Associates on behalf of Atlantic Brickworks - Annexure "J"**

Main Concerns:

- *Messrs Atlantic Brickworks was promised parking facilities on Erven 266, A, B & C, Swakopmund;*
- *as land owners contributed to the Parking Fund; and*
- *the development is not in the interest of the public and will only enrich the developer.*

Comments:

- *In order to comprehensively address this objection, Messrs Ahrens & Associates was requested to provide proof of the parking being reserved, such as a Council resolution or a condition contained in a title deed.*
- *If the developer contributed to the Parking Fund, it means they provided less parking on their own development at the time; in that case the same parking will be provided on the new parking area.*
- *The development will benefit the public by additional work opportunities, rental space and business opportunities.*

3.11 **Messrs Kurt Trede Building - Annexure "K"**

Main Concerns:

- *loss of numerous parking bays which cannot be compensated satisfactorily elsewhere;*
- *will block the view of historical buildings; and*
- *request to retain open areas.*

Comments:

- *Satisfactorily is a relative terms which is not explained by the objector.*
- *As per **point 3.2 above** quoted:* In addition to the parking and open space provided as per the development plan, 100 new parking bays will be made available on Erven 3663, 3664, 3657 and the Remainder of Erf 313, Swakopmund which is in proximity of Erven 266, A, B & C, Swakopmund.
- *As per **point 3.1 above**, the existing character will be maintained and in this regard the Aesthetic Committee will also scrutinize the development plan.*
- *The objector does not mention which historical buildings will be obscured since there are no historical buildings adjacent to the development which can possibility be obscured.*



3.12 **Mr E Tolken - Annexure “L”**

Main Concerns:

- *shortage of parking;*
- *area is a high frequented parking area for short periods; and*
- *where will the public park during the construction period.*

Comments:

- *As per **point 3.2 above** quoted: In addition to the parking and open space provided as per the development plan, 100 new parking bays will be made available on Erven 3663, 3664, 3657 and the Remainder of Erf 313, Swakopmund which is in proximity of Erven 266, A, B & C, Swakopmund.*
- *The development will be constructed in phases.*

3.13 **Mr Martin Kraft - Annexure “M”**

Main Concerns:

- *less parking space will be available in central town;*
- *to provide parking in the vicinity, but further away from the center of town is not an adequate solution, especially not for older people; and*
- *closing the parking area will result in deteriorated access to the International University of Management and other businesses in the vicinity.*

Comments:

- *As per **point 3.2 above** quoted: In addition to the parking and open space provided as per the development plan, 100 new parking bays will be made available on Erven 3663, 3664, 3657 and the Remainder of Erf 313, Swakopmund which is in proximity of Erven 266, A, B & C, Swakopmund.*
- *As per the development plan, no access to any facilities will be closed off.*

3.14 **Body Corporate Haus Meeresruh - Annexure “N”**

Main Concerns:

- *new development will deny owners and customers of office and shop units access to their property - will result in financial lost; and*
- *proposes that new proposals be invited with no residential units.*

Comments:

- *As per the development plan, no access to any facilities will be closed off.*

3.15 **International University of Management - Annexure “O”**

Main Concerns:

- *development of the area will result in deteriorated access to their facilities.*

Comments:

- *As per the development plan, no access to any facilities will be closed off.*
- *The development will enhance and expose the International University of Management.*

#### 4. **Conclusion**

As from the above, 15 objections were received of which 5 objections (including the petition) were initiated by the Woermann Family.

##### **The main concerns can be summarized as:**

- ① **Retain the area as a public place**
  - *As per the development plan, open space will be provided.*
- ② **Shortage of parking**
  - *In addition to the parking and open space provided as per the development plan, 100 parking bays will be made available on Erven 3663, 3664, 3657 and the Remainder of Erf 313, Swakopmund which is in proximity of Erven 266, A, B & C, Swakopmund.*
- ③ **Change in the historic character**
  - *The existing character will be maintained and in this regard the Aesthetic Committee will also consider the development plan.*
- ④ **Access to existing businesses**
  - *As per the development plan, no access to any facilities will be closed off.*

**In conclusion**, it can be stated that all the concerns of the objectors were addressed and accommodated in the development plan as was presented during the public scoping exercise conducted by Messrs Stubenrauch Planning Consultants. The development plan will still be submitted to the Aesthetic Committee for scrutiny, consideration and approval, whereafter same is submitted to the Building Section of the Swakopmund Municipality for consideration. In additional, consent / approval must also be obtained from the National Heritage Council as the development falls within the conservation area.

Thereby, it is ensured that the development complies with all conditions set.

Furthermore, it should be noted that the objections are from surrounding business owners who fear a shortage of parking will negatively impact their businesses.

Messrs Woermann, Brock & Company (5 objections and the petition were received from them) is located across the street and has parking on site for their customers.

**In summary** the reasons why the development is recommended; *inter alia*, are:

##### **The development is intended:**

- *To strengthen the CBD as more shopping centers are being created in the suburbs. It will counter the possibility that the CBD may die if large commercial entities settle in the suburbs or at alternative commercial nodes. The proposed development will at least retain the same number of parking bays.*
- *The buildings are designed in a manner which reduces the scale of the development while retaining large open spaces for public use on site - thus still reinforcing the open character of the town.*
- *Additional free, safe and secure parking is provided on the ground floor within 200 – 400m from the site, which is an accepted distance for walking to shops internationally. The site can also be expanded into a municipal parking garage to accommodate more than double the number of cars.*

*This has the added benefit of keeping unnecessary traffic off the main streets such as employees / owner of businesses who park in front of their shops / businesses and occupy visitor parking all day.*

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

**RECOMMENDED:**

- (a) That the petition (on file) received from Ms G Woermann regarding the objection against the closure of Erven 266,A.B & C, Swakopmund as a "*Public Place*" be noted.
  - (b) That the objections received against the closure of Erven 266, A, B & C, Swakopmund as a public place, not be supported.
  - (b) That in terms of Section 50 (c) of the Local Authorities Act, Act 23 of 1992, as amended, the objections with Council's comments be referred to the Ministry of Regional and Local Government, Housing and Rural Development requesting approval to proceed with the closure of Erven 266, A, B and C, Swakopmund as a public place; in order to proceed with the sale thereof to Messrs Fiscon Investments Twenty Three CC.
-

11.1.13 **REZONING OF ERF 2785, SWAKOPMUND, FROM “SINGLE RESIDENTIAL” WITH A DENSITY OF 1:900m<sup>2</sup> TO “GENERAL RESIDENTIAL 1” WITH A DENSITY OF 1:100m<sup>2</sup>**

(C/M 2012/02/29 - E 2785)

Ordinary Management Committee Meeting of 16 February 2012, Addendum 7.22 page 187 refers.

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

**Attached** application was received from Stubenrauch Planning Consultants on behalf of their client for the rezoning of Erf 2785 Swakopmund from “*Single Residential*” with a density of 1:900m<sup>2</sup> to “*General Residential 1*” with a density of 1:100m<sup>2</sup>.

Management Committee on **10 November 2011** under item 8.4 resolved as follows:

*That this item be referred back for further investigation and that it be submitted to the next Management Committee meeting.*

The property is located in Mosess //Garoëb Street as indicated on the locality plan supplied by the applicant. The property is ±1285m<sup>2</sup> in size and currently accommodates a residential building on the premises. The surrounding area is already characterised by “*General Residential*” properties with densities of 1:100m<sup>2</sup>. In terms of natural growth and expansion of the Central Business District area it is envisaged that this specific area will become denser over the next few years. It is also expected that the remaining surrounding properties will in the near future also change their land use rights to adapt to the growth changes of the town.

It is the intention of the client to construct 12 up-market townhouses on the property which will be in line with the proposed new zoning as outlined within the Swakopmund Town Planning Scheme. The proposed intentions will respond positively in terms of the housing demand within Swakopmund.

The intended rezoning was advertised in the New Era on **1<sup>st</sup> and 8<sup>th</sup> July 2011** and in the Namib Times on **1<sup>st</sup> and 8<sup>th</sup> July 2011**. Letters were also sent to the owners of the surrounding properties by means of registered mail to inform them of the owner’s intentions. The closing date for objections was on **20 December 2010** and to date no objections were received.

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

**RECOMMENDED:**

- (a) That the rezoning of Erf 2785, Swakopmund from “*Single Residential*” with a density of 1:900 to “*General Residential*” with a density of 1:100m<sup>2</sup> be approved.
  - (b) That the approved rezoning of Erf 2785, Swakopmund, be included in the next Amendment Scheme for final approval by the Ministry of Regional and Local Government, Housing and Rural Development.
-

11.1.14 **REZONING OF ERF 1525, SWAKOPMUND FROM “LOCAL AUTHORITY” TO “GENERAL BUSINESS”**

(C/M 2012/02/29 - E 1525)

**Ordinary Management Committee Meeting of 16 February 2012, Addendum 7.23 page 200 refers.**

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

Recently the Municipality moved to the new offices and subsequently the property which housed the Engineering and Health Departments was sold by Tender to Mr Detlev Doll. Council resolved to have the property rezoned to General Business as part of the sales agreement.

Council on **27 October 2011** passed the following resolution:

*That point (d) of Council's resolution passed on 28 January 2010 be repealed and replaced with the following:*

*(d) That the Engineering Services Department attends to the rezoning of Erf 1525, Swakopmund to “General Business”.*

The property is situated on the corner of Theo-Ben Gurirab Avenue and Tobias Hainyeko Street and measures approximately 3169m<sup>2</sup>.

The intended rezoning was advertised in the Namib Times on the **13<sup>th</sup> and 21<sup>st</sup> December 2011** and in the Namibian on the **14<sup>th</sup> and 21<sup>st</sup> December 2011**. Letters were also sent to the owners of the surrounding properties by means of registered mail to inform them of the proposed rezoning. The closing date for objections was on **6 January 2012** and to date no objections were received.

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

**RECOMMENDED:**

- (a) That the rezoning of Erf 1525, Swakopmund from “Local Authority” to “General Business” be approved.**
  - (b) That the approved rezoning of Erf 1525, Swakopmund be included in the next Amendment Scheme for final approval by the Ministry of Regional and Local Government, Housing and Rural Development.**
-

11.1.15 **REZONING OF ERF 4349, MONDESA FROM “LOCAL AUTHORITY” TO GENERAL BUSINESS”**

(C/M 2012/02/29 - M 4349)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 7.24 page 206 refers.

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

Recently the Municipality moved to the new offices and subsequently the property which housed the old Mondesa Office was sold by private transaction to Messrs Khomas Properties CC. Council resolved to have the property rezoned to “General Business”.

Council on **27 October 2011** resolved as follows:

*That point (b) 7. (i) of Council’s resolution passed on 28 October 2010 be repealed and replaced with the following:*

- (a) *That the Engineering Services Department attends to the rezoning of Erf 4349, Mondesa from “Local Authority” to “General Business” and no betterment fee be applicable as the purchase price was determined assuming a zoning of “General Business”.*

Erf 4349, Mondesa is situated on the corner of Augustinus Garoëb Street and Mandume Ya Ndemufayo Avenue and measures approximately 5728m<sup>2</sup>.

The intended rezoning was advertised in the Namib Times on the **13<sup>th</sup>** and **21<sup>st</sup> December 2011** and in the Namibian on the **14<sup>th</sup>** and **21<sup>st</sup> December 2011**. Letters were also sent to the owners of the surrounding properties by means of registered mail to inform them of the proposed rezoning. The closing date for objections was on **6 January 2012** and to date no objections were received.

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

**RECOMMENDED:**

- (a) **That the rezoning of Erf 4349, Mondesa from “Local Authority” to “General Business” be approved.**
- (b) **That the approved rezoning of Erf 4349, Mondesa be included in the next Amendment Scheme for final approval by the Ministry of Regional and Local Government, Housing and Rural Development.**
-

11.1.16 **REZONING OF ERF 989, SWAKOPMUND FROM “LOCAL AUTHORITY” TO “GENERAL BUSINESS”**

(C/M 2012/02/29 - E 989)

**Ordinary Management Committee Meeting of 16 February 2012, Addendum 7.25 page 213 refers.**

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

After the Municipality relocated to the new offices the property which housed the old Head Office was sold by Tender to Messrs Luxury Investments One Hundred and One (Pty) Ltd. Council resolved to have the property rezoned to General Business.

Council on **29 September 2011** passed the following resolution:

*That point (d) of Council's resolution passed on 28 January 2010 be repealed and replaced with the following:*

(e) *That the Engineering Services Department attends to the rezoning of Erf 989, Swakopmund to “General Business”.*

Erf 989 Swakopmund is situated on the corner of Tobias Hainyeko Street and Daniel Tjongarero Street and measures approximately 2137m<sup>2</sup>.

The intended rezoning was advertised in the Namib Times on the **13<sup>th</sup>** and **21<sup>st</sup> December 2011** and in the Namibian on the **14<sup>th</sup>** and **21<sup>st</sup> December 2011**. Letters were also sent to the owners of the surrounding properties by means of registered mail to inform them of the proposed rezoning. The closing date for objections was on **6 January 2012** and to date no objections were received.

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

**RECOMMENDED:**

- (a) **That the rezoning of Erf 989, Swakopmund from “Local Authority” to “General Business” be approved.**
  - (b) **That the approved rezoning of Erf 989, Swakopmund be included in the next Amendment Scheme for final approval by the Ministry of Regional and Local Government, Housing and Rural Development.**
-

11.1.17 **REPORT MAYORAL LUNCH FOR THE SENIOR CITIZENS: 2011**

(C/M 2012/02/29 - A 2/3/2/1/4)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 7.28 page 245 refers.

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

**Attached** please find the report from the Executive Assistant / Events on the Mayoral Lunch for the elderly held on **26 November 2011**.

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

**RECOMMENDED:**

- (a) That Council considers changing the venue to a new location i.e. Swakopmund Hotel & Entertainment Centre, an open space next to Sea Side Hotel or the Northern Beach Recreational Area.
  - (b) That this event be scheduled to take place on Saturday, 24 November 2012.
  - (c) That the status quo be maintained and that the Councillors be responsible for the distribution of the invitation cards to less fortunate individual Senior Citizens of the community.
  - (d) That the Mayor informs all Councillors on the modus operandi on how to deal with the invitations to the Senior Citizens.
  - (e) That only persons issued with a personal invitation be allowed to attend the lunch.
  - (f) That only non-working Senior Citizens be invited.
  - (g) That the invitations be increased to 600 Senior Citizens and consideration be given to increase the annual budget provided by Council to N\$150 000.00.
-



11.1.18 **REQUEST FOR PERMISSION TO DEMOLISH AN ILLEGAL  
STRUCTURE ON ERF 100, TAMARISKIA**  
(C/M 2012/02/29 - T 100)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum **8.1** page **01** refers.

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

During an investigation of a frequently blocked drain on Erf 124, Brockerhoff Laan in Tamariskia, it was discovered that a structure (outbuilding) was built on top of a Municipal manhole on Erf 100 Baumgarten Laan, which is the point from where the maintenance team can clear the blockages on the main line to allow for a free flow sewerage from Erf 123 and upstream residents. The manhole is now inaccessible due to the structure built on top of it.

After reviewing the building plans for Erf 100 Baumgarten Laan, it was noted that there are no approved plans for the outbuilding, making the structure illegal.

On **31 August 2011**, a letter was sent to Mr C D Tuzembeho (Letter **attached**), requesting him to remove the illegal structure which is built on top of the municipal manhole, on or before **30 September 2011**. The due date passed and the illegal structure was not removed.

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

**RECOMMENDED:**

- (a) That permission be granted to the Engineering Services to remove the illegal structure built on top of a Municipal manhole.
  - (b) That the cost of removing the illegal structure be claimed from Mr C D Tuzembeho.
-

11.1.19 **SALE OF PRE-PAID WATER IN THE DRC INFORMAL SETTLEMENT**  
(C/M 2012/02/29 - N 10/2/4, H 5/4)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 8.2 page 04 refers.

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

The purpose of this submission is to inform Council regarding the pre-paid water purchasing point in DRC Informal Settlement.

With the closing of the Municipal Offices during **December 2011**, the Department of Finance with the approval of the Chief Executive Officer and in consultation with the Manager: Operations randomly approached an individual business person in the DRC settlement with the offer to temporarily sell pre-paid water by means of a mobile device to the residents of the area. Mr Erastus Kampembe who is a shop owner in the area was selected as a vendor of pre-paid water sales for the DRC Informal Settlement.

The procedure negotiated is that he would act as vendor and buy credit from Council at the normal pre-paid water tariff **less** 17.38% commission, which is accumulated to him for his services as per Council Resolution of **07 July 2011**, which reads as follows:

*That the new water tariff for the DRC Informal Settlement be N\$30.00/m<sup>3</sup> and that the new charges be effective as from 1 July 2011.*

He will then take the receipt to the Works Section for the purchased credit to be loaded onto the mobile device. The mobile device is then taken to his business premises and water is sold to the public until all the credits have been depleted. Additional credit will then again have to be purchased from Council to sell to the public.

From the date of the closure of the Municipal offices in **December 2011** until currently, pre-paid water sales via this mobile device in the DRC Informal Settlement is:

- *N\$12 800 to Council excluding 17.38% commission (N\$2 304.00) amounting to N\$15 104.00 in total sales.*

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

**RECOMMENDED:**

- That Council approves Mr E Kampembe as a vendor of pre-paid water sales for the DRC Informal Settlement.**
  - That this agreement be kept in place for another six (6) month trial period.**
  - That the residents of the DRC Informal Settlement be offered the opportunity to be vendors of pre-paid water sales for the DRC Informal Settlement after a six (6) month trial period.**
-

11.1.20 **REQUEST FOR A BREATHALYZER DEVICE**

(C/M 2012/02/29 - B 2/2)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 8.4 page 12 refers.

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

1. **Attached** request received from Honorable Councilor G N Shitaleni, Erongo Regional Council, Swakopmund Constituency for a breathalyzer device.
2. The request originates from Mr Dreyer, the Regional Representative from the Ministry of Works and Transport in the Maintenance Department. He requests for assistance for a breathalyzer device to enable them to improve discipline at the workplace. Unfortunately the Erongo Regional Council cannot assist due to limited funds available.
3. The Traffic Section has one (1) Lion Alcoholmeter 500 available which is redundant but still in a working condition, and can be use to determine the level of alcohol of a person.

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

**RECOMMENDED:**

- (a) That the redundant and outdated Lion Alcoholmeter 500 at the Traffic Section be written off.
  - (b) That the Lion Alcoholmeter 500 be donated to the Erongo Regional Council "as is".
-

11.1.21 **APPLICATION FOR PERMISSION TO OPERATE AN ADMINISTRATIVE OFFICE (SECURITY)**

(C/M 2012/02/29 - E 3484)

Ordinary Management Committee Meeting of 16 February 2012,  
Addendum 8.5 page 15 refers.

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

**Attached** application has been received for the registration of an administrative office in terms of the Town Planning Regulations:

- Erf 3484, Swakopmund Unit 14 (Phillips Street) - Mr P Garab t/a Messrs Maya Security Service CC  
(Notice No. 1/2012-02-03)

The property is zoned “*Light Industrial*” and according to the Town Planning Scheme Regulations, with special consent from Council an administrative office may be allowed.

Insert from the Town Planning Amendment Scheme No.12:

**“OFFICE BUILDING”** means a building used for business purposes and includes offices, a bank, professional chambers and buildings designed for similar uses, but does not include a shop, a place of assembly, a place of entertainment, an institution, service station, industrial building, noxious industry, a restaurant, a vegetable or animal market.

TABLE B

	1	2	3	4
	ZONE	MAP REFERENCE	PURPOSES FOR WHICH LAND MAY BE USED	PURPOSES FOR WHICH LAND MAY BE USED AND BUILDINGS MAY BE ERECTED AND USED WITH THE CONSENT OF THE COUNCIL ONLY
F	Light Industrial	Light Purple	Light Industrial Warehouse, Dry Cleanette, Launderette, Service Industry	Public Garage, Petrol Service Stations, Office Buildings, Funeral Parlour and Chapel, Building Yard, Panel Beater, Place of Amusement

All adjacent neighbours were contacted and no one objected. The proposed consent use was also advertised as per Clause 6 of the Town Planning Scheme Regulations (**Notice No. 1/2012-02-03**) and no objections were received.

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

**RECOMMENDED:**

- That the following application for permission to operate an Administrative Office (security) on Erf 3484 Unit 14 be approved:
- That they register with the Health Services Department and the standard Health Regulations will apply.
- 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.

11.1.22 **APPLICATION FOR PERMISSION TO OPERATE RESIDENT OCCUPATIONS (ADMINISTRATIVE OFFICES)**

(C/M 2012/02/29 - E 821, M 1996)

Ordinary Management Committee Meeting of 16 February 2012, Addendum 8.6 page 23 refers.

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

**Attached** applications were received for the registration of an administrative office in terms of the Town Planning Regulations:

- *Erf 821, Swakopmund (62 Nathanael Maxuillili Street) - Mr G R Nockels t/a Messrs Namib Film (Administrative Office)  
(Notice No. 1/2012-02-03)*
- *Erf 1996, Mondesa (Cemetery Crescent Street) - Mr F Goseb t/a Messrs F S Flooring (Administrative Office)  
(Notice No. 1/2012-02-03)*

The owners of the above-mentioned erven have requested Council for permission to operate administrative offices on their properties. The properties are zoned “*Single Residential*” and according to the Town Planning Scheme Regulations, with special consent of Council a resident occupation may be allowed.

Insert from the Town Planning Amendment Scheme No.12:

**“RESIDENT OCCUPATION”** means any commercial or industrial use conducted within a dwelling and carried on by the inhabitants thereof, subject to the following:

- (i) *The resident occupation shall be confined to one third of the total floor area of the said dwelling;*
- (ii) *The resident occupation must be carried out entirely within the dwelling to include the basement, outbuilding, garage, and/or attic of the dwelling.*
- (iii) *The home occupation must be clearly incidental and secondary to the residential use of the dwelling;*
- (iv) *The residential character and appearance of the dwelling and the property on which it is located shall not be changed in any visible manner. No advertisement of the existence of the resident occupation shall be visible from the dwelling or the erf on which it is located, except for one sign as permitted by this Scheme;*
- (v) *No materials or products shall be stored on the erf outside in such a manner as to be visible from any adjacent property;*
- (vi) *Display of merchandise or products of the resident occupation for sale may be permitted at the discretion of Council in keeping with subparagraph (iv) above;*
- (vii) *The resident occupation shall not create any objectionable noise, odor, vibration or unsightly conditions;*
- (viii) *The resident occupation shall not create a health or safety hazard;*
- (ix) *The resident occupation shall not create any interference with communication transmission or reception in the vicinity;*
- (x) *Only products that are substantially manufactured or fabricated in the dwelling solely by the inhabitants thereof shall be sold as part of the resident occupation. Products not manufactured or fabricated within the dwelling by the inhabitants may only be sold by catalogue sales and may not be stocked for retail sales within the residence. Incidental sales of products directly associated with the resident occupation may be permitted by Council;*
- (xi) *The resident occupation may employ up to 2 full time employees.*

All adjacent neighbours were contacted and no objections were received. The proposed consent use was also advertised as per Clause 6 of the Town Planning Scheme Regulations (**Notice No. 1/2012-02-03**) and no objections were received.

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

**RECOMMENDED:**

- (a) That the following applications for permission to operate administrative offices be approved:**
    - *Erf 821, Swakopmund (62 Nathanael Maxuilili Street) - Mr G R Nockels t/a Messrs Namib Film (Administrative Office)  
(Notice No. 1/2012-02-03)*
    - *Erf 1996, Mondesa (Cemetery Crescent Street) - Mr F Goseb t/a Messrs F S Flooring (Administrative Office)  
(Notice No. 1/2012-02-03)*
  - (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.*
-

#### 11.1.23 **CONSENT FOR MORE UNITS AND OFFICES**

(C/M 2012/02/29 - T 662)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 8.7 page 46 refers.

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

**Attached** application has been received from the Body Corporate of Apex Park applying for more than one dwelling unit and offices on the Erf.

The property is zoned "Light Industrial" and currently houses several retail shops and offices. In order for shops and offices to be permitted on site consent must be obtained.

Due to several changes in the area and a request from the owners of Erf 662 Tamariskia, the development on surrounding erven (residential) request the need for more residential units. The following reasons were given by the Body Corporate with regard to their proposed application:

- *The original development was planned to be a mixed development area, with business, residential and light industrial erven, however the area did not develop in this way.*
- *The demand in the area has been principally for residential units, offices and shops.*
- *Certain types of industrial uses can cause noise and interfere with the amenities of the surrounding properties, therefore we do not want to cause a disturbance and would rather conform to the existing uses on erven in the area.*

**The following definition illustrate that Council may give special consent.**

**"SERVICE INDUSTRY"** means use of land or a building which in the opinion of the Council is a small scale industry incidental to the needs of the local community and the retail trade and in which the opinion of the council will not interfere with the amenities of the surrounding properties or be of a nuisance value by virtue of noise, appearance, smell or activities or for any other reason but excludes a service station. This use provides for one dwelling as primary use and more dwelling units with the special consent of the Council.

Council gave permission to the property adjacent to erf 662 Tamariskia, Erf 663 (Makarrios).

Insert from the Town Planning Amendment Scheme No.12:

**Table B: Erection and use of buildings and use of land**

	<b>ZONE</b>	<b>MAP REFERENCE</b>	<b>PURPOSES FOR WHICH LAND MAY BE USED</b>	<b>PURPOSES FOR WHICH LAND MAY BE USED AND BUILDINGS MAY BE ERECTED AND USED WITH THE SPECIAL CONSENT OF THE COUNCIL ONLY</b>
F	Light Industrial	Light purple fill	Light Industrial, Warehouse, Dry Cleanette, Launderette, Service Industry	Public Garage, Petrol Service Stations, Office Buildings, Funeral Parlour and Chapel, Building Yard, Panel Beater, Place of Amusement

All adjacent neighbours were contacted and no objections were received. The proposed consent use was also advertised as per Clause 6 of the Town Planning Scheme Regulations in the Namib Times on the **14<sup>th</sup>** and **21<sup>st</sup> of October 2011** and no objections were received.

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

**RECOMMENDED:**

- (a) That the application from the body Corporate of Apex Park Erf 662, Tamariskia for five (5) additional dwelling units and offices on a “*Light Industrial*” erf be approved.**
  - (b) That any cost involved be for the applicant’s account.**
  - (c) That no dwelling units are permitted on the ground floor.**
  - (d) That the uses applied for shall be strictly adhered to.**
  - (e) That Council reserves the right, to cancel a consent use should there be valid complaints.**
-



11.1.24 **APPLICATION FOR PERMISSION TO OPERATE A RESIDENT  
OCCUPATION (DOG GROOMING PARLOUR)**

(C/M 2012/02/29 - M4 36)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 8.8 page 50 refers.

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

**Attached** application has been received for the registration of a resident occupation in terms of the Town Planning Regulations:

- Erf 36, Mile 4 (3 Abalone Street) - Ms I Greyling t/a Messrs Bella's Spa (Dog Grooming Parlour)  
(Notice No. 1/2012-02-03)

The owner of the above-mentioned erf has requested Council for permission to operate a dog grooming parlour on her property. The property is zoned "Single Residential" and according to the Town Planning Scheme Regulations, with special consent of Council a resident occupation may be allowed.

Insert from the Town Planning Amendment Scheme No.12:

**"RESIDENT OCCUPATION"** means any commercial or industrial use conducted within a dwelling and carried on by the inhabitants thereof, subject to the following:

- (i) The resident occupation shall be confined to one third of the total floor area of the said dwelling;
- (ii) The resident occupation must be carried out entirely within the dwelling to include the basement, outbuilding, garage, and/or attic of the dwelling.
- (iii) The home occupation must be clearly incidental and secondary to the residential use of the dwelling;
- (iv) The residential character and appearance of the dwelling and the property on which it is located shall not be changed in any visible manner. No advertisement of the existence of the resident occupation shall be visible from the dwelling or the erf on which it is located, except for one sign as permitted by this Scheme;
- (v) No materials or products shall be stored on the erf outside in such a manner as to be visible from any adjacent property;
- (vi) Display of merchandise or products of the resident occupation for sale may be permitted at the discretion of Council in keeping with subparagraph (iv) above;
- (vii) The resident occupation shall not create any objectionable noise, odor, vibration or unsightly conditions;
- (viii) The resident occupation shall not create a health or safety hazard;
- (ix) The resident occupation shall not create any interference with communication transmission or reception in the vicinity;
- (x) Only products that are substantially manufactured or fabricated in the dwelling solely by the inhabitants thereof shall be sold as part of the resident occupation. Products not manufactured or fabricated within the dwelling by the inhabitants may only be sold by catalogue sales and may not be stocked for retail sales within the residence. Incidental sales of products directly associated with the resident occupation may be permitted by Council;
- (xi) The resident occupation may employ up to 2 full time employees.

The applicant intends to only have five to six animals for grooming per day and only by appointment. Operating hours will be between the hours of 9am to 5pm. Grooming of the animals will be done in the garage

which will be cleaned daily and no health risks will occur. Parking will be provided on the property.

All adjacent neighbours were contacted and no objections were received. The proposed consent use was also advertised as per Clause 6 of the Town Planning Scheme Regulations (**Notice No. 1/2012-02-03**) and no objections were received.

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

**RECOMMENDED:**

**(a) That the following application for permission to operate a dog grooming parlour be approved:**

- *Erf 36, Mile 4 (3 Abelone Street) - Ms I Greyling t/a Messrs Bella's Spa (Dog Grooming Parlour)*  
*(Notice No. 1/2012-02-03)*

Article II.

**(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 the business will operate between the hours of 8am to 5pm from Mondays to Saturdays.*
  - *Parking to be provided on the property.*
-

11.1.25 **APPLICATION FOR PERMISSION TO OPERATE A LAUNDRY**

(C/M 2012/02/29 - E 467)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 8.9 page 58 refers.

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

**Attached** application was received for the registration of a Laundry in terms of the Town Planning Regulations:

- *Erf 467, Swakopmund (3 Moses Garoëb Street) - Ms K Giersch t/a Messrs Hot Express Laundry*

The owner of the abovementioned erf has requested Council for permission to operate a laundry on the property. The property is zoned “General Business” and according to the Town Planning Scheme Regulations with special consent of Council a laundry may be allowed.

Insert from the Town Planning Amendment Scheme No.12:

TABLE B

	1	2	3	4
	ZONE	MAP REFERENCE	PURPOSES FOR WHICH LAND MAY BE USED	PURPOSES FOR WHICH LAND MAY BE USED AND BUILDINGS MAY BE ERECTED AND USED WITH THE CONSENT OF THE COUNCIL ONLY
D	General Business	Blue fill	Shops, Office Buildings, Parking Garages, Licensed Hotels, Blocks of Flats, Residential Buildings	Service Stations, Service Industry, Launderettes, Dry-cleanettes, Place of Assembly, Place of Amusement, Institutional Buildings, Drive-in Cafés, Funeral Palours and Chapels, Warehouses, Liquor Stores, Bed and Breakfast, Pensions.

All adjacent neighbours were contacted and no objections were received. The proposed consent use was also advertised as per Clause 6 of the Town Planning Scheme Regulations (**Notice No. 1/2012-02-03**) and no objections were received.

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

**RECOMMENDED:**

**(a) That the following application for permission to operate a laundry be approved:**

- *Erf 467, Swakopmund (3 Moses Garoëb Street) – Ms K Giersch t/a Hot Express Laundry.*

**(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.*

11.1.26 **APPLICATION FOR BUILDING LINE RELAXATION**  
(C/M 2012/02/29 - WF 42)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 8.10 page 65 refers.

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

Application was received from the owner of Erf 42, Swakopmund for consent to relax the lateral building line from 3m to 0m for the ground floor and from 5m to 0m for the first floor. The boundary wall height also needs to be relaxed from 2.25m to 7.4m.

The applicant requested the owners of the neighbouring property to give consent to relax the building line to which the neighbour objected.

**Objections raised by Mr M van den Berg**

<b>Objections</b>	<b>Comment</b>
<i>Construction on my building line would lead to a loss of natural sunlight to my property, leading to issues such as an increase of dampness inside my property and no natural light access to my windows during certain times of the day, which is a major concern to me and my family. Issues such as mentioned could lead to difficult resale of my property or a forced decrease in my property's value.</i>	<i>The area of encroachment applied for is so small that the effect would be minimal. The erf is of such nature that not a lot of developable land is available due to the building line restrictions. The sunlight will only be affected for small period time during the day and the property will enjoy a fair amount of light during the day.</i>
<i>This would lead to a major intrusion into my privacy, one pays a high price for a freestanding house in order to obtain privacy, if this was not my need I could have just as well have bought a unit in a cropped-up apartment building/complex or a hostel.</i>	<i>It is not foreseen that the proposed building of the applicant will cause any privacy issue. There will be no windows on the wall to be built and a fire wall blocking the balcony away from the line of sight of the objector.</i>
<i>This will also lead to a "too built up effect". If I was interested in hearing my neighbour on the other side of the wall, I would have purchased a property in either Old Long Beach or a unit in a complex.</i>	<i>There is still an approximately 3.8 meters between the proposed house of the applicant and that of the objector. As mentioned previously in this submission the property of the applicant is of such nature that very little possibility exists for the construction of a house. The objector already enjoys the same relaxation from a neighbouring property, Erf 40.</i>
<i>This will lead to extra, unnecessary noise pollution due to the neighbour's exterior wall being directly on my boundary, more close to my dwelling than necessary.</i>	<i>Noise will be blocked by the wall constructed on the boundary. It is not foreseen that the little noise from people on Erf 42 will be so excessive that it would be of concern to the owner of Erf 41.</i>
<i>The letter pertaining to consent for boundary line relaxation on my part was received by me as standard (not as procedure stipulate). Neither did the letter give instruction for me to reply within 14 days (again not as procedure stipulates). This was an error from Mr C Brayshaw's architect or draftsman, highly unprofessional.</i>	<i>The applicant in this case understands the process incorrectly. The applicant does not have to send any documentation by registered mail. Registered mail is an option used when the owner of the premises cannot be contacted directly. This is purely done to indicate that a person did in fact follow the last and only option left to contact the person. The</i>

	<i>applicant was correct when dealing with this person directly in the beginning. Where the applicant did go wrong was when the registered mail was forwarded it did not state the 14 days requirement. This caused the objection although "late" still to be valid. Objection not supported.</i>
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## **Conclusion**

Erf 42 is of such nature that little can be done on the property. The building lines restrict the possibilities extremely and what makes it more difficult is the fact that there is an electrical substation on the property as well. The owner of Erf 41 already enjoys a relaxation of a greater extend on his property towards Erf 40 which is no different from what is being applied for in this application.

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

### **RECOMMENDED:**

- (a) That the application of Mr C Brayshaw for relaxation of the lateral building line from 3 to 0m for ground floor and 5 to 0m for first floor and the boundary wall height from 2.25m to 7.4m on Erf 42, Waterfront, Swakopmund be approved.
  - (b) That Mr M van den Berg be informed of his right to object (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.
-

11.1.27 **REGISTRATION OF HOME SHOPS (MONDESA)**

(C/M 2012/02/29 - M 2773, M 2688)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 8.11 page 71 refers.

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

**Attached** applications were received for the registration of Home Shops in terms of the Town Planning Regulations and Council's Shebeen and Home Shop Policy:

- *Erf 2773, Mondesa - Mr D H Kativa t/a Klein Checka (Home Shop)  
(Notice No. 1/2012-02-03)*
- *Erf 2688, Mondesa - Mr P.M. Kambenge t/a Show Trading Enterprises (Home Shop)  
(Notice No. 1/2012-02-03)*

The above Erven are zoned "*Single Residential*" and Home Shops will be operated from the premises. In order to establish a Shebeen or Home Shop, the applicant must also obtain permission from his/her neighbours and advertise as per Clause 6 of the Town Planning Regulations for any objections/comments. The building must also conform to the Health and Building Regulations.

Excerpt of Clause 8.21 from the Town Planning Amendment Scheme No.12 for convenience.

**8.21 HOME BASED GENERAL DEALERS**

*Council may, subject to the provisions of Clause 6.2 of this Scheme (advertisements for consent use), allow the operation of shebeens or home based general dealers in the following special demarcated areas: to the east of Rakotoka Street, to the north of Winter Street and to the west of the railway reserve.*

The intended uses were advertised as per Clause 6 (**Notice No. 1/2012-02-03**) and the comments of all the neighbours were obtained, no objections were received from the neighbours of Messrs Klein Checka and Messrs Snow Trading Enterprises. Registered mail was also sent to some of the neighbours. None of the neighbours replied or objected.

The Health Services Department inspected the premises and the reports dated **7 October 2011** and **13 December 2011** are **attached**.

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

**RECOMMENDED:**

**That the applications of Messrs Klein Checka on Erf 2773, Mondesa and Messrs Snow Trading Enterprises on Erf 2688, Mondesa to operate Home Shops be approved and that the consent use be subject to the following:**

- *That Council reserves the right, to cancel a consent use should there be any valid complaints.*
  - *That they must operate within the town planning Scheme Regulations, Liquor Act (Act no.6 of 1998), Health Regulations and Shebeen & Home Shop policy.*
  - *That the consent is not transferable should the property be sold.*
  - *That no alcohol will be sold.*
-

11.1.28 **APPLICATION TO OPERATE A HOME SHOP IN THE DRC**

(C/M 2012/02/29 - H 5/4/1)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 8.12 page 83 refers.

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

**Attached** application has been received for the registration of a Home Shop in terms of the Town Planning Regulations and Council's Shebeen and Home Shop Policy:

- *Erf 712 DRC - Mr I K Abraham t/a Messrs Kamukwanambwa (Home Shop)*  
(Notice No. 1/2012-02-03)

**The above erf has no zoning and is situated in an “Informal” area and it is proposed to operate a Home Shop on the premises.**

The intended use was advertised as per Clause 6 (**Notice No. 1/2012-02-03**) and no objections were received. All adjoining neighbours were also contacted and no objections were received.

Council on **24 April 2008** resolved as follows:

- (a) *That the following minimum requirements for the operation of shebeens in the DRC informal settlement in Swakopmund be approved.*
- (i) *The floor of the premises shall be constructed of material with a smooth finish that can be properly cleaned (e.g. concrete floor with steel troweled topping).*
  - (ii) *Serving counters and seating arrangement for customers appropriate to the premises and to the maximum number of customers which may be served at any time must be provided.*
  - (iii) *A Sketch of the premises concerned showing: the dimensions of each room on the premises must be submitted for approval.*
  - (iv) *All doors, windows, and counters, if applicable, including places of entry into the premises and streets or other places from which the premises may be entered must be indicated on the sketch.*
  - (v) *The Structure shall be constructed from material with a lower flammability quality. (i.e. Nutec Sheet, Gypsum Board or solid wood) and materials such as plastic, cardboard or carton structures will not be allowed and that the Health Services Department conduct an inspection prior to the approval of the applications.*
  - (vi) *The minimum size of the premises to be used as a Shebeen shall be 6m<sup>2</sup> which area shall not be part of or be used as a dwelling or sleeping room.*
  - (vii) *An approved toilet facility must be available onsite for the use of customers visiting the Shebeen in addition to the ones currently provided by Council and which is shared by two families.*
  - (viii) *A receptacle/container with tight fitting lid for storage of clean water as well as a basin(bowl to wash your hands) must be provided on site.*
  - (ix) *The tenant of the Erf must be the operator of the Shebeen and proof of the same must be obtained from the General Manager: Community Development Services and must be submitted attached to the*

application form.

- (x) *The times of operation of the Shebeen must be displayed on the structure (Shebeen) i.e.,
  - ◆ On any day, excluding a Sunday from 10h00 to 24h00
  - ◆ On a Sunday, from 10h00 to 14h30 and from 18h00 to 24h00;*
- (b) *That all applicants apply for consent use as per Council's Homeshop and Shebeen policy.*
- (c) *That all applications for Shebeens in DRC be submitted to the Management Committee for approval.*
- (d) *That a Letter of Consent for the approval of the operation of a Shebeen be issued to successful applicants.*
- (e) *That Council reserves the right to withdraw consent use if valid objections and or complaints are received against the operation of the Shebeen.*
- (f) *That an annual registration fee of N\$138.00 plus VAT be payable with every application and as approved by Council from time to time.*
- (g) *That the General Manager: Health Services provides a comparative analysis of the situation between Windhoek and Swakopmund.*

The Health Services Department inspected the premises and the report dated **14 December 2011** is **attached**.

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

**RECOMMENDED:**

- (a) **That the following application to operate a Home shop in the DRC Informal Settlement be approved:**
    - ***Erf 712 DRC - Mr I K Abraham t/a Messrs Kamukwanambwa (Home Shop)***  
***(Notice No. 1/2012-02-03)***
  - (b) **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, Liquor Act (Act No.6 of 1998), Health regulations and Shebeen & Home Shop policy.***
  - (c) **That the consent is not transferable should the property be vacated.**
  - (d) **That no alcohol will be sold.**
  - (e) **That the applicant be informed that he might be required to move when the formalization of the DRC Informal Settlement starts.**
-



11.1.29 **APPLICATION TO OPERATE HOME SHOPS IN THE DRC**  
(C/M 2012/02/29 - H 5/4/1)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 8.13 page 94 refers.

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

**Attached** applications have been received for the registration of Home Shops in terms of the Town Planning Regulations and Council's Shebeen and Home Shop Policy:

- *Messrs Come in Tuck Shop represented by Mr W Matheus Erf 122 DRC (Notice No. 51/2011-12-02)*
- *Messrs Ondobe Store represented by Mr M Immanuel Erf 439 DRC (Notice No. 51/2011-12-02)*
- *Messrs One by One Together represented by Ms S Fredericks Erf 461 DRC (Notice No. 51/2011-12-02)*
- *Messrs Labby Boy Respect You represented by Mr L Nghifekwena Erf 572 DRC (Notice No. 51/2011-12-02)*
- *Messrs Kunene Mini Market represented by Mr JPN Nghifindaka Erf 710 DRC (Notice No. 51/2011-12-02)*
- *Messrs Embwida Mini Market represented by Mr S Jakobus Erf 1073 DRC (Notice No. 51/2011-12-02)*

The above erven has no zoning and is situated in an "Informal" area. The applicants propose to operate Home Shops from the premises.

The intended use was advertised as per Clause 6 (**Notice No. 51/2011-12-02**) and no objections were received. All adjoining neighbours were also contacted and no objections were received. Registered mail to some of the neighbours was also send. None of the neighbours contacted replied or objected.

The following was resolved by Council on **24 April 2008**:

- (a) *That the following minimum requirements for the operation of shebeens in the DRC informal settlement in Swakopmund be approved.*
- (i) *The floor of the premises shall be constructed of material with a smooth finish that can be properly cleaned (e.g. concrete floor with steel troweled topping).*
  - (ii) *Serving counters and seating arrangement for customers appropriate to the premises and to the maximum number of customers which may be served at any time must be provided.*
  - (iii) *A Sketch of the premises concerned showing: the dimensions of each room on the premises must be submitted for approval.*
  - (iv) *All doors, windows, and counters, if applicable, including places of entry into the premises and streets or other places from which the premises may be entered must be indicated on the sketch.*
  - (v) *The Structure shall be constructed from material with a lower flammability quality. (i.e. Nutec Sheet, Gypsum Board or solid wood) and materials such as plastic, cardboard or carton structures will not be allowed and that the Health Services Department conduct an inspection prior to the approval of the applications.*
  - (vii) *The minimum size of the premises to be used as a Shebeen shall be 6m<sup>2</sup> which area shall not be part of or be used as a dwelling or sleeping room.*
  - (vii) *An approved toilet facility must be available onsite for the use of customers visiting the Shebeen in addition to the ones currently provided by Council and which is shared by two families.*

- (viii) *A receptacle/container with tight fitting lid for storage of clean water as well as a basin (bowl to wash your hands) must be provided on site.*
- (ix) *The tenant of the Erf must be the operator of the Shebeen and proof of the same must be obtained from the General Manager: Community Development Services and must be submitted attached to the application form.*
- (x) *The times of operation of the Shebeen must be displayed on the structure (Shebeen) i.e.,*
  - ♦ *On any day, excluding a Sunday from 10h00 to 24h00*
  - ♦ *On a Sunday, from 10h00 to 14h30 and from 18h00 to 24h00;*
- (b) *That all applicants apply for consent use as per Council's Homeshop and Shebeen policy.*
- (c) *That all applications for Shebeens in DRC be submitted to the Management Committee for approval.*
- (d) *That a Letter of Consent for the approval of the operation of a Shebeen be issued to successful applicants.*
- (e) *That Council reserves the right to withdraw consent use if valid objections and or complaints are received against the operation of the Shebeen.*
- (f) *That an annual registration fee of N\$138.00 plus VAT be payable with every application and as approved by Council from time to time.*
- (g) *That the General Manager: Health Services provides a comparative analysis of the situation between Windhoek and Swakopmund.*

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

**RECOMMENDED:**

- (a) **That the following applications to operate Home Shops in the DRC Informal Settlement be approved:**
    - ***Messrs Come in Tuck Shop represented by Mr W Matheus Erf 122 DRC (Notice No. 51/2011-12-02)***
    - ***Messrs Ondobe Store represented by Mr M Immanuel Erf 439 DRC (Notice No. 51/2011-12-02)***
    - ***Messrs One by One Together represented by Ms S Fredericks Erf 461 DRC (Notice No. 51/2011-12-02)***
    - ***Messrs Labby Boy Respect You represented by Mr L Nghifekwena Erf 572 DRC (Notice No. 51/2011-12-02)***
    - ***Messrs Kunene Mini Market represented by Mr J P N Nghifindaka Erf 710 DRC (Notice No. 51/2011-12-02)***
    - ***Messrs Embwida Mini Market represented by Mr S V Jakobus Erf 1073 DRC (Notice No. 51/2011-12-02)***
  - (b) **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, Health regulations and Shebeen & Home Shop policy.***
  - (c) **That the consent is not transferable should the property be vacated.**
  - (d) **That no alcohol will be sold.**
  - (e) **That the applicant be informed that he might be required to move when the formalization of the DRC Informal Settlement starts.**
-

11.1.30 **WRITING OFF: OLD AND REDUNDANT OFFICE FURNITURE -  
CORPORATE SERVICES AND HUMAN RESOURCES DEPARTMENT**  
(C/M 2012/02/29 - L 2)

Ordinary Management Committee Meeting of 16 February 2012,  
Addendum 8.14 page 108 refers.

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

The following old and redundant furniture and equipment in the Corporate Services and Human Resources Department needs to be written off:

<b>No</b>	<b>Description</b>	<b>Quantity</b>	<b>Office</b>
1.	Telephone Sets	67	All departments
2.	Fan	1	Employee Relations Officer
3.	Small Steel Cabinet	1	Admin. Officer: Property
4.	Big Wooden Cabinet	1	Admin. Officer: Property
5.	Heavy Duty Staplers	3	Production Room
6.	Recording Machines	2	Production Room
7.	Hot Water Urns	2	Corporate Services' kitchen
8.	Ice Cube Holders	2	Corporate Services' kitchen

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

**RECOMMENDED:**

- (a) That the following old and redundant furniture and equipment in the Corporate Services and Human Resources Department be written off and be sold at the next public auction:

<b>No</b>	<b>Description</b>	<b>Quantity</b>
1.	Telephone Sets	67
2.	Fan	1
3.	Small Steel Cabinet	1
4.	Big Wooden Cabinet	1
5.	Heavy Duty Staplers	3
6.	Recording Machines	2
7.	Hot Water Urns	2
8.	Ice Cube Holders	2

- (b) That the Chairperson of Management Committee, Chief Executive Officer and the General Manager: Finance determines the upset prices for the above.
- (c) That the redundant equipment in (a) above be donated to the Hanganeni, Vrede Rede and Festus Gonteb Primary Schools.

11.1.31 **COUNCIL'S REPRESENTATIVES ON VARIOUS COMMITTEES AND BODIES - 2012**

(C/M 2012/02/29 - A 2/3/1/4)

**Ordinary Management Committee Meeting of 16 February 2012, Addendum 9.2 page 02 refers.**

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

1. Council from time to time approves the establishment of various committees / bodies to assist Council in the execution of its social responsibilities. The existence and the members appointed to serve on these committees / bodies should be reviewed on an annual basis to ensure that Council's interests are better served.
2. The resignation of officials and the election of office bearers also necessitate the revision of these committees / bodies. **Attached** is a list of Council's representatives on various committees / bodies for consideration.

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

**RECOMMENDED:**

- (a) That the attached list of Council's representatives on various committees / bodies for 2012 be approved.
  - (b) That the Officials on the committees compile a schedule of meetings for the year and distribute it to the members.
  - (c) That the external institutions be informed who council's representatives are on the various bodies.
-

11.1.32 **INVITATION TO PARTICIPATE AND ATTEND THE OKAHANDJA  
TOURISM AND TRADE EXPO 2012**

(C/M 2012/02/29 - J 10/2)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 9.4 page 11 refers.

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

**Attached** invitation to Council to attend and / or participate in the Okahandja Tourism and Trade Expo scheduled to take place in Okahandja from **03 - 06 May 2012.**

The Okahandja Tourism and Trade Expo's objectives are to promote tourism and trade opportunities through socio-economic development activities, by providing networking opportunities for participants and visitors alike.

In the past Council used to make a contribution of N\$1 000.00 to the Okahandja Tourism and Trade Expo.

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

**RECOMMENDED:**

- (a) That a financial contribution of N\$2 000.00 towards the Okahandja Tourism and Trade Expo 2012 be made.
  - (b) That the funds be defrayed from the Council's Publicity Vote 100510212700 where N\$4 656.99 is available.
-

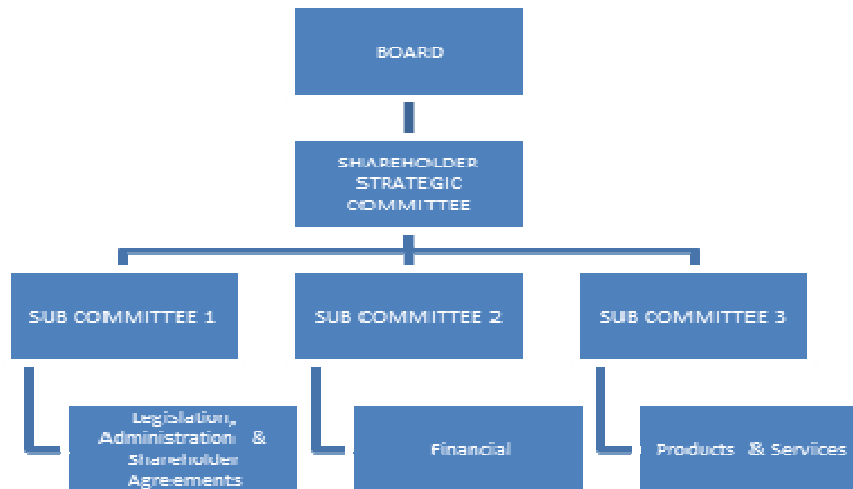
11.1.33 **ERONGO RED SHAREHOLDER STRATEGIC COMMITTEE**

(C/M 2012/02/29 - A 2/3/1/4 / A 4/3/1/16/1)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 9.7 page 22 refers.

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

1. At an Erongo RED Special Shareholders meeting held on **24 October 2011**, the Board of Directors established a Shareholder Strategic Committee.
2. The structure of the Shareholder Strategic Committee shall be as follows:



3. The Sub Committee 1 members shall be:
  - (a) Chairperson: Mr P Hamman
  - (b) Director : Mrs S Nelumbu or CEO of Omaruru municipality
  - (c) Director : Mr T Kaimbi
  - (d) Director : Mr C Botha
  - (e) Company Secretary once appointed
  - (f) HR Manager : Mr B Nangolo
  - (g) Shareholder CEO/CRO/MD and Chairpersons of councils [max 10 Councillors and 10 officials]
  - (h) CEO : Mr G Coeln.
4. The Sub Committee 2 members shall be:
  - (a) Chairperson : Mr C Botha
  - (b) Director : Mr P Hamman
  - (c) Director : Mr I Tjombonde
  - (d) GM: Finance & Corporate Services: Mr F Vries
  - (e) GM: Commercial Services: Mr R Kahimise
  - (f) Shareholder Heads of Finance [ max 10 officials]
  - (g) CEO: Mr G Coeln.

5. The Sub Committee 3 members shall be:

- (a) Chairperson: Mr I Tjombonde
- (b) Director : Mr W Rencs
- (c) Director : Mr T Kaimbi
- (d) GM: Commercial Services: Mr R Kahimise
- (e) GM: Operations : Mr N Niemand
- (f) GM: Network Support Services: Mr C Tjizo
- (g) Shareholder Heads of Technical Services and Finance [max 20 officials]
- (h) CEO: Mr G Coeln.

6. The tasks of the various subcommittees shall be as follows:

a) Sub Committee 1: Legislation, Administration & Shareholders' Agreement

- (i) Engage national stakeholders (central government) to determine political direction.
- (ii) Lobby for a REDs Act and pro-actively engage policy makers. Ensure that both line ministries are covered by the Act. This process should include lobbying/motivating for local authority subsidies.
- (iii) Lobby for an ESI summit to take place where all stakeholders in the ESI can discuss matters such as government policy on REDs, the proposed REDs Act, local authority funding and other relevant matters.
- (iv) Constitute a Strategic Focus Group to Review Shareholders' Agreement to review all aspects such as (i) representation of all local authorities within the Erongo Region on the Erongo RED Board; (ii) remove potential conflict of interest from Board representation; (iii) review the time period of the re-evaluation shareholding; (iv) conditions/ the process pertaining to the withdrawal of shareholders; (v) confidentiality; (vi) transfer of assets; (vii) dispute resolution procedures; (viii) consider making NamPort a shareholder; inter alia. It must be noted that "Shareholders' Agreement" also include the Memorandum & Articles of Association as well as the Transfer Agreements.
- (v) As an interim solution: Allow 'small' councils representation on the Board without voting rights, until the Shareholders' Agreement has been reviewed and approved.
- (vi) Engage a detailed study into the legal interpretation pertaining to assets and the transfer of assets. Audit the current status quo and implement remedies if contrary to legal requirements. This is a high risk matter.
- (vii) Develop and implement Board member capacity building initiatives.
- (viii) Review the Erongo Red Business Plan, Strategic Plan and review the full Corporate Structure aligned to the newly approved Business and Strategic Plans.

b) Sub Committee 2: Financial

- (i) Conduct a detailed Financial Analysis/Modelling. Investigate the most feasible option in terms of surcharges, royalties, etc. Ensure that the most suitable financial model is proposed in the interest of both the shareholders and the consumers. Investigate aspects such as Social Responsibility and financial models to alleviate the burden on the poor segments of our communities.
- (ii) Benchmark tariffs with other distributors.
- (iii) Understand pricing.
- (iv) Financial analysis of Erongo RED and Local Authority comparisons/ scenario's.
- (v) Conduct a detailed study into potential tax exemption possibilities and submit to the Shareholders for consideration and approval. The

*shareholders should jointly in a united effort lobby with central government for the tax exemption of the REDs.*

- (vi) Review Credit Policy*
- (vii) Investigate the setting up of a 'reserve account' for development purposes.*
- (viii) Develop a strategy surrounding the contribution of LPU's being served directly by NamPower to the Region.*

**c) Sub Committee 3: Products and Services**

- (i) Develop electrification strategy for new developments.*
- (ii) Accelerate joint land development process.*
- (iii) Implement an urgent consumer education/engagement programme. This strategy should focus on consistently communicating relevant facts pertaining to electricity distribution to the consumers. Collaborate with the ECB. Collaborate between Erongo RED and the shareholders within their respective areas.*
- (iv) Implement a more effective and efficient Customer Service and Quality Strategy within all aspects of Erongo RED business. This should include building staff member capacity at all local authorities, specifically the smaller ones.*
- (v) Review Erongo RED's Corporate Social Responsibility Strategy*
- (vi) Review Safety Standards of the Company*
- (vii) Develop a Strategy to ensure electrification of informal areas.*
- (viii) Review requirements for pre-paid meters.*
- (ix) Streamline application processes.*
- (x) Proactively engage the ECB on tariffs and the sharing of information to all levels and structures.*

**7. The general tasks of the Shareholder Strategic Committee are:**

- (a) Overall co-ordination of the review process.*
- (b) Set feedback dates on the overall process with the shareholders.*
- (c) Review the reports from the sub committees, before acceptance.*
- (d) Ultimately submit final report to the Board of Directors, who will consider recommendations to be submitted to the shareholders for approval.*
- (e) The scribe will be provided by the Office of the CEO.*

**8. The general tasks to be executed by the subcommittees are described as follows:**

- (a) Set project agenda with target dates for engagement of shareholders on their respective tasks.*
- (b) The scribe of each committee will be one of the General Managers or HR Manager.*
- (c) Set and finalise sub projects for each task.*
- (d) Set target dates for feedback to the main committee.*
- (e) Co-opt the required professional consultants where appropriate.*
- (f) Visit shareholders to discuss the issues and to collect their inputs in order to ensure participation and buy-in by all.*
- (g) Investigate the tasks and engage shareholders and external consultants where necessary together with management staff allocated to the subcommittee.*
- (h) Report on the tasks executed for submission to the main Shareholder Strategic Committee.*



9. Council had been requested to make the following persons available for the various sub-committees (See **attachment**):

<b><i>Sub-Committee 1</i></b>	<i>Chairperson of Council and Chief Executive Officer/Chief Regional Officer/Managing Director</i>
<b><i>Sub-Committee 2</i></b>	<i>Head of Finance</i>
<b><i>Sub-Committee 3</i></b>	<i>Head of Finance and Head of Technical Services</i>

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

**RECOMMENDED:**

**That the sub-committees of Erongo RED's Shareholder Strategic Committee be as follows:**

<b><i>Sub-Committee 1</i></b> <b><i>Legislation, Administration &amp; Shareholders Agreement</i></b>	<b><i>Councilor A N Bessinger</i></b> <b><i>Chief Executive Officer</i></b>
<b><i>Sub-Committee 2</i></b> <b><i>Financial</i></b>	<b><i>General Manager : Finance</i></b>
<b><i>Sub-Committee 3</i></b> <b><i>Products &amp; Services</i></b>	<b><i>General Manager : Finance</i></b> <b><i>General Manager : Engineering Services</i></b>

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11.1.34 **LETTER OF APPRECIATION FROM VREDE REDE PRIMARY SCHOOL**

(C/M 2012/02/29 - A 2/3/1/6)

**Ordinary Management Committee Meeting of 16 February 2012, Addendum 9.10 page 38 refers.**

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

The Vrede Rede Primary School would like to express their sincere appreciation for the donation of the classroom at their school. The classroom is designed to be a computer lab.

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

**RECOMMENDED:**

- (a) That the letter of appreciation from Vrede Rede Primary School for the donation of a class room at their school be noted.**
  - (b) That the Chief Executive Officer determine a date for the official hand over ceremony of the class room.**
-

11.1.35 **NORTH-SOUTH: MUNICIPAL PARTNERSHIP NAMIBIA (ALAN) - SWEDEN (SALAIDA): COOPERATION**

(C/M 2012/02/29 - A 2/3/1/7/1)

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum 9.5 page 17 refers.

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

The City of Malmö informed the Swakopmund Municipal Council that the application submitted for the extension of the co-operation agreement was approved subject to the application being amended to include more detail on:

- *Gender equality*
- *Representation on Steering Committee*
- *Creating a secure environment to sustain the project.*

On representation on the Steering Committee, it is prescribed by ICLD (International Centre of Local Democracy in Sweden) that the steering committee must consist of members from the ruling party as well the opposition. (See **attached** email)

Council meeting on **24 February 2011** under item 11.2.20 resolved as follows:

*That the following Councillors serve as Steering Committee members of the twinning between the City of Malmö and Swakopmund Municipality:*

*Councillor J Kambueshe  
Councillor N N Salomon  
Councillor L M Madi*

The members mentioned above all belong to the ruling party and it is therefore advised that a member of the opposition parties be nominated to serve on the Steering Committee.

According to the project proposals the respective committees should be compiled as:

**Project Committee (Education on Sustainable Development):**

- (a) *Project Manager: General Manager: Health Services*
- (b) *Project technicians x 2 (to be assigned) Will co-ordinate venues, infrastructure and development of training materials and related training resources.*

**Project Committee (Eco Tourism):**

- (a) *Project Manager: General Manager: Health Services*
- (b) *Project technicians x 2 (to be assigned). Will co-ordinate venues, infrastructure and development of training materials and related training resources.*

**Steering Committee (Two Officials and Two Politicians, one from ruling and one opposition):**

- (a) *Eckart Demasius* - *Chief Executive Officer*
- (b) *Clive Lawrence* - *General Manager: Health Services*
- (c) *Cllr: Nehemia Salomon* - *Chairperson of Management Committee*
- (d) *Cllr: Louise Madi* - *Member of Management Committee*
- (e) *Recommended Appointee* - *Member from Opposition Party*

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

**RECOMMENDED:**

- (a) That the following members serve as Project and Steering Committee members for the duration of the new project and as continuation of the relationship between Malmo City and the Municipality of Swakopmund;

**Steering Committee (Management Function for both projects):**

*Councillor N N Salomon  
Councillor L M Madi  
Alderman E //Khoaseb  
Chief Executive Officer  
General Manager: Health Services*

**Project Members:**

<i>Project Manager</i>	-	<i>General Manager: Health Services</i>
<i>2 x Project Technicians</i>	-	<i>(To be nominated)</i>

For respective projects (ET AND ESD)

- (b) That special leave be granted to the Officials nominated by Council to participate in the activities prescribed as per the approved projects.
- (c) That subsistence and travelling allowance from the relevant votes be used for this purpose.
- (d) That the subsistence allowance be paid in accordance with Council Policy.
- (e) That the General Manager: Finance provides the delegation with a bridging fund for any unforeseen occurrences when travelling abroad in accordance with the requirements of the project implementation activities.
-

11.1.20

(C/M 2012/02/29 - )

**Ordinary Management Committee Meeting of 16 February 2012,**  
Addendum **0.0** page **00** refers.

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

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

**RESOLVED: (For Condonation By Council)**

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