

# AGENDA

Ordinary Council Meeting

on

**WEDNESDAY**





31 JULY 2013

at

19:00



**MUNICIPALITY OF SWAKOPMUND**

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Ref No        A 2/3/5

Enquiries:    A Gebhardt

23 July 2013

The Mayor and Councillors  
Municipality  
SWAKOPMUND

Dear Sir / Madam

**NOTICE:    ORDINARY COUNCIL MEETING**

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

**WEDNESDAY, 31 JULY 2013 at 19:00,**

**C Lawrence**  
**ACTING CHIEF EXECUTIVE OFFICER**

AG/-

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(C/M 2013/07/31 - A 2/3/5)

3.1 Minutes of an **Ordinary Council Meeting** held on **27 June 2013**.  
(pp 66/2013 - 84/2013)

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None.

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None.

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10. **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY PREVIOUS  
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10 (A) **MINUTES OF AN ORDINARY MANAGEMENT COMMITTEE MEETING  
HELD ON 18 JULY 2013**

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2.1 **MINUTES OF AN ORDINARY MANAGEMENT COMMITTEE MEETING  
HELD ON 13 JUNE 2013**

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

**RESOLVED:**

That the Minutes of the Ordinary Management Committee meeting held on 13 June 2013 be confirmed as correct, subject to the following correction:

2.2 **MINUTES OF A SPECIAL MANAGEMENT COMMITTEE MEETING  
HELD ON 18 JUNE 2013**

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

**RESOLVED:**

That the Minutes of the Special Management Committee meeting held on 18 June 2013 be confirmed as correct.

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5.5 **FINANCE**

5.5.1 **TOTAL EXPENDITURE**

(M/C 2013/07/18 - D 7/3/2/1)

**RESOLVED:**

That the total expenditure of N\$27 737 481.37 from 01-30 June 2013 be accepted and approved as correct.

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

7.1 **RESUBMITTED: APPLICATION BY MR WALTER HUSEB FOR  
EXTENSION OF THE LEASE PERIOD AT THE BRICK MAKING AREA**

(M/C 2013/07/18 - H 5)

**RESOLVED:**

- (a) That Mr W Huseb be informed that Council will only consider his appeal once the overdue rental has been paid in full.
  - (b) That should it be considered to relocate Mr W Huseb, the other applicants who were referred to the Local Economic Development Officer be assisted first.
-

7.2 **APPLICATION TO PURCHASE LAND FOR INSTITUTIONAL PURPOSES**

(M/C 2013/07/18 - G 3/9/9, H 5/8)

During the discussion of this item Councillor A N Bessinger declared his interest on the item and recused himself from the chamber. It was:-

**RESOLVED:**

**That it be noted that Councillor A N Bessinger declared his interest and left the chamber.**

---

7.3 **APPLICATIONS AND MEMBERSHIP LISTS FOR CHURCHES THAT APPLIED FOR LAND**

(M/C 2013/07/18 - H 1/10/1)

**RESOLVED:**

**That the Management Committee takes note of the membership lists of all applications received from churches which comply with the requirements.**

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7.9 **FEEDBACK ON ERONGO RED MAYORS MEETING**

(M/C 2013/07/18 - A 4/3/1/16)

**RESOLVED:**

- (a) **That the proposal by the Erongo RED Mayors Forum be referred back.**
  - (b) **That the recommendations of the Shareholders Forum of Erongo RED be accepted.**
- 

7.10 **REPORT MAYOR'S CHILDREN'S CHRISTMAS PARTY: 2012**

(M/C 2013/07/18 - J 9/7)

**RESOLVED:**

- (a) **That permission be granted to host the Mayor's Children's Christmas Party annually.**
  - (b) **That the focus only be placed on children from the registered pre-schools.**
  - (c) **That contributions be obtained and that Council budget an amount of N\$30 000.00 towards this annual event.**
  - (d) **That the Chief Executive Officer obtains Tender Board exemption.**
-

- 7.11 **REPORT MAYORAL LUNCH FOR THE SENIOR CITIZENS: 2012**  
(M/C 2013/07/18 - A 2/3/2/1/3)
- RESOLVED:**
- (a) That Council considers changing the venue to a new location i.e. the Northern Sports Field.
  - (b) That this event be scheduled to take place during November 2013.
  - (c) That the status quo be maintained and that the Councillors be responsible for the distribution of the invitation cards to less fortunate Senior Citizens of the community.
  - (d) That only persons issued with a personal invitation be allowed to attend the lunch.
  - (e) That the invitations be increased to 550 Senior Citizens and consideration be given to increase the annual budget to N\$165 000.00.
  - (f) That the Chief Executive Officer obtains Tender Board exemption.
- 

- 7.13 **LANDFILL MANAGEMENT CONTRACT BETWEEN SWAKOPMUND MUNICIPALITY AND ENVIRO-FILL NAMIBIA (PTY) LTD**  
(M/C 2013/07/18 - G 1/1)
- RESOLVED:**
- That General Manager: Health Services indicates the current and envisaged cost implications.
- 

- 7.14 **CHANGE OF SHAREHOLDING - TUTUNGENI PROPERTIES (PTY) LTD**  
(M/C 2013/07/18 - G 3/9/1)
- RESOLVED:**
- That Management Committee takes note of the change in shareholding of Messrs Tutungeni Properties (Pty) Ltd and that the records be amended accordingly.
-



7.15

**INVITATION FOR DEVELOPMENT PROPOSALS: GENERAL RESIDENTIAL ERVEN AT THE PDA MONDESA**

(M/C 2013/07/18 - H 5/7)

**RESOLVED:**

- (a) That the presentations by the following business entities be noted:
- *Ipupa Kasheeta*
  - *Evangelical Lutheran Parish (ELCIN)*
  - *Immy Trading CC*
  - *Mr Jesay Herberth /Aibeb*
  - *Western Property Developer and Estate CC*
  - *Hangula Trading Enterprises CC*
  - *JCS Group of Companies (Pty) Ltd*
  - *Cottage Village Unit Nuber Eleven CC*
  - *Ombo Investment CC*
  - *Bonifasius Haufiku*
  - *Aus Business Enterprises*
  - *Lazarus Kunugab*
  - *Silvanus T Kathindi*
  - *Hansen Trading Enterprises CC*
  - *Andreas Gawaseb*
  - *Econia Muptomisala Petrus*
  - *Abundance Trading Enterprises*
  - *Bertha Inodhimbwandje Kadhila*
  - *Angie Kanandjembo*
  - *Helvi Mupupa*
  - *WK Wright*
- (b) That it be recorded that Messrs Washikoko Builders and Services CC did not attend the presentation.
- (c) That this item be submitted to a Special Management Committee meeting consisting of the panel members who were present during the presentations.

7.16

**COMBINED: ALL APPLICATIONS FOR LARGE PORTIONS OF LAND FOR RESIDENTIAL DEVELOPMENT**

(M/C 2013/07/18 - G 4/1/1, I 1/1/4, I 1/1/5, H 5, H 5/7, H 5/8)

**RESOLVED:**

- (a) That this item be referred back and that the General Manager: Corporate Services and Human Resources resubmit the applications that were kept in abeyance from 01 January 2011 to date.
- (b) That all applicants prior to 2011 be submitted separately together with the application letter and response from Council together with the relevant resolution be attached to the submission.

7.23 **MESSRS MASADI PROPERTY HOLDINGS 23 (PTY) LTD: REQUEST FOR EXEMPTION FOR PAYMENT OF BASIC SERVICES CHARGES**  
(M/C 2013/07/18 - G 3/9/11)

**RESOLVED:**

That Messrs Masadi Property Holdings 23 (Pty) Ltd be invited to present his motivation to the Management Committee on a date to be determined by the Chief Executive Officer.

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7.24 **LAUNCHING OF THE ERONGO REGIONAL EDUCATION FUND**  
(M/C 2013/07/18 - D 5)

**RESOLVED:**

That point (c) of the Management Committee resolution of 16 May 2013 under item 9.3 be repealed and replaced with the following:

- (c) *That the funds be made available from the Council Conference Expenses Vote 100510206500 where N\$358 000.00 are available.*
- 

8. **POLICY MATTERS**

8.1 **CLOSING OF MANDUME YA NDEMAFAYO AVENUE TO STAGE A DRAG RACING EVENT**

(M/C 2013/07/18 - N 8/1//1)

**RESOLVED:**

- (a) That permission be granted to the applicant to stage the Drag Race Event in Nelson Mandela Street on 03 August 2013.
  - (b) That the closure of Nelson Mandela Street to stage the Drag Race Event be advertised in the local newspaper for information to the public.
  - (c) That the applicant be responsible for the closure of the street and that the organizer be responsible for crowd marshals to control the spectators during the event.
  - (d) That the applicant / organizers of this event indemnify Council from all and any claims in respect of damages to property or injury to people, which might arise from the event.
  - (e) That Messrs Ventulus Motorcycle Club Namibia provides a copy of their registration certificate from the Namibian Motor Sports Federation to the office of the General Manager: Community Development Services, or a letter of permission from the Namibia Motor Sport Federation for staging the Drag Race Event in Nelson Mandela Avenue, on or before Friday, 02 August 2013.
  - (f) That the area be kept clean during and after the event.
-

- 8.3 **BUILD TOGETHER: BENEFICIARY WHO HAD NHE LOAN PREVIOUSLY**  
(M/C 2013/07/18 - H 5/3)  
**RESOLVED:**  
That the minutes of the relevant Decentralized Build Together Committee meeting be attached to the Council Agenda.
- 
- 8.4 **BUILD TOGETHER: TRANSFER OF LOAN TO SURVIVING SPOUSE**  
(M/C 2013/07/18 - H 5/3)  
**RESOLVED:**  
That the minutes of the relevant Decentralized Build Together Committee meeting be attached to the Council Agenda.
- 
- 8.5 **BUILD TOGETHER APPLICANT WHO MIGRATED TO ANOTHER TOWN**  
(M/C 2013/07/18 - H 5/3)  
**RESOLVED:**  
That the minutes of the relevant Decentralized Build Together Committee meeting be attached to the Council Agenda.
- 
- 8.6 **BUILD TOGETHER BENEFICIARIES - UNCLAIMED LOANS**  
(M/C 2013/07/18 - H 5/3)  
**RESOLVED:**  
That the minutes of the relevant Decentralized Build Together Committee meeting be attached to the Council Agenda.
- 
- 8.7 **REGISTRATION OF RESIDENTS OF THE DRC INFORMAL SETTLEMENT, MONDESA BACKYARD TENANTS AND OTHERS**  
(M/C 2013/07/18 - H 5)  
**RESOLVED:**  
That the DRC Planning Committee convenes a meeting to discuss the challenges identified i.e. interaction with members of the concerned group and registering people.
- 
- 8.9 **APPLICATION FOR UNDETERMINED LAND TO ESTABLISH A HOT DIP GALVANIZING PLANT**  
(M/C 2013/07/18 - G 4/1/1)  
**RESOLVED:**  
That this item be referred back for further investigation and be resubmitted to Management Committee.
-

- 8.11 **REQUEST FOR ADDITIONAL FUNDS FOR TENDER NO 107/2010 - WASTEWATER TREATMENT WORKS - CONSTRUCTION OF TREATMENT PLANT (CIVIL AND STRUCTURAL)**  
(M/C 2013/07/18 - N 6/1/3)

**RESOLVED:**

That the General Manager: Engineering Services ensure that relevant staff members are trained in the best practices of project management.

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9. **PERSONNEL MATTERS**

- 9.1 **SELLING OFF OF EXCESS ANNUAL LEAVE DAYS**  
(M/C 2013/07/18 - B 1/8)

**RESOLVED:**

That this item be referred back for further investigation and be resubmitted to Management Committee.

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- 9.2 **PERMISSION TO ATTEND THE AFRICAN NETBALL ANNUAL GENERAL MEETING IN BLANTYRE, MALAWI**  
(M/C 2013/07/18 - J 10/1)

**RESOLVED:**

- (a) That the appointment of Ms L Mutenda as Secretary-General of the All Namibia Netball Association be noted.
  - (b) That Ms L Mutenda be granted special leave to represent ANNA at various meetings and platforms, both nationally and internationally.
  - (c) That subsistence, accommodation, traveling allowances incurred be carried by the All Namibia Netball Association.
- 

- 9.3 **INVITATION TO THE STRATEGIC WORKSHOP OF NALASRA IN OKAHANDJA**  
(M/C 2013/07/18 - J 10/1)

**RESOLVED:**

- (a) That Council will not delegate representatives to the Constitutional and Strategic Review Workshop to be held on 24-28 July in Okahandja.
  - (b) That should the Sport and Recreational Officer and other interested parties wish to attend the Constitutional and Strategic Review Workshop to be held on 24 - 28 July 2013 in Okahandja, that they do so in their personal capacities.
-

9.4 **ADVENTURE TRAVEL SUMMIT 2013 HOSTED BY NAMIBIA**  
(M/C 2013/07/18 - A 4/3/1/21)

**RESOLVED:**

- (a) That the nominations made by the Mayor for the Mayor, the Chief Executive Officer and the Events Co-ordinator to represent Council and the Municipality of Swakopmund on the Host Town Committee for the 2013 Adventure Travel Summit be condoned.
- (b) That the Manager: Community Development Services with the Chief Restcamp Officer as *secundi* and available Councillors be co-opted to the Host Town Committee.

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

10.1 **LEASE AGREEMENT BETWEEN MUNICIPALITY OF SWAKOPMUND // DRC DEVELOPMENT FUND REPRESENTED BY AMBROSIUS MARSH**  
(M/C 2013/07/18 - H 5/4)

**RESOLVED:**

- (a) That the legal opinion from Messrs Conradie and Damaseb Legal Practitioners be accepted.
- (b) That the Chief Executive Officer notifies the lessee of the breach of contract in terms of clause 10 of the lease agreement.
- (c) That the notice be served on the lessee personally at his registered office and an acknowledgement of receipt of such notice be signed by the lessee.

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10.2 **APPLICATION FOR LAND: OMBUNDU INVESTMENTS (PTY) LTD**  
(M/C 2013/07/18 - G 4/1/1)

**RESOLVED:**

That this item be referred back and that it be resubmitted to Management Committee with similar applications which were kept in abeyance.

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10.3 **REQUEST TO USE THE CONFERENCE ROOM AT THE MUNICIPAL RESTCAMP**

(M/C 2013/07/18 - N 7/3/1/2)

**RESOLVED:**

- (a) That permission be granted to Messrs NUDO Youth League to utilise the Municipal Restcamp Conference Room and the Public Open Space on Erf 1898 at the cost of N\$500.00 and N\$126.50 respectively.
- (b) That the expenses be defrayed from the Publicity Vote 500510212700 where N\$35 000.00 is available.

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10.4 **STAKEHOLDERS CONSULTATIVE WORKSHOP ON THE DRAFT STRATEGIC PLAN OF THE MINISTRY OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT**

(M/C 2013/07/18 - A 4/3/1/3)

**RESOLVED:**

- (a) That permission be granted to the Chief Executive Officer to attend the Ministry of Regional and Local Government, Housing and Rural Development workshop for the development of a Draft Strategic Plan for the period 2013-2018 to be held in Otjiwarongo from 22-23 July 2013.
- (b) That special leave be granted to the Chief Executive Officer for this period.
- (c) That the cost for Subsistence and Travelling allowance be defrayed from Council's General Expenses, Conference Expenses Vote 100510206500, where N\$300 000.00 is available.

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10.5 **FUNDRAISING GALA DINNER: REGIONAL CONTRIBUTION TOWARDS HOSTING SOUTHERN AFRICAN REGIONAL POLICE CHIEFS ORGANISATION (SARPCCO)**

(M/C 2013/07/18 - D 5)

**RESOLVED:**

- (a) That available Councillors attend the Fundraising Gala Dinner of the Southern African Regional Police Chiefs Organisation (SARPCCO) to be held on 26 July 2013 in Walvis Bay.
  - (b) That the amount of N\$15 000.00 be defrayed from Council's Conference Expenses Vote 100510206500 where an amount of N\$300 000.00 is available.
-

10.6

**VISIT BY THE GROOTFONTEIN MUNICIPALITY**

(M/C 2013/07/18 - A 3/3/1)

**RESOLVED:**

**That the request by the Grootfontein Municipality to visit Council be accepted and the Chief Executive Officer determines the appropriate date for the visit.**

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11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**
- 11.1 **ORDINARY MANAGEMENT COMMITTEE MEETINGS HELD ON 18 JULY 2013**
- 11.1.1 **APPLICATION TO PURCHASE LAND FOR INSTITUTIONAL PURPOSES**  
(C/M 2013/07/31 - G 3/9/9, H 5/8)
- Ordinary Management Committee Meeting of 18 July 2013, Addendum 7.2 page 13 refers.**
- 

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

**1. LATEST RESOLUTION**

The application of **Messrs Medical Diagnostic Centres Namibia (Pty) Ltd** to purchase 1.5 hectares of land on Block 19, Swakopmund, for the purpose of constructing a Multidisciplinary Medical Centre was submitted to the Management Committee Meeting of **16 May 2013** for consideration whereafter the following resolution was passed under item no 7.7:

- (a) *That the interest declared by Councillor A N Bessinger be noted.*
- (b) *That this item be kept in abeyance and be resubmitted to the Management Committee of June 2013.*
- (c) *That all applications for land being held in abeyance be submitted to the next Management Committee meeting for consideration.*

With reference to point (c) above, a separate submission is tabled to the Management Committee.

**2. BACKGROUND**

As comprehensive background, the first submission tabled to the Management Committee under item 8.2 of **16 May 2012** (G4/1/1) is attached as **Annexure "A"**.

On **11 October 2012** the Management Committee discussed the application for consideration on Block 9; the following was resolved under item 8.5 as follows:

- (a) *That this item be kept in abeyance until the Property Policy is approved by Council.*
- (b) *That Messrs Medical Diagnostic Centres be invited to give a presentation to Management Committee at a date to be determined by the Chief Executive Officer.*

A presentation was given to the Management Committee at a Special Meeting held on **15 November 2012**.

Quoted from the Minutes for information:

*During the discussion of this item, Mr J Henn of Messrs Medical Diagnostic Centres (MDC) Namibia (Pty) Ltd motivated the application for a 1.5ha piece of land at Block 9 for the purpose of constructing a Multi-disciplinary healthcare facility. He indicated that the facility will mainly use solar energy for heating purposes whilst an incinerator will be constructed for the disposal of medical waste. The project is similar to Ongwediva Medi-Park and will incorporate a nurses home on the premises.*

*During the discussion of this item Councillor A N Bessinger declared interest in the matter and recused himself from the discussion.*



*After various questions were raised and answered to the satisfaction of Management Committee, it was:-*

**RESOLVED:**

- (a) *That the interest declared by Councillor A N Bessinger and the fact that he recused himself from the discussion be noted.*
- (b) *That the application of Messrs Medical Diagnostic Centres for 1.5ha of land in Block 9 be noted and that an alternative piece of land be identified for the applicant.*

3. **FOR INFORMATION**

When the matter was submitted to the Management Committee meeting previously, it was supported however it was felt that Block 9 is not the preferred area for the intentions of the applicant. It was communicated to Messrs Medical Diagnostic Centres Namibia (PTY) Ltd (MDC) per letter dated **16 January 2013** to rather apply for a portion of land on the proposed Block 19 on the western side of the Henties Bay road. In response to that they applied per letter dated **20 February 2013** for a portion of land on the proposed Block 19.

4. **COMMENTS FROM ENGINEERING DEPARTMENT**

4.1 In terms of the locality it can be argued that good connection is available to major road infrastructure that will enhance accessibility to all sectors of the community of Swakopmund. The proposed area will be well connected to major routes that are essential in terms of easy access and egress in case of emergency situations. Due to the nature of the proposed use other supporting uses and institutional uses can also agglomerate on the proposed Block 19. Proposed Block 19 can become an important institutional hub for the community of Swakopmund where many different institutional needs could be in close proximity of each other. This will effectively address issues in terms of access, efficiency, opportunity and choice to the end user.

4.2 Swakopmund is in need of such a facility where specialised work in the medical field can be conducted. This will effectively deal with bringing much needed high quality health care to the end user and effectively deal with reduced claims to medical schemes.

4.3 It should be noted that the Engineering Services Department is in the process of creating the blocks (northern block) for future extension of Tamariskia, Mondesa and DRC.

4.4 Attachments:

**Annexure "A"** - first submission dated 16 May 2012

**Annexure "B"** - Portion of Land located on Block 19

**Annexure "C"** - Council's letter dated 16 January 2013 for the proposed portion of land

**Annexure "D"** - dated 20 February 2013 received from applicant accepting the proposed portion

**Annexure "E"** - conditions for the sale of land by way of Private Treaty as contained in the revised Property Policy

5. **PROPOSAL**

It is proposed to approve the application by Messrs Medical Diagnostic Namibia (Pty) Ltd to purchase a portion of land located on Block 19 for the intended purpose, in principle.

As per point (a) of the Management Committee resolution passed on **11 October 2012**, Council approved the revised Property Policy on **31 January 2013**. The revised Property Policy makes provision for the sale of land by private transaction for exceptional applications; quoted:

*For the sale of land by private transaction, Council will only consider exceptional applications or proposals from public initiatives.*

**Attached**, as **Annexure “E”** is an extract from the revised Property Policy dealing with the sale of land by private transactions.

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

**RECOMMENDED:**

- (a) That Council approves the alienation of a portion of land measuring  $\pm 1.5$  hectares located on Block 19, Swakopmund to Messrs Medical Diagnostic Centres Namibia (Pty) Ltd, for the purpose of constructing a multidisciplinary medical centre, *in principle* in terms of the existing Property Policy.
  - (b) That Engineering Services Department in consultation with the Messrs Medical Diagnostic Centres Namibia (Pty) Ltd determines the most suitable location and zoning for the required portion of land on Block 19.
  - (c) That the Engineering Services Department attends to the subdivision of the portion for the account of Messrs Medical Diagnostic Centres Namibia (Pty) Ltd in order to comply with the provisions of the revised Property Policy, i.e.:
    - 1.1 *Council shall only consider the sale of large portions of land of which at least the boundaries have been surveyed and the diagrams approved by the Surveyor-General (blocks).*
  - (d) That the probable market valuation based on the intended zoning be obtained from Council's appointed municipal valuer and two additional valuers of which the average of the three valuations be used to determine a purchase price, for consideration and approval by Council.
  - (e) That all costs relating to availing the portion of land be for the account of the applicant, such as, but not limited to, the required town planning procedures, alienation cost and provision of services.
  - (f) That Medical Diagnostic Centres Namibia (Pty) Ltd accepts that no rights will accrue to them from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
-

11.1.2 **APPLICATION BY MESSRS MONDESA ONE INVESTMENT CC TO PURCHASE ERF 3291, PDA - MONDESA**  
(C/M 2013/07/31 - H 5/7)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 7.4 page 33 refers.

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

**1. Introduction**

The Management Committee at a special meeting held on **18 June 2013**, under item 5.2 passed the following resolution:

- (a) .....
- (b) .....
- (c) *That the General Manager: Corporate Services and Human Resources submit the application of NUDO and Messrs Mondesa Investment No.1 separately to the next Management Committee meeting.*

**2. Brief Background**

Messrs Mondesa One Investment CC applied to purchase Erf 3291, Mondesa on **13 July 2011** (Annexure "A"), i.e. 2 years before the advert inviting development proposals. Messrs Mondesa One Investment CC was informed as per letter dated **27 July 2011** that erven 3289, 3290 and 3291, Mondesa were allocated to Messrs Dr Theo Ben Gurirab as per Council resolution of **30 June 2011** for the purpose of constructing a private hostel for vulnerable children.

As Messrs Dr Theo Ben Gurirab couldn't provide proof of an approved loan to purchase the said erven, Council on **26 July 2012** under item 11.1.11 passed the following resolution:

- (a) *That the offer to sell Erven 3289, 3290 & 3291, Mondesa to Messrs Dr Theo Ben Gurirab Private Hostel be revoked.*
- (b) *That development proposals be invited from the public on the sale of the three (3) "General Residential" erven.*

With reference to point (b) above notices were published in the Namibian and Namib Times newspapers respectively with the closing dates being **05 April 2013** (first advert for Mondesa Residents only) and **10 May 2013** (second re-advert inviting all Swakopmund residents).

**3. Development proposals received**

As per published notices attached **Annexure "B"** interested applicants were informed to submit their development proposals in the quotation box located on the ground floor next the Enquiry Office. It was further explained that only proposals completed on the prescribed form will be considered.

The closing dates for submission of proposals were **05 April 2013** and **10 May 2013**. The quotation box was opened on the said dates and all proposals which were submitted were taken out by the Administrative Officer: Administration witnessed by the Property Officer (Ms Margaret lipinge) and kept in the safe in the General Manager: Corporate Services' office.

At the extended closing date for submission of proposals, no development proposal was received from Messrs Mondesa One Investment CC. A summary of the proposals received is tabled under a separate submission.

It was also enquired from the Secretary of Tender Board (Ms Annalize Swart) whether proposals were incorrectly submitted in the tender box and the response was that if there were any they were regarded as invalid tenders by the Tender Board. All documents that are found in the tender box incorrectly are shredded.

#### 4. **Proposal**

Taking into consideration that no official proposal document was received from Messrs Mondesa One Investment CC; and to ensure fair and equal treatment of all applicants who applied before proposals were invited; it is proposed that the application of Messrs Mondesa One Investment CC not be approved

#### **For information purposes following are other similar applications received before proposals invited:**

	<b><i>Name of the applicant</i></b>	<b><i>Date of the application</i></b>	<b><i>Proposed use</i></b>	<b><i>Remarks</i></b>
1	Mondesa One Investment CC (tabled under a separate submission)	13 July 2011	For residential purposes (to develop low & middle houses)	Was informed that the erf is sold to Rev G Kandume (letter dated 27 July 2011)
2	Elize Investment and Partners	13 July 2011	For development	Was informed that the erf is sold to Rev G Kandume (letter dated 27 July 2011)
3	A Gaweseb	18 June 2012	For development purposes	Was informed to submit a proposal when advertised, letter dated 29 June 2012
4	Marcam Contruction CC (2012/4815)	23 July 2012	Develop upper low and middle houses	Was informed to submit a proposal when advertised, letter dated 14 August 2012
5	Kambinda Klaus Information Technology Centre CC	31 July 2012	For business purposes and to build a training centre	Was informed to submit a proposal when advertised, letter dated 15 August 2012
6	Modino - Rose Construction CC	07 August 2012	To build accommodation for low middle income group	Was informed to submit a proposal when advertised, letter dated 16 August 2012
7	Hansen Trading Enterprises CC	07 August 2012	Develop low and middle houses	Was informed to submit a proposal when advertised, letter dated 15 August 2012
8	Owato ELICIN Parish	08 September 2012	Conference and accommodation, training centre	Was informed to submit a proposal when advertised, letter dated 04 October 2012
9	National Unity Democratic Organization (NUDO)	10 October 2012	To build constituency office	Was informed to submit a proposal when advertised, letter dated 17 October 2012

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

**RECOMMENDED:**

- (a) That Council takes note of the application of Messrs Mondesa One Investment CC dated 13 July 2011 to purchase Erf 3291, Mondesa.**
  - (b) That the application of Messrs Mondesa One Investment CC to purchase Erf 3291, Mondesa not be approved as various similar applications were received prior to the publication of development proposal.**
-

11.1.3 **APPLICATION BY NATIONAL UNITY DEMOCRATIC ORGANIZATION (NUDO) TO PURCHASE ERVEN 3289, 3290 AND 3291 AT THE PDA MONDESA**

(C/M 2013/07/31 - H 5/7, M 3289, M 3291)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 7.5 page 37 refers.

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

**Introduction**

The Management Committee at a special meeting held on **18 June 2013**, under item 5.2 passed the following resolution:

- (d) .....  
(e) .....  
(f) *That the General Manager: Corporate Services and Human Resources submit the application of NUDO and Messrs Mondesa Investment No.1 separately to the next Management Committee meeting.*

**Brief Background**

Council on **26 July 2012** under item 11.1.11 passed the following resolution:

- (a) *That the offer to sell Erven 3289, 3290 & 3291, Mondesa to Messrs Dr Theo Ben Gurirab Private Hostel be revoked.*  
(b) *That development proposals be invited from the public on the sale of the three (3) "General Residential" erven.*

Subsequent to the above resolution, the attached application **Annexure "A"** dated **10 October 2012** was received from Messrs National Unity Democratic Organization (NUDO) to purchase erven 3289, 3290 and 3291, Mondesa.

Since Council already passed a decision that the said erven will only be sold by inviting developmental proposals, Messrs NUDO was informed of Council's decision as per copy of the letter attached **Annexure "A"** and advised to submit their proposal once a notice is published in two newspapers inviting the public to submit their development proposals.

Messrs NUDO was also further advised that these erven are zoned "*General Residential*", in terms of Town Planning Amendment Scheme 12, this zoning does not make provision for the use of "*office*". The applicable zoning will be "*office*".

Notices were published in Namibian and Namib Times newspapers respectively with the closing dates being **05 April 2013** (first adverts for Mondesa residents only) and **10 May 2013** (second re-advert inviting all Swakopmund residents).

At the extended closing date for submission of proposals, no development proposal was received from Messrs NUDO.

**For information purposes following are other similar applications received before proposals invited:**

	<b><i>Name of the applicant</i></b>	<b><i>Date of the application</i></b>	<b><i>Proposed use</i></b>	<b><i>Remarks</i></b>
1	<i>Mondesa One Investment CC (tabled under a separate submission)</i>	<i>13 July 2011</i>	<i>For residential purposes (to develop low &amp; middle houses)</i>	<i>Was informed that the erf is sold to Rev G Kandume (letter dated 27 July 2011 Annexure "B")</i>
2	<i>Elize Investment and Partners</i>	<i>13 July 2011</i>	<i>For development</i>	<i>Was informed that the erf is sold to Rev G Kandume, letter dated 27 July 2011- Annexure "C"</i>
3	<i>A Gaweseb</i>	<i>18 June 2012</i>	<i>For development purposes</i>	<i>Was informed to submit a proposal when advertised, letter dated 29 June 2012 - Annexure "D"</i>
4	<i>Marcam Construction CC (2012/4815)</i>	<i>23 July 2012</i>	<i>Develop upper low and middle houses</i>	<i>Was informed to submit a proposal when advertised, letter dated 14 August 2012 - Annexure "E"</i>
5	<i>Kambinda Klaus Information Technology Centre CC</i>	<i>31 July 2012</i>	<i>For business purposes and to build a training centre</i>	<i>Was informed to submit a proposal when advertised, letter dated 15 August 2012 - Annexure "F"</i>
6	<i>Modino - Rose Construction CC</i>	<i>07 August 2012</i>	<i>To build accommodation for low middle income group</i>	<i>Was informed to submit a proposal when advertised, letter dated 16 August 2012 - Annexure "G"</i>
7	<i>Hansen Trading Enterprises CC</i>	<i>07 August 2012</i>	<i>Develop low and middle houses</i>	<i>Was informed to submit a proposal when advertised, letter dated 15 August 2012 - Annexure "H"</i>
8	<i>Owato ELICIN Parish</i>	<i>08 September 2012</i>	<i>Conference and accommodation, training centre</i>	<i>Was informed to submit a proposal when advertised, letter dated 04 October 2012 - Annexure "I"</i>
9	<i>National Unity Democratic Organization (NUDO)</i>	<i>10 October 2012</i>	<i>To build constituency office</i>	<i>Was informed to submit a proposal when advertised, letter dated 17 October 2012 - Annexure "A"</i>

As Messrs NUDO was informed in writing about the future sale of these erven, and in order to be fair to all applications received which are listed above, it is proposed that the application of Messrs NUDO not be approved.

A summary of the proposals received for possible allocation of the three erven, is table as a separate submission.

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

**RECOMMENDED:**

- (a) That Messrs National Unity Democratic Organization (NUDO) be informed that they were officially informed in writing of the future sale of Erven 3289, 3290 and 3291, Mondesa; and although the proposed sale was published as required, they have not submitted a proposal.
  - (b) That the application of Messrs National Unity Democratic Organization (NUDO) to purchase erven 3289, 3290 and 3291, Mondesa not be approved.
-



11.1.4 **APPLICATION BY MR LUKAS NKANDI TO PURCHASE THE  
REMAINDER OF ERF 1841, MONDESA**

C/M 2013/07/31 - M 1841)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 7.6 page 47 refers.

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

**1. INTRODUCTION**

1.1 The purpose of this submission is for Council to make a decision regarding the sale of the Remainder of Erf 1841, Mondesa which Council previously approved on **29 October 2009**, under item 11.1.3 to sell to Mr Lucas Nkandi (owner of the adjacent Erf 2368, Mondesa). The offer to sell has lapsed in the meantime due to the failure to conclude an agreement within the 12 months period prescribed.

1.2 A letter (**Annexure “A”**) dated **22 May 2013** was received from Mr Lucas Nkandi stating that he did not have the money to purchase the portion as per the price approved by Council, at that stage.

He further indicated that he is still interested and now has the funds to purchase the Remainder of Erf 1841, Mondesa, i.e. four years later.

1.3 The Remainder of Erf 1841, Mondesa is situated adjacent to Erf 2368, Mondesa and measures 154m<sup>2</sup> (the minimum size for an erf is 300m<sup>2</sup>). The erf is zoned “*Single Residential*” in terms of the Swakopmund Town Planning Amendment Scheme No. 12 (**Annexure “B”**).

The Remainder of Erf 1841, Mondesa was created as a result of subdivision of Erf 1841, Mondesa into erven 2351 - 2368, Mondesa.

The erf has remained vacant since it was created.

**2. BRIEF BACKGROUND**

Council on **30 July 2009** passed the following resolution:

- (a) *That the Engineering Services Department confirms that no services cross the Remainder of Erf 1841, Mondesa.*
- (b) *That subject to (a) above Council in terms of Section 63(2) approves the alienation to Mr L Nkandi.*
- (c) *That the purchase price of the Remainder of Erf 1841, Mondesa be obtained from the Municipal valuator.*
- (d) *That all costs regarding this transaction be for the account of the applicant.*
- (e) *That Remainder of Erf 1841, Mondesa be utilised in terms of the Town Planning Regulations.*
- (f) *That once the Remainder of Erf 1841, Mondesa has been registered into Mr L Nkandi's name, the Remainder of Erf 1841, Mondesa be consolidated with Erf 2368, Mondesa in terms of Section 30 of the Townships and Division of Land Ordinance 1963.*

With reference to point (a), the Engineering Services Department at the time confirmed that no services cross the erf.

Mr Lucas Nkandi was informed about the above resolution on **12 August 2009**, whereafter he was requested to confirm whether he wish to proceed with the purchasing of the Remainder of Erf 1841, Mondesa so that Council will request the market valuation which would be considered as a purchase price.

Valuation was obtained from Trust & Estate Company, whereafter Council on **29 October 2009** resolved as follow:

*That the alienation of Remainder of Erf 1841, Mondesa to Mr L Nkandi at a purchase price of N\$5 390.00 (154m<sup>2</sup> x N\$35.00), subject to the conditions as resolved by Council on 30 July 2009 be approved.*

Mr Lucas Nkandi was informed and requested to confirm on / before **20 November 2009** whether he accepts the above purchase price, no response was received from him until recently when the above letter was received.

### 3. **DISCUSSION**

Notwithstanding that Council's offer as per the resolution, lapses after 12 months, Council can re-consider reviving the decision to sell the erf to Mr L Nkandi since no other expression of interest to purchase the Remainder of Erf 1841, Mondesa is on file.

The erf has remained open since the subdivision of the Single Quarters was approved by the Honourable Minister of Regional and Local Government, Housing and Rural Development on **31 October 1995**. Should Council sell it to Mr L Nkandi, it can be utilized in a more productive manner as it will be consolidated with his residential erf. He will not be able to operate a car wash.

Due to the locality and size of Re, Erf 1841, Mondesa, it will be more convenient should it be consolidated with an adjacent erf as it give chances for future extensions or any other use approved by Council rather than be sold to someone who will put up a house in a confined space.

It is therefore proposed that; Council decides whether to revive the decision of selling the erf to Mr L Nkandi or to invite closed bids for the sale of the Remainder of Erf 1841, Mondesa at the same price as approved by Council on **29 October 2009 (N\$ 5 390.00)** plus the accrued escalating 10% to be calculated from 2010 to 2013 amounting to **N\$ 7 891.50**.

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

##### **RECOMMENDED:**

- (a) That Council revive its decision of 30 July 2009, passed under item 11.1.3.
  - (b) That the alienation of Remainder of Erf 1841, Mondesa to Mr L Nkandi at a purchase price of N\$7 891.00 (being N\$5 390.00 + accrued 10% from 2010-2013), subject to the conditions as resolved by Council on 30 July 2009 be approved.
  - (c) That Mr L Nkandi be informed that in terms of Town Planning Amendment Scheme 12 the operation of a carwash will not be allowed.
-

11.1.5 **RE-APPLICATION BY MESSRS AKASIA FUNERAL SERVICES CC TO PURCHASE PORTION G OF PORTION 5**

(C/M 2013/07/31 - 11/1/4)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 7.7 page 51 refers.

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

**1. Introduction**

Messrs Akasia Funeral Services CC applied on **7 June 2010** to purchase a portion of Portion 5 for the establishment of a funeral parlour.

Their application was discussed by the Planning Forum on the dates as per **Annexure "A"**. The application of Messrs Akasia Funeral Services CC resulted in the proposed subdivision of Portion 5. Unfortunately there is no Council resolution in place allocating Portion G to Messrs Akasia Funeral Services CC.

The application was submitted to the Council on **25 November 2010** and the applicant was informed of the following Council resolution on **05 January 2011**:

- (a) *That the zonings be "Undetermined" for blocks "A", "B", "C", "D", "G", "H", "I", "J", "K", "L" and "P", "Private Open Space" for "E", "Business" for Erf "N" and "O" and "Parking" for "M".*
- (b) *That the amended diagram regarding the subdivision of Remainder of Portion 5 Swakopmund Town and Townlands No. 41, be approved.*
- (c) *That Messrs Roxin & Bindeman be requested to advice on any necessary amendments to the instructions in order to effect the changes as per the attached diagram.*
- (d) *That conditions be inserted in the Deeds of Sale for business portions in this area prohibiting the use of "Bar", "Entertainment" and "Amusement".*
- (e) *That Portion "P" be offered for sale or lease to the Clinic at a rate to be determined by Council should they confirm their interest.*

On **30 May 2012** Messrs Akasia Funeral Services CC (**Annexure "B"**) cancelled their application to purchase Portion G of Portion 5.

Subsequently a letter dated **13 May 2013** was received from Messrs Akasia Funeral Services CC (**Annexure "C"**), stating that they took the business over from their parents and were not aware that the transaction was cancelled by their pre-decessors.

Messrs Akasia Funeral Services CC now re-applies for the allocation of Portion G.

**2. Similar Applications approved by Council**

Council on **25 October 2012** approved the allocation of the following portions for which Ministerial approval was also granted:

- (a) That the approved allocation of the following portions of Portion 5 be noted:
- (i) Assemblies of God - Minister of Regional, Local Government, Housing and Rural Development granted approval on 1 June 2012 and the church opted to purchase Portion K.
  - (ii) Moria Gemeentes van Afrika - Minister of Regional, Local Government, Housing and Rural Development granted approval on 1 June 2012 and the church opted to purchase Portion A.
  - (iii) Blood Transfusion Services - Council on 31 May 2012 approved the sale of either Portion B or C to the entity and Messrs Blood Transfusion Services confirmed in writing on 20 July 2012 that they intend to acquire Portion B.
- (b) That the Engineering Services Department attends to the redesign of Portion 5 taking into consideration the proposals as per Annexure "B" (on file).
- (c) That all applications received from applicants listed, be informed that once Portion 5 is subdivided, Council will decide how the newly created erven will be sold and the land use thereof as per the relevant zonings.
- (d) That an upset price be determined for Portion C, D, H, I, J, L and N and that they be sold at a closed bids auction.

### 3. Current Situation

With reference to the Management Committee decision passed on **16 May 2013**, the Engineering Services is attending to the re-design of Portion 5, which also provides for the allocation of Portion "G" to Messrs Akasia Funeral Services CC.

With Council's consent the proposed development can be allowed under "general business" or "light industrial" zonings.

Quoted from Town Planning Amendment Scheme 12:

"FUNERAL PARLOUR" means a building designed for the reception of human corpses prior to burial or cremation and may include a funeral chapel or workshop for the manufacture of coffins or other funeral furniture.

Zone	Purpose for which land may be used	purposes for which land may be used and buildings may be erected and used with the special consent of the council only
<b>General Business</b>	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 Cafes, <b>Funeral Parlours</b> and Chapels, Warehouses, Liquor Stores, Bed and Breakfast, Pensions.
<b>Light Industrial</b>	Light Industrial Warehouse, Dry Cleanette, Launderette, Service Industry	Public Garage, Petrol Service Stations, Office Buildings, <b>Funeral Parlour</b> and Chapel, Building Yard, Panel Beater, Place of Amusement

### 4. Brief Background

Messrs Akasia Funeral Services CC has been serving the community of Swakopmund by using the mortuary facility of the Swakopmund Hospital. The rapid growth of the town and an increasing need for funeral services made it difficult for both Messrs Akasia Funeral Services CC and the Swakopmund Hospital to sufficiently use the same mortuary facility.

The corporation has decided to take a step further to its growth and bring its services closer to the people by acquiring land in order to develop an office, a private mortuary, a coffin display room and a warehouse for manufacturing coffins, thereby creating job opportunities as well.

5. **Proposal**

It is proposed that the Management Committee considers the allocation of Portion G of Portion 5 to Messrs Akasia Funeral Services CC as per Council's resolution of **25 October 2012**, subject to Council's standard conditions of sale.

Council's revised Property Policy makes provision for the sale of land by private transaction for exceptional applications. The location of a funeral parlour is a sensitive issue and can be regarded as an exceptional application.

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

**RECOMMENDED:**

- (a) That Council *in principle* approves the sale of Portion G of Portion 5 to Messrs Akasia Funeral Services CC, subject to Council's standard conditions of sale (which include that a Surveyor-General approved diagram must be in place).
  - (b) That closer to the date of finalization of the subdivision of Portion 5, valuations be obtained from 3 valuers; whereafter the purchase price will be determined.
  - (c) That Ministerial approval be applied for the sale of Portion G to Messrs Akasia Funeral Services CC in terms of Section 31 (1) (t) of the Local Authorities Act, Act 23 of 1992, as amended, as the portion is not yet divided.
  - (d) That Messrs Akasia Funeral Services CC be informed of the long process of approving a lay-out, establishing a township and surveying land (which might take up to 36 months).
  - (e) That Messrs Akasia Funeral Services CC accepts that no rights will accrue to them from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
-

11.1.6 **MONDESA TAXI RANK - ERF 4353 MONDESA: ADMINISTRATION OF THE AREA DESIGNATED FOR TAXIS AND BUSSES**

(C/M 2013/07/31 - M 4353, N 8/15/9)

**Ordinary Management Committee Meeting of 18 July 2013, Addendum 7.8 page 58 refers.**

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

Management Committee on **16 May 2013** under item 7.5, resolved as follows:

(a) *That the General Managers Community Development Services and Engineering Services investigate the following and report back to Management Committee:*

- (i) *Should Council be responsible for the maintenance of the taxi rank.*
- (ii) *Should Council take over the operation of the two ablution facilities on the same basis as other public toilets in town.*
- (ii) *Should Council be responsible for the payment of the water and electricity services of the ablution facilities.*

Subsequent to the above resolution, the Community Development Services Department consulted the Health Services Department which is responsible for the maintenance and upkeep of all public toilets in Swakopmund. The investigation revealed that there are four public toilets which are situated in the Central Business District and as such the Municipality is maintaining all of them in terms of cleaning, repairs and also payment of water and electricity. Hereunder is the summary of what the Municipality's obligations are with regard to the public toilets:

<b>Toilet</b>	<b>Comment</b>
1. Toilet at the Swimming Pool	• Municipality has assigned a staff member to clean.
2. Toilet at Erf 621/2 (Opposite the Prison)	• Municipality maintains the toilet in terms of repair.
3. Toilet at Strand Street	• Municipality provides cleaning materials and toilet papers.
	• Municipality pays for water and electricity usage
Toilet at Amphitheatre:	• Municipality entered into PPP arrangement with wood carvers.
	• Service provider charges users a fee to purchase cleaning material and toilet papers.
	• Municipality maintains the toilet in terms of repair
	• Municipality pays for water/electricity usage.

**PROPOSALS**

In order to effectively manage the ablution facilities at the taxi rank, CDS hereby submit four options/ proposals for Council consideration:

**Proposal 1:**

Council to operate the ablution facilities on the same basis as other public toilets.

- *Municipality to assign a staff member to clean*
- *Municipality to maintain the toilet in terms of repair*
- *Municipality to provide cleaning materials and toilet papers*
- *Municipality to pay for water / electricity usage*

**Proposal 2:**

Council to enter into a PPP arrangement with a local partner or with one of the tenants at the kiosks to manage the ablution facilities under the following.

- *Service provider to charges a fee to purchase cleaning material and toilet papers*
- *Municipality to maintain the toilet in terms of repair*
- *Municipality to pay for water / electricity use*

#### Proposal 3:

Council to enter into a PPP agreement with a local partner or with one of the taxi operator/ tenants/ public member to manage the ablution facilities under the following:

- *Service provider to charges a fee to purchase cleaning material and toilet papers*
- *Service provider to maintain the toilet in terms of repair*
- *Service provider to pay for water / electricity usage*

#### Proposal 4:

The responsibility of the previous company which was awarded the contract to run the taxi rank included the management of the kiosks, ablution facilities, car wash and loading zone. The idea was for this services provider to raise sufficient revenue in order to pay for Municipal services. In this regard, the service provider charged a fee from the tenants and their clients for the use of the amenities (toilets and showers). They were responsible for the payment of the water services, as well as the cleaning of the ablution facilities. However they failed to honour their obligation because of the fact that they could not get co-operation and from the majority of bus and taxi operators. As such they could not collect sufficient revenue to cover their expenses. Therefore, Council should also consider this option:

- *Lease the taxi rank including kiosk to a services provider (to be able to generate sufficient funds to pay for:*
  - *Cleaning material and toilet papers*
  - *Maintain the toilet in terms of repair*
  - *Water / electricity*

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

##### **RECOMMENDED:**

- That Council enters into a PPP agreement with a local partner or one of the tenants operating from the kiosks at the taxi rank to clean the ablution facilities at the Taxi Rank at their own cost.**
  - That the lessee of the ablution facilities be permitted to charge a nominal fee for the usage of the ablution facilities and ensure that the ablution facilities are in a clean hygienic condition at all times.**
  - That Council takes the responsibility of maintenance and payment of services of the ablution facilities at the Taxi Rank.**
-

11.1.7 **MESSRS EAGLE CHRISTIAN CENTRE: APPLICATION FOR INSTITUTIONAL LAND**

(C/M 2013/07/31 - E 4443)

Ordinary Management Committee Meeting of 18 July 2013, Addendum 7.12 page 78 refers.

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

**1. Introduction**

With reference to a submission to the Management Committee of **16 May 2013**, among other, the following resolution was passed:

(iii)	<i>With reference to Annexure "C",</i>
	<i>EXTENSION 9:</i>
	<i>That it be noted that the cost for the installation of services to these erven is N\$88.13 per square metre:</i>
①	<i>...</i>
②	<i>That the Management Committee considers to sell Erf 4443, Swakopmund measuring 4 113m<sup>2</sup> to <u>Messrs Eagle Christian Centre</u> and a separate submission in this regard be tabled to the Management Committee for consideration.</i>

**2. Brief Background regarding the application by Messrs Eagle Christian Centre**

The complete application, complying with the requirements of Council's Property Policy was received on **18 June 2008** and the Church is currently eighth on the waiting list to be allocated an erf when erven become available:

<b>8<sup>th</sup></b>	<b><i>Eagle Christian Centre</i></b> <i>Pastor Ruben Petrus</i> <i>P O Box 2377</i> <i>SWAKOPMUND</i>	<i>Complete application received on <b>18 June 2008</b>.</i>  <b><u>Preferred Area:</u></b> <i>1<sup>st</sup> Option - Tamariskia</i> <i>2<sup>nd</sup> Option - Ext 9</i> <i>3<sup>rd</sup> Option - Ext 8 / 9 -</i>  <i>PDA</i>
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During 2012 in reply to an enquiry to organize all church applications according to preferred neighbourhoods, **Messrs Eagle Christian Centre** indicated Extension 9 as their second option to be allocated an erf.

As per **Annexure "A"**, **Messrs Eagle Christian Centre** indicated on **28 January 2013** that they are interested to purchase Erf 4443, Swakopmund.

**3. Brief Background regarding Erf 4443, Swakopmund**

Erf 4443 is located in Extension 9 and measures 4 113m<sup>2</sup>. The erf is zoned "institutional".

Quoted from Town Planning Amendment Scheme 12:

<b>Zone</b>	<b><i>Purpose for which land may be used</i></b>	<b><i>purposes for which land may be used and buildings may be erected and used with the special consent of the council only</i></b>
<b><i>Institutional</i></b>	<i>Institutional Building</i>	<i>Dwelling House, Place of Assembly</i>



*“INSTITUTIONAL BUILDING” means a building or portion of a building used or intended to be used as an old age home, creche, public or private school, community hall, religious or charitable institution and / or the administration thereof, and includes a hospital, clinic or dispensary, whether private or public, used in connection therewith, but does not include:*

- (a) *a hospital, sanatorium, dispensary or clinic for the treatment of infectious or contagious diseases, or*
- (b) *premises for the detention of mentally disordered persons, or*
- (c) *a mental hospital.*

Council on **29 September 2011** approved the sale of Erf 4443, Swakopmund to Ms L N Lindsay-Payne to establish a private English Medium Primary School at a purchase price of N\$119.05/m<sup>2</sup>, i.e. N\$485 539.65. Ms L N Lindsay-Payne declined Council's offer on 24 October 2011 for her to purchase the said erf.

The above purchase price was calculated as per Council's Policy at the time, according to which schools paid the full development cost per square metre, which cost was also escalated 5% per annum since the installation of services.

### 3.1 Proposed Purchase Price

The provision of services for Extension 9 was calculated as follows during 2005 (submission by the Engineering Services Department to the Management Committee of 15 September 2005):

	<b>Ext. 9</b>
Total Area	447062
Number of Erven	259
Average Erf Size	2,180.79
	<b>Cost / m2</b>
Water	N\$4.99
Sewerage	N\$5.08
Roads	N\$32.86
Pumpstation	N\$2.99
<b>TOTAL</b>	<b>N\$45.91</b>

Excluding Admin Fees, Electrical & Survey cost

Therefore, the actual cost for the entire Extension 9 for services amounts to N\$45.90 / m<sup>2</sup>; but in order to determine a reasonable upset price for the sale of the erven during October 2005; Erven 4725, 4666 and 4520 were excluded in the calculations, resulting in a cost of N\$88.13 / m<sup>2</sup>.

<b>Extension 9 Service Cost</b>					
Erf Area:	287 408m <sup>2</sup>				
No of Erven:	256				
		Price/m <sup>2</sup>	% of Total	Remunerative Portion	Non-Remunerative Portion
Tender price for Water and Sewer Services:		N\$ 4,898,069.30	N\$ 17.04	19.34%	N\$17.04
Roads		N\$12,330,885.95	N\$ 42.90	48.68%	N\$ 42.90
Electricity:	Reticulation:	N\$ 4,850,032.55	N\$ 16.88	19.15%	N\$16.88
	Street Lighting:	N\$ 1,337,117.65	N\$ 4.65	5.28%	N\$ 4.65
Survey & Town planning Cost:		N\$ 509,488.16	N\$ 1.77	2.01%	N\$ 1.77
Planning and Administration cost:		N\$ 1,404,966.33	N\$ 4.89	5.55%	N\$ 4.89
<b>Total:</b>		<b>N\$25,330,559.94</b>	<b>N\$88.13</b>	<b>100.00%</b>	<b>N\$33.92</b>

Council on **31 January 2013** approved the revised Property Policy according to which the purchase price per square metre to remain the

cost for the installation of services without any escalations. Both schools and churches can now purchase land at 50% of the cost for the installation of services.

Therefore the purchase price for Erf 4443, Swakopmund will be  $4\,113\text{m}^2 \times \text{N\$}45.90 = \text{N\$}188\,786.00 \div 2 = \text{N\$}94\,393.35$ .

**Other applications received for the purchase of Erf 4443, Swakopmund:**

3.2 The following two Churches also applied to purchase land in Extension 9, being 15<sup>th</sup> and 16<sup>th</sup> on the waiting list for Church erven:

15 <sup>th</sup>	<b>Nederduitsch Hervormde Kerk van Afrika</b> P O Box 1137 WALVIS BAY Att: Mr L J van Rensburg	Complete application received on <b><u>20 January 2012.</u></b>  <b><u>Preferred Area:</u></b> 1 <sup>st</sup> Option - Ext 9 2 <sup>nd</sup> Option – Kramersdorf
16 <sup>th</sup>	<b>Shofar Christian Church (Namibia)</b> P O Box 1140 SWAKOPMUND Att: Snr Pastor Mr Jaco van Rooyen	Complete application received on <b><u>09 February 2012.</u></b>  <b><u>Preferred Area:</u></b> 1 <sup>st</sup> Option - Kramersdorf 2 <sup>nd</sup> Option - Ext 9

3.3 Ms I Williams, a Teacher, applied on **10 July 2012** to purchase the erf for educational purposes.

**Annexures:**

- Annexure “A”** - letter from **Messrs Eagle Christian Centre** dated **28 January 2013**
- Annexure “B”** - map indicating the location of Erf 4443, Swakopmund
- Annexure “C”** - Council's standard conditions as per the revised Property Policy for the sale of land to Churches

4. **Proposal**

**Messrs Eagle Christian Centre** is 8<sup>th</sup> on the waiting list and first to indicate their interest to purchase an erf in Extension 9, Swakopmund, although as second option.

It is therefore proposed that Erf 4443, Swakopmund be offered to **Messrs Eagle Christian Centre** for the construction of a Church building and related uses permitted in terms of Town Planning Amendment Scheme 12, at a purchase price of 50% of the cost of installation of services, i.e. **N\$ 94 393.35**; subject to Council's standard conditions of sale as contained in the revised Property Policy (**Annexure “C”**).

It is further proposed that **Messrs Eagle Christian Centre** be requested to provide their latest supporting documents, such as their membership list and power of attorney of the duly authorized person to sign all documents on their behalf.

Standard required documents:

- A constitution / proof of registration as a section 21 company.
- A Power of Attorney granted by the church to a particular person/s that he/she/they have the authority to sign on behalf of the institution.

•	<i>Provide a name list of at least 75 adult members residing in Swakopmund.</i>
•	<i>A Power of Attorney granted by the church to a particular person/s that he/she/they have the authority to sign on behalf of the institution.</i>
•	<i>Copies of financial statements for the last six months. In the case where it is not available, proof of financing from a financial institution will suffice.</i>
•	<i>Proof that the church is operational in Namibia for at least two years before the sale of land to the church is considered.</i>
•	<i>That churches applying for land shall provide proof of their financial ability to develop the erf immediately after transfer.</i>

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

**RECOMMENDED:**

- (a) That the Management Committee considers the sale of Erf 4443, Extension 9, Swakopmund (4 113m<sup>2</sup>) to Messrs Eagle Christian Centre for the construction of a Church building and related uses permitted in terms of Town Planning Amendment Scheme 12, at a purchase price of 50% of the cost of installation of services, i.e. 4 113m<sup>2</sup> x N\$45.90 = N\$188 786.00 ÷ 2 = N\$94 393.35; subject to the attached Council's standard conditions of sale.
- (b) That Messrs Eagle Christian Centre takes note of the applicable conditions as per Annexure "C" (inclusive of Annexure "G") and confirms in writing acceptance of the conditions and purchase price.
- (c) That Messrs Eagle Christian Centre be requested to submit fresh supporting documents as their initial application was made in 2008, i.e.:

(i)	<i>A constitution / proof of registration as a Section 21 company.</i>
(ii)	<i>A Power of Attorney granted by the church to a particular person/s that he/she/they have the authority to sign on behalf of the institution.</i>
(iii)	<i>Provide a name list of at least 75 adult members residing in Swakopmund.</i>
(iv)	<i>A Power of Attorney granted by the church to a particular person/s that he/she/they have the authority to sign on behalf of the institution.</i>
(v)	<i>Copies of financial statements for the last six months. In the case where it is not available, proof of financing from a financial institution will suffice.</i>
(vi)	<i>Proof that the church is operational in Namibia for at least two years before the sale of land to the church is considered.</i>
(vii)	<i>That churches applying for land shall provide proof of their financial ability to develop the erf immediately after transfer.</i>

- (d) That Messrs Eagle Christian Centre accepts that no rights will accrue to them from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.

**LANDFILL MANAGEMENT CONTRACT BETWEEN SWAKOPMUND MUNICIPALITY AND ENVIRO-FILL NAMIBIA (PTY) LTD**

(C/M 2013/07/31 - G 1/1)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 7.13 page 85 refers.

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

**Attached** letter was received from Messrs Enviro-fill Namibia requesting the Management Committee to consider extending the Agreement between Swakopmund Municipality and Enviro-fill Namibia (Pty) Ltd which is due to expire at the end of **August 2013**, for the next five years without going on tender as previously considered. In the meantime Messrs Enviro-Fill Namibia formed a joint venture with Namibia Landfill Management, Rent-a-Drum, a registered company owned by Mr Gys Louw.

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

- (a) *That Council awards the rehabilitation and management of the Municipal waste site to Messrs Enviro-Fill (Pty) Ltd, in principle, subject to the submission of:*
  - (i) *The Scope of work to be done*
  - (ii) *Operational plan, timeframe and especially how the current reclaimers will be accommodated on site*
- (b) *That the General Manager: Health Services and Chief Executive Officer negotiate the terms and conditions of the Service Agreement and submit the final agreement to Council for consideration.*
- (c) *That the project be funded from the Creation of New Refuse Plant Vote 301031605000, where an amount of N\$2,500,000.00 is available.*
- (d) *That the General Manager: Health Services be authorized to appoint Contract Workers to clean up windblown litter north-east of the Dumping Site up to the B2 national road, also to be funded from the vote mentioned in (c) above.*
- (e) *That the Chief Executive Officer ensures that the relevant Tender Board regulations have been adhered to.*

(e) Council on **31 July 2008** resolved as follows:

- (a) *That the Service Agreement and related documents as recommended and submitted by Council's legal advisors be accepted.*
- (b) *That the services of Messrs Enviro-Fill are sourced for the purposes of rehabilitation and management of the site as approved by Council and subject to the signing of the Management Agreement.*
- (c) *That the project be funded from Vote 301031605000, Creation of New Refuse Plant, where an amount of N\$2,500,000.00 is available.*

A memorandum of agreement was signed between the two parties and the term of the validity of the agreement was set at a period of five (5) years which agreement expires at the end of **August 2013**.

Council in the meantime formed a partnership with Malmö City (Sweden) and as part of the agreement, adopted strategies aimed at implementing improved Solid Waste Management objectives. One of these objectives

included the development of a Material Recovery Facility (MRF) on the landfill site.

On **28 January 2010**, Council considered a proposal of Messrs Enviro-Fill Namibia to construct a Material Recovery Facility (MRF) as part of an activity adopted in the North South Partnership agreement to improve waste management in Swakopmund. It was then inter alia resolved under item 11.1.9:

- (a) *That a Swakopmund Waste Management Partnership (Municipality and Messrs Enviro-Fill/Rent-A-Drum) be established and that a strategy be developed to increase recycling volumes and to reduce the volume of waste that is deposited at the landfill.*
- (b) *That Messrs Enviro-Fill/Rent-A-Drum are given permission to construct and manage the new Material Recovery Facility at the landfill site at their own cost and subject to finalization of all statutory processes and that the erected facility be donated to Council upon expiry of the agreement.*
- (c) *That with effect 01 April 2010 the Municipality allows Messrs Enviro-Fill/Rent-A-Drum to implement a clear bag recycling collection system in town for a trial period of six (6) months where all recyclables collected will be the property of Messrs Enviro-Fill/Rent-A-Drum.*
- (d) *That the Chief Executive Officer and General Manager: Health Services be mandated to monitor and control the implementation of the Swakopmund Recycling Project in conjunction with Messrs Enviro-Fill/Rent-A-Drum.*

A draft service agreement for the operation of the Material Recovery Facility was received and considered but referred to Council's legal advisors for perusal. Certain shortcomings in the agreement were identified i.e., contents and working operations of a Material Recovery Facility. The parties then agreed that the matter should first be referred to Council for clearance as to decide on the way forward.

#### **RENEWAL OF SERVICE AGREEMENT:**

(f) Management committee on **17 January 2013** resolved as follows:

**That permission be granted to the General Manager: Health Services to invite tenders for the management of the landfill site.**

When considering the proposed renewal of the service agreement the following factors need to be considered by Council.

1. *Messrs Enviro-Fill Namibia has managed the landfill site in such a way that the nuisances of the past i.e. offensive odours, fires, unregulated dumping and access control was done in such a way as to minimize the nuisances and hazards to public health and safety, utilizing the principles of engineering to confine the refuse to the smallest practical area and to cover it with layers of earth at the conclusion of each day, however,*
2. *In terms of wastes that had to be accepted and accommodated on the Swakopmund Landfill site, no provision was made to properly manage Hazardous waste that includes by-products that can pose a substantial or potential hazard to human health or the environment.*
3. *Personnel requirements were not fully met in accordance with the agreement, i.e.*
  - *The appointed Site Supervisor was not competently educated on Solid Waste Management principles, regulations and safety issues and was often stranded*

*with personnel and equipment concerns due to the lack of support from the Management at the Head Office in Windhoek.*

- Staff employed could not control access and behavior of unofficial reclaimers.*
- No record of training to landfill site staff was submitted to the Municipality.*
- The supervisor however excelled in site management, i.e. maintenance, refuse placement and compaction, excavations for cover soil, grading of landfill roadways and demarcation and finishing of slopes.*
- Security was appointed by the Operator but charged to the Municipal account whereas it should have formed part of the personnel in accordance with the agreement. (page 44)*

4. *Equipment requirements were fully met except for the LDV that was withdrawn from the site after a while which actually hampered operations on the site.*

5. *Operational requirements:*

*Except for the varying availability of covering materials all operational requirements were met in that;*

- The appearance of the site was drastically improved and minimized windblown litter.*
- Movement of vehicles was effectively facilitated*
- Landfill odours were reduced*
- Risk of fire was reduced by not allowing any burning of waste on the site and;*
- Fly and rodent breeding controlled.*

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

**RECOMMENDED:**

- (a) That Council confirms that Messrs Enviro-Fill Namibia (Pty) Ltd has performed satisfactorily in managing the landfill site in Swakopmund for the past 5 years and that it was done in accordance with the operational plan submitted to Council.**
  - (b) That Council considers extending the current management agreement with Messrs Enviro-fill Namibia (Pty) Ltd for the next 5 years starting 1 September 2013.**
  - (c) That the commitments of Messrs Enviro-Fill Namibia (Pty) Ltd in their attached letter dated 24 June 2013 be honored to ensure delivery of improved quality and professional services in terms of the amended agreement.**
  - (d) That the management agreement be amended to the satisfaction of the Swakopmund Municipality and Messrs Enviro-Fill Namibia (Pty) Ltd.**
  - (e) That Council notes the forming of a joint venture between Messrs Enviro-fill Namibia (Pty) Ltd and Messrs Namibia Landfill Management (Pty) Ltd.**
-

11.1.9 **MESSRS SWAKOPMUND SCHOOL OF EXCELLENCE: APPLICATION FOR INSTITUTIONAL LAND**

(C/M 2013/07/31 - E 4666, E 4650)

**Ordinary Management Committee Meeting of 18 July 2013, Addendum 7.17 page 105 refers.**

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

**1. INTRODUCTION**

This submission is tabled to the Management Committee to consider the sale of Erf 4666, Swakopmund to Messrs School of Excellence. With reference to a submission to the Management Committee of **16 May 2013**, among other, the following resolution was passed:

(iii) With reference to Annexure "C",

**EXTENSION 9:**

*That it be noted that the cost for the installation of services to these erven is N\$88.13 per square metre:*

① ...

② ...

③ *That the Management Committee not considers the sale of Erf 4650, Swakopmund measuring 6 293m<sup>2</sup> to Messrs School of Excellence.*

④ ...

⑤ *That the Management Committee considers to sell Erf 4666, Swakopmund measuring 73 192m<sup>2</sup> to Messrs School of Excellence and a separate submission in this regard be tabled to the Management Committee for consideration.*

**2. BACKGROUND REGARDING THE APPLICATION BY MESSRS SCHOOL OF EXCELLENCE**

2.1 **Attached as Annexure "A"** is an application dated **8 October 2010** by Messrs School of Excellence, previously applied under the name of Jatuhill Investments Holdings (Pty) Ltd to purchase a portion of Erf 4666, Swakopmund to build a school.

They pointed out that the Erongo Region is currently facing an unprecedented demand in schools, especially grade one. Parents of all walks of life are anxious that shows Swakopmund has too few schools to cater for all children coming from nursery schools and those who anticipated moving to Swakopmund. At the time Messrs School of Excellence applied to purchase a 40 000m<sup>2</sup> portion of Erf 4666, Swakopmund (73 192 m<sup>2</sup>) in Extension 9 which is zoned "*institutional*". Quoted from Town Planning Amendment Scheme 12:

<b>Zone</b>	<b>Purpose for which land may be used</b>	<b><i>purposes for which land may be used and buildings may be erected and used with the special consent of the council only</i></b>
<b><i>Institutional</i></b>	<i>Institutional Building</i>	<i>Dwelling House, Place of Assembly</i>

*"INSTITUTIONAL BUILDING" means a building or portion of a building used or intended to be used as an old age home, crèche, public or private school, community hall, religious or charitable institution and / or the administration thereof, and includes a hospital, clinic or dispensary, whether private or public, used in connection therewith, but does not include:*

- (a) A hospital, sanatorium, dispensary or clinic for the treatment of infectious or contagious diseases, or
- (b) Premises for the detention of mentally disordered persons, or
- (c) A mental hospital.

The application was submitted to the Planning Forum of **08 February 2011** for discussion and the following was concluded:

- (a) That a meeting be arranged between the General Manager: Corporate Services, the General Manager Engineering Services, Messrs Private School Swakopmund Foundation and Messrs Jatuhill Investment Holdings (PTY) Ltd to discuss the layout plan, possible subdivision and terms of sale of Erf 4666, Swakopmund.
- (b) That Messrs Private School Swakopmund be informed that applications to a build school will receive priority consideration above sports grounds.

A letter dated 22 February 2011 was forwarded to Messrs Jatuhill Investments Holdings (Pty) Ltd informing them of the above-mentioned.

## 2.2 Meeting with between Municipal Official and Prospective Buyers

After the meeting that took place on **25 February 2011** a letter dated **03 March 2011** was forwarded to Messrs Jatuhill Investments Holdings (Pty) Ltd confirming what was agreed upon to be submitted to our office for submission to Council for consideration:

- A full development plan showing their envisaged development
- A layout plan indicating the size of the intended portion to purchase

In response to the above meeting Ms H Meyer for Messrs Jatuhill Investments Holdings (Pty) Ltd submitted the layout plans and at the same time applied for an additional portion of land measuring 10 000m<sup>2</sup> for public parking purposes as per letter dated **07 March 2011** (therefore the total area applied for would measure 50 000m<sup>2</sup>) (**Annexure “B”**).

## 2.3 For Information

Council on 26 February 2009 approved the sale of the adjoining Erf 4650, Swakopmund to Messrs Private School Swakopmund Foundation who later applied to purchase an additional portion of Erf 4666, Swakopmund. The Private School Swakopmund Foundation informed Council per letter dated 29 February 2012 that the Trust evaluated all options and came to a conclusion that due to the cost involved it is not feasible to purchase and develop Erf 4650 and a portion of Erf 4666, Swakopmund.

The availability of Erf 4650 and Erf 4443 Swakopmund was communicated to Messrs School of Excellence per letter dated 28 March 2012. In their letter dated 28 March 2012, they declined the two options offered, but requested again for an additional portion land on Erf 4666, Swakopmund and at the same time informed Council of the change in name from **Messrs Jatuhill Investment Holdings (PTY) Ltd** to **Messrs School of Excellence**.

**Attached** locality map of Erf 4666, Swakopmund indicating the location of the erf applied for by Messrs School of Excellence, as **Annexure “C”**.

## 3. APPLICATION TO MANAGEMENT COMMITTEE OF 15 NOVEMBER 2012



The application of Messrs School of Excellence was submitted to the Management Committee Meeting of **15 November 2012** for discussion and consideration, and it was resolved that the item be referred back for comments of the Town Planner. A submission by the Town Planner was tabled for the Management Committee Meeting of **14 February 2013**. Attached as **Annexure "D"** is the submission by the Town Planner.

4. **A CHRONOLOGICAL SUMMARY OF APPLICATIONS RECEIVED FROM MESSRS SCHOOL OF EXCELLENCE**

**Current Application**

Subsequent to a meeting held on 15 August 2012 with various schools who applied for land, a letter dated **3 October 2012** was received from Messrs School of Excellence indicating that they intend to purchase Erf 4666 and Erf 4650, Swakopmund (*combined size is 79 485m<sup>2</sup>*) for the construction of a school for lower and upper primary sections, parking and sport facilities.

**Previous Applications**

On **8 October 2010** Messrs School of Excellence, under cover of a letterhead of Learning Right Kiddies Centre CC applied as Messrs Jatuhill Investment Holdings (Pty) Ltd to purchase a portion of Erf 4666, Swakopmund.

Then on **7 March 2011** another letter was received whereby they indicated their intention to purchase a 40 000m<sup>2</sup> portion of Erf 4666, Swakopmund. This application was confirmed by them per letter dated **28 February 2012**.

Lastly a letter dated **28 March 2012** was received whereby they apply to purchase a 10 000m<sup>2</sup> portion of Erf 4666, Swakopmund.

5. **SIMILAR APPLICATIONS**

The following educational institutions (established schools) also submitted applications to purchase land:

- *Tanben College applied for Erf 3342, Swakopmund; and*
- *Messrs Pro-Ed Akademie - submitted separately to Management Committee Meeting of July 2013.*

Messrs Tanben College was informed on 5 June 2013 of the following two decisions passed in May 2013:

Decision passed by the Management Committee on **16 May 2013**, under **item 7.10**:

*④ That once Erf 3342, Swakopmund measuring 56 020 m<sup>2</sup> is transferred in Council's ownership, a separate submission be tabled to consider the future use of this erf; and that Messrs Tanben College be informed that their application will not be considered at this stage.*

And that with reference to the above, Council passed the following resolution on **30 May 2013**, under **item 11.1.26**:

*(e) That Erf 3342, Extension 9, Swakopmund be subdivided to create a "Public Open Space" to replace Erf 3352, Extension 9, Swakopmund.*

6. **FUTURE INTENTIONS OF THE MINISTRY OF EDUCATION**

During discussion with representatives Mr M Jacobs, Deputy Director and Mr J Feris (Regional Planner) from the Ministry of Education on 12 March 2012, it was concluded that the Government will not be building any new

schools and hostels for at least the next four years. The area identified as priority by the Ministry of Education for a school is the Progressive Development Area, although there is a shortage of schools in Swakopmund. Part of Council's vision in terms of the Long Term Plan is to be a Centre of Excellence, and it is common knowledge that along with excellent infrastructure, excellent medical centres and shopping centres, education ranks very high as a reason for people to select a town to relocate to.

## 7. DISCUSSION

### 7.1 Proposed Purchase Price

The provision of services for Extension 9 was calculated as follows during 2005 (submission by the Engineering Services Department to the Management Committee of 15 September 2005:

	<b>Ext. 9</b>
Total Area	447062
Number of Erven	259
Average Erf Size	2,180.79
	<b>Cost / m2</b>
Water	N\$4.99
Sewerage	N\$5.08
Roads	N\$32.86
Pumpstation	N\$2.99
TOTAL	N\$45.91

Excluding Admin Fees, Electrical & Survey cost

Therefore, the actual cost for the entire Extension 9 for services amounts to N\$45.90 / m<sup>2</sup>; but in order to determine a reasonable upset price for the sale of the erven during October 2005; Erven 4725, 4666 and 4520 were excluded in the calculations, resulting in a cost of N\$88.13 / m<sup>2</sup>.

<b>Extension 9 Service Cost</b>					
Erf Area:	287 408m <sup>2</sup>				
No of Erven:	256				
		Price/m <sup>2</sup>	% of Total	Remunerative Portion	Non-Remunerative Portion
Tender price for Water and Sewer Services:	N\$ 4,898,069.30	N\$ 17.04	19.34%	N\$17.04	
Roads	N\$12,330,885.95	N\$ 42.90	48.68%		N\$ 42.90
Electricity: Reticulation:	N\$ 4,850,032.55	N\$ 16.88	19.15%	N\$16.88	
Street Lighting:	N\$ 1,337,117.65	N\$ 4.65	5.28%		N\$ 4.65
Survey & Town planning Cost:	N\$ 509,488.16	N\$ 1.77	2.01%		N\$ 1.77
Planning and Administration cost:	N\$ 1,404,966.33	N\$ 4.89	5.55%		N\$ 4.89
<b>Total:</b>	<b>N\$25,330,559.94</b>	<b>N\$88.13</b>	<b>100.00%</b>	<b>N\$33.92</b>	<b>N\$ 54.22</b>

It is proposed that Council considers the sale of Erf 4666, Swakopmund to Messrs School of Excellence at a purchase price of **73 192m<sup>2</sup> x N\$45.90 ÷ 2 (50%) = N\$1 679 756**, subject to the conditions of sale for land to schools as contained in terms of Council's standard conditions, attached as **Annexure "D"**.

### 7.2 Application to also purchase Erf 4650, Swakopmund

In-line with the Management Committee resolution passed on **16 May 2013**; it is proposed not to consider the sale of Erf 4650, Swakopmund to Messrs School of Excellence, as:

- The size of Erf 4666, Swakopmund is deemed sufficient for the envisage project of Messrs School of Excellence;

- Also Messrs School of Excellence did not justify why they need to purchase Erf 4650, Swakopmund; and
- There are several applications on the waiting list for smaller institutional erven which will be submitted for consideration once a Council resolution is in place not to sell Erf 4650, Swakopmund to Messrs School of Excellence.

### 7.3 Conditions Applicable

In addition to the standard conditions of sale (which include a comprehensive reverting clause), and taking into consideration the size of Erf 4666, Swakopmund it is proposed not to allow the subdivision and alienation of any portion of Erf 4666, Swakopmund; thereby ensuring that the land is being used for the purpose Council availed it to Messrs School of Excellence and also prohibits speculation.

Lastly **Messrs School of Excellence** requires Council's commitment before incurring costs for the envisaged project.

#### Attachments:

- |                     |  |
|---------------------|--|
| <b>Annexure "A"</b> | - first application letter dated 8 October 2010 and map              |
| <b>Annexure "B"</b> | - second letter dated 7 March 2011 applying for 10 000m <sup>2</sup> |
| <b>Annexure "C"</b> | - locality map of Erf 4666, Swakopmund                               |
| <b>Annexure "D"</b> | - comprehensive submission dated 14 February 2013 by Town Planner    |
| <b>Annexure "E"</b> | - Council's standard conditions                                      |

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

#### RECOMMENDED:

- That Council *in principle* approves the sale of Erf 4666, Swakopmund measuring 73 192 m<sup>2</sup> to Messrs School of Excellence at a purchase price of N\$1 679 756.00 (i.e. 50% of the cost of installation of service being N\$ 45.90 x 73 192m<sup>2</sup> ÷ 2), subject to the conditions of sale for land to schools as contained in Council's standard Conditions, (Annexure "E").
  - That no subdivision and sale of any portion of Erf 4666, Swakopmund will be considered.
  - That Messrs School of Excellence submits a design layout, indicating the location of classrooms, related buildings, flow of traffic, location of the parking area and location of the sport field.
  - That the alienation be advertised in terms of the Local Authorities Act, (Act 23 of 1992), as amended.
  - That all costs relating to the transaction be for the account of Messrs School of Excellence, such as, but not limited to, the required town planning procedures, alienation cost and provision of services.
  - That it be noted that currently no purified effluent is available in this area until the new sewage plant is fully operational, a new reservoir has been built for purified effluent and the purified effluent network has been extended to this suburb.
  - That Messrs School of Excellence accepts that no rights will accrue to them from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.
-

11.1.10 **APPLICATION FOR INSTITUTIONAL LAND: PRO-ED AKADEMIE**

(C/M 2013/07/31 - G 3/9/12)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 7.18 page 120 refers.

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

**1. INTRODUCTION**

**1.1 Latest Management Committee Meeting**

This item was previously submitted to the Management Committee meeting that was held on **16 May 2013**, whereby the following was resolved under item 7.8:

- (a) *That this item be kept in abeyance and be resubmitted to the Management Committee of June 2013.*
- (b) *That all applications for land being held in abeyance be submitted to the next Management Committee meeting for consideration.*

With reference to point (b) above, a separate submission is tabled to the Management Committee.

**1.2 Initial Application**

The first application from Messrs Pro-Ed Akademie for institutional land was received on **19 May 2010** to purchase the erven below:

Institutional erven available at **Extension 18** (Dunes Estate):

- ① *Erf 5824, Swakopmund measuring 5 309m<sup>2</sup>*
- ② *Erf 5845, Swakopmund measuring 2 876m<sup>2</sup>*

Messrs Pro-Ed Akademie confirmed in their letter dated **18 September 2012** that they are no longer interested to purchase these two erven.

**1.3 Revised Application**

Subsequent to a meeting held with Messrs Pro-Ed Akademie, Tanben College and School of Excellence on **15 August 2012**, a letter dated **18 September 2012** was received on **04 October 2012** from Messrs Pro-Ed Akademie indicating that they intend to purchase Block 12 for the construction of a school, parking and sport facilities.

The applicant motivates its' application by stating that most of the parents of their scholars reside in the Vineta and Vogelstrand area.

Although Council will only consider the allocation and sale of land once the revised Property Policy is approved, it is important for the school to start in advance with the planning,

such as a provisional layout and cost estimates for financial arrangements.

Therefore Messrs Pro-Ed Akademie requires Council's commitment before incurring costs for the envisaged project.

#### 1.4 Purchase Price

In terms of the revised Property Policy, schools will purchase institutional land for 50% of the cost of installation of services (*which cost will not be escalated*).

**Block 12 (Extension 21) is not yet serviced and measures 100 059m<sup>2</sup>.** The provision of bulk services to these northern townships were shared by Council and the various block developers and amounted to **N\$40.51/m<sup>2</sup>** (N\$4 053 390.00) and the sellable land was sold at **N\$62.00/m<sup>2</sup>** (N\$6 203 658.00); should Block 12 have been sold to a private developer, the cost to the developer would have been ±N\$10 257 048.00.

In terms of the revised Property Policy, the purchase price, being 50% of the cost for the installation of services N\$40.51/pm<sup>2</sup> ÷ 2 = N\$20.25 x 100 059m<sup>2</sup> , to a school for Block 12 will amount to **N\$2 026 695.00**.

The total project value amounts to N\$43 000 000.00.

## 2. PRESENTATION DELIVERED

Messrs Pro-Ed Akademie delivered a presentation to the Management Committee at a Special Meeting held on **17 April 2013**, whereafter the following resolution was passed:

- (a) *That the presentation of Messrs Pro-Ed Akademie be noted.*
- (b) *That the General Manager: Community Development Services investigates the following and report back to Management Committee:*
  - (i) *Flow of traffic*
  - (ii) *Pedestrian crossing*
- (c) *That the application of Messrs Pro-Ed Akademie for the acquisition of Block 12 be resubmitted to the next Management Committee meeting.*

It was communicated to Messrs Pro-Ed Akademie that they are responsible to conduct a Traffic Study. A letter in this regard was received from **KB Designs Architect & Associates**.

### 3. **MEETING WITH MAYOR**

The Management Committee passed the following resolution on **14 February 2013**:

*That this item be kept in abeyance and be discussed with the applicants by the following members:*

- Mayor
- Deputy Mayor
- Chairperson of Management Committee
- Town Planning Officer and Special Projects

With reference to this resolution a meeting was held; whereafter a follow-up meeting with his worship, the Mayor took place on **12 June 2013**; attached are the minutes received from Mr Marais of Swakop Uranium, one of the financial supporters of the project.

Important points taken from the minutes are:

- *It was indicated that Swakop Uranium supports the project, as education is their major focus.*
- *Following discussions it was brought under their attention that concerns were raised at Council meeting of April 2013:*
  - ① *The importance of the local procurement and support of SME's.*
  - ② *The perception that Pro-Ed is a school of privileged children.*
  - ③ *The current lack of English medium at the existing Pro-Ed.*
  - ④ *Misunderstanding of the term "private school"*
  - ⑤ *Concerns regarding the layout of the school which need to be discussed between Mr Duvenhage and KB Designs Architect & Associates.*
- *The huge demand of good quality education in the region was also acknowledged among other things.*
- *Ideal numbers of learners in class should range from 15 to 20, but currently it has become unavoidable to increase the class capacity to 30 learners.*
- *Messrs Pro-Ed plans to host the 2015 Sports weekend, and mentioned that time is of the essence for the preparations of the sports grounds.*
- *It was clarified that the majority of the parents are of the middle income group.*
- *At the end of the meeting it was concluded that Messrs Pro-Ed submits a letter containing the necessary changes that was highlighted during the meeting.*

#### 3.1. **Response of meeting held from Messrs Pro-Ed Akademie**

A response letter dated **17 June 2013** was received from Messrs Pro-Ed with regard to the suggestions and concerns raised during the meeting.

The Board of Pro-Ed Academy will investigate and possibly restructure the existing school as combined in the summary below:

- *They will add a Grade 2, Grade 7 and Grade 8 English class in 2014; it will grant external learners to enrol in 2014.*
- *The Management Board will also be restructured at their next AGM, which will enable them to grant representatives from all different backgrounds to be part of management of the school.*

- *With reference to their contribution to community welfare and social responsibilities, their board approved an existing scheme that six Grade 6 gifted scholars will be granted a scholarship from **January 2014**.*
- *They wish to emphasise that they will provide good education to many learners. Government decided not to build new schools during the next five years those results in overcrowded schools in the country and shortage of schools in general.*

Attachments:

- Annexure “A”** - *letter and business plan received from the applicant dated **22 March 2013**.*
- Annexure “B”** - *map indicating the lay-out of Block 12 / Portion 118 / Extension 21*
- Annexure “C”** - *conditions for the sale of land to schools as contained in the revised Property Policy.*
- Annexure “D”** - *replied letter of Messrs Pro-Ed dated **17 June 2013** with minutes of meeting held on **12 June 2013**.*
- Annexure “E”** - *letter from KB Designs Architect & Associates dated **12 June 2013**.*

### **3.2 Feedback from KB Designs Architect & Associates in respect of the site**

After their meeting with General Manager: Engineering Services, the amendments will be made and also will include the results of other relevant studies that need to be carried out:

- *Change of entrances to be in line with the surrounding traffic reticulation*
- *Traffic circulation on property has been amended to ensure balanced flow of traffic as requested*
- *A boundary wall will be designed to eliminate noise pollution from school; it will be included into the entire project that will be submitted to the Swakopmund Aesthetics Committee for approval*
- *Trees will also form part of the periphery of the property for the elimination of noise pollution*
- *Will consult with Erongo Red for provision of a sub-station*
- *Appointed engineers will provide complete report with all geotechnical-, traffic studies and mechanical specifications*
- *They will investigate the possibilities to introduce “Green” architecture and energy resources into the design. Natural elements like light and ventilation will be used to minimize energy consumption and mechanical ventilation.*

## **4. SIMILAR APPLICATIONS**

The following educational institutions (establish schools) also submitted applications to purchase land:

- *Tanben College; and*
- *School of Excellence (previously applied as Jatuhill Investment Holdings Pty Ltd).*

of which the applications will be submitted separately.

The Corporate Services and Human Resources Department held a meeting with the above three schools on **15 August 2012** in order

to co-ordinate and clarify the way forward *inter alia*, which school will apply for which institutional erf.

The school representatives also indicate that they prefer to establish their own sporting facilities.

It was agreed that the schools will submit their applications on / before **31 October 2012**.

Messrs Tanben College (Windhoek) was informed in writing on 05 June 2013 that Council will not currently consider allocation of land to schools nor locally based. The application of Messrs School of Excellence is submitted to the Management Committee as a separate addendum.

#### 5. **FUTURE INTENTIONS OF THE MINISTRY OF EDUCATION**

A meeting was held with Mr M Jacobs (*Deputy Regional Director*) and Mr J Feris (*Regional Planner*) from the Ministry of Education on **12 March 2012** to accurately plan for the provision of institutional erven,

It was concluded that the Government will not be building any new schools and hostels for at least the next four years. The area identified as priority by the Ministry of Education for a school is the Progressive Development Area.

Currently there is a shortage of schools in Swakopmund.

Part of Council's vision in terms of the Long Term Plan is to be a Centre of Excellence, and it is common knowledge that along with excellent infrastructure, excellent medical centres and shopping centres, education ranks very high as a reason for people to select a town to relocate to.

#### 6. **DISCUSSION**

It is proposed that Council considers the sale of Portion 118 (is reserved to be Extension 21) to Messrs Pro-Ed Akademie at a purchase price of **N\$2 026 695.00**, subject to the conditions of sale for land to schools as contained in Council's revised Property Policy.

That it be noted that the board of Messrs Pro-Ed Akademie approved their existing scheme to grant six Grade 6 gifted scholars in the English Medium Stream with scholarship from **January 2014**, subject the availability of seats in the classroom.

Lastly it was concluded in the minutes of meeting that was held on **12 June 2013**, Mr Marias stressed the urgency of the matter as they would like to start with the *Tok-Tok-Kie* class at the new premises next year due to a shortfall of four classrooms at the current premises and that they also wish to commence with the construction of the Sport Grounds in preparation of the sport event that is scheduled to take place in 2015.



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

**RECOMMENDED:**

- (a) That Council in principle approves the sale of Portion 112 (a Portion of Portion B) of Swakopmund Town and Townlands No 41, (is reserved to be Extension 21); measuring 100 059m<sup>2</sup> to Messrs Pro-Ed Akademie at a purchase price of N\$ 2 026 695.00 (i.e. 50% of the cost of installation of service being N\$20.25 x 100 059m<sup>2</sup>), subject to the conditions of sale for land to schools as contained in Council's revised Property Policy, (Annexure "C") and point (b) below.**
  - (b) That the alienation be advertised in terms of the Local Authorities Act, (Act 23 of 1992), as amended.**
  - (c) That Messrs Pro-Ed Akademie provides a complete report with all geotechnical-, traffic studies and mechanical specifications to the Engineering Department.**
  - (d) That it be noted that currently no purified effluent is available in this area until the new sewage plant is fully operational, a new reservoir has been built for purified effluent and the network has been extended to this suburb.**
-

11.1.11 **INCOME CATEGORY REGISTRATIONS: ALLOCATION OF RESIDENTIAL ERVEN AT EXTENSION 9, MONDESA (PDA)**

(C/M 2013/07/31 - H 5/7)

Ordinary Management Committee Meeting of 18 July 2013, Addendum 7.19 page 140 refers.

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

1. **Introduction**

Council on **27 March 2013**, among other, passed the following resolution under item 11.1.1:

- (e) *That the remaining erven be allocated to the following categories and that they be sold on a Cost Limited Average Price Close Bid process as was conducted on the 7<sup>th</sup> and 14<sup>th</sup> September 2012, with an upset price of N\$129.00/m<sup>2</sup> for all erven:*
- (i) *30 Erven to the Middle Low Income group (persons earning between N\$3 000.00 and N\$5 999.00 per month) to be sold at a maximum markup permissible of 25%.*
  - (ii) *30 Erven to the Upper Low Income group (persons earning between N\$6 000.00 and N\$8 999.00 per month) to be sold at a maximum markup permissible of 30%.*
  - (iii) *30 Erven to the Low Middle Income & Middle Income group (Persons earning between N\$9 000.00 and N\$14 999.00 per month) to be sold at a maximum markup permissible 35%.*
- (f) *That the deposit payable for the Cost Limited Average Price Close Bid be N\$500.00 per person registered.*
- (g) *That the date for the Auction be determined at the July 2013 Council meeting.*
- (h) *That the allocation / alienation of the remaining 40 erven be determined at a later stage.*

Accordingly, the public was invited to register in one of the following income categories:

1.1	<b>Middle Low Income</b>	N\$ 3 000.00 ⇒ N\$ 5 999.00	30 erven
1.2	<b>Upper Low Income</b>	N\$ 6 000.00 ⇒ N\$ 8 999.00	30 erven
1.3	<b>Low Middle Income</b>	N\$ 9 000.00 ⇒ N\$ 11 999.00	15 erven
1.4	<b>Middle Income</b>	N\$ 12 000.00 ⇒ N\$ 14 999.00	15 erven

The closing date for registration was **2 July 2013**.

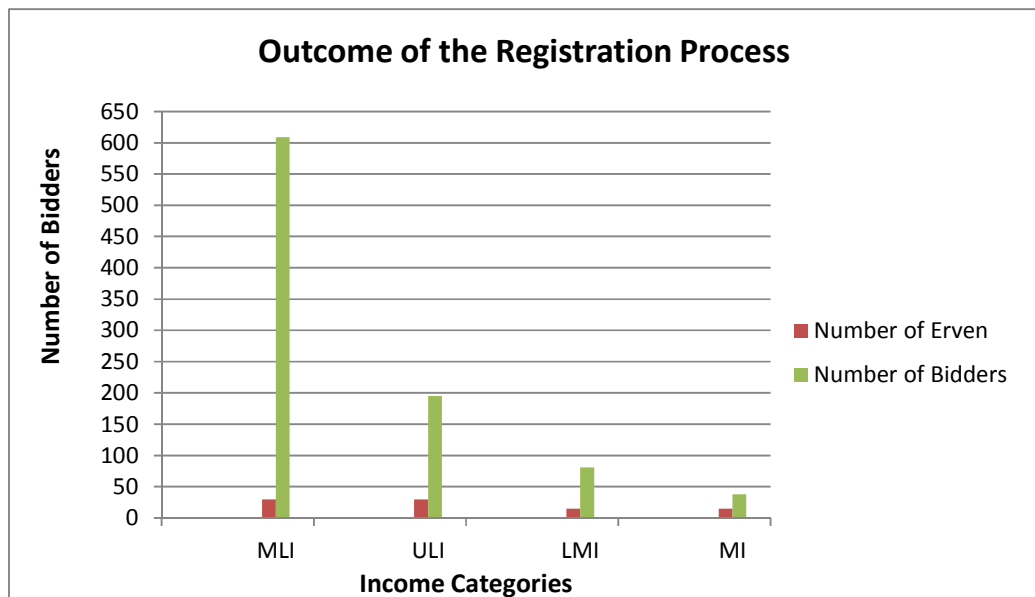
2. **Outcome of the Registration Process**

The following can be reported:

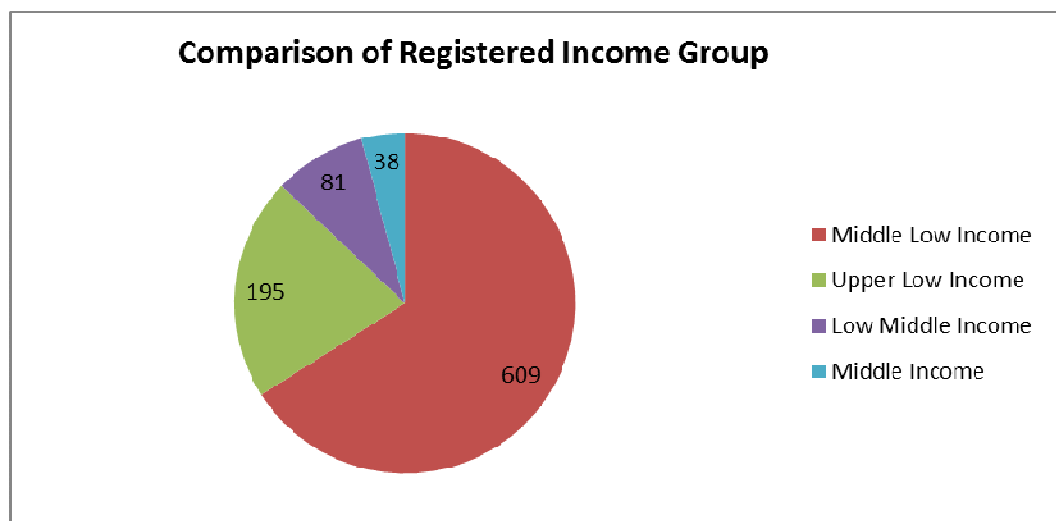
	<b>Income Category</b>		<b>Number of Erven</b>	<b>Number of Bidders</b>	<b>Chance of being allocated an erf %</b>
2.1	<b>Middle Income</b>	<b>Low</b>	30	609	4.9
2.2	<b>Upper Income</b>	<b>Low</b>	30	195	15.4
2.3	<b>Low</b>	<b>Middle</b>	15	81	18.5

<b>Income</b>				
2.4	<b>Middle Income</b>	15	38	39.5

Comparison indicated in a bar chart:



Below is a pie chart showing the comparison of the income categories.



### 3. **Prices of the Erven on offer**

The per square metre purchase price of the erven sold to the income groups during 2012 was **N\$61.35**; resulting on average in a monthly instalment of N\$1 200.00 (excluding municipal charges).

Council approved a per square metre purchase price of **N\$129.00/m<sup>2</sup>** for the 2013 allocation, although the actual development cost is **N\$112.49/m<sup>2</sup>** (see table below).

<b>PROGRESSIVE DEVELOPMENT AREA</b>	<b>(PDA)</b>
Total Area for Erven	84,383m <sup>2</sup>
No. of Erven	234

			Price/ m <sup>2</sup>	Price per Erf
Tender price for Civil Services		N\$1 564 734.66	N\$18.54	N\$6 686.90
Consultancy Fees		N\$94 843.31	N\$1.12	N\$405.31
Electricity	Reticulation	N\$7 500 000.00	N\$88.88	N\$3 2051.28
Survey Cost		N\$129 841.62	N\$1.54	N\$554.88
Town planning Cost		N\$22 000.00	N\$0.26	N\$94.02
Supervision Cost	@ 2%	N\$181 294.69	N\$2.15	N\$774.76
Total		N\$9 492 714.28	N\$112.49	N\$40 567.15

This increase has adversely affected the affordability of the erven to the two lower income groups. By way of illustration, the upset price of an erf measuring 300m<sup>2</sup> will be N\$38 700.00 (excluding the 25%; 30% and 35% permissible maximum mark-ups); i.e.:

Monthly Instalment (24x)	:	N\$1 680.54
Basic Refuse	:	N\$ 67.70
Basic Sewerage	:	N\$ 88.70
Basic Water	:	N\$ 61.70
Disposal Fee	:	N\$ 3.60
Fire Brigade	:	N\$ 2.00

Monthly Total = N\$1 904.24

The calculation above is based on the municipal valuation, excluding connection charges, consumption and Erongo RED charges. Council also deducts the estimated transfer fee in advance over 24 months.

Even at the minimum upset price indicated above, the monthly instalment might exceed 70% of the salary of a purchaser earning N\$3 000.00. This will make the purchase of an erf unaffordable for the majority of the registered bidders (Middle Low Income), placing them under great financial strain and increasing the risk of default and repossession.

Furthermore, this price is only for the erf. The purchaser must still build a house on the property.

#### 4. **Dates for Closed Bid Procedures**

Council on **27 June 2013** approved the dates of sale of industrial erven as follows:

- 29 erven zoned general business on **30 August 2013**; and
- 41 erven zoned light industrial and 6 general industrial on **4 October 2013**.

Taking into consideration the numerous and time consuming tasks prior to and after the sale of erven, the following dates are proposed for the closed bid procedures for the various income categories:

- Low Middle and Middle Income (**combined - 119**) : Friday, **23 Aug 2013**
- Upper Low Income (**195**) : Friday, **13 Sept 2013**
- Middle Low Income (**majority - 609**) : Friday, **27 Sept 2013**

It is proposed not to have separate information sessions scheduled as in the past, but that the bidders be informed of the process at the actual bid date.

**FOR INFORMATION** On 14 September 2012 the process of allocating 70 erven to 168 bidders lasted from 08:00 until 20:30.

## 5. **Proposal**

The following is proposed:

### 5.1 Taking into account that the majority of the bidders falls within the **Middle Low Income Group** and **Upper Low Income Group**:

- (i) That Council reconsiders point (e) (i), (ii) and (iii) of Council's resolution passed on **27 March 2013**, under item 11.1.1 - i.e. that the price of N\$129.00/m<sup>2</sup> be reduced below the upset price so that once the 25%, 30% and 35% permissible maximum mark-up is added, the bidders' price will be above / beyond the cost of installation of services, i.e. N\$112.49/m<sup>2</sup> in order to ensure that Council does not sell these erven below the cost for installation of services; keeping in mind that Council levies 4% interest rate on the 24 monthly instalments (few purchasers pay cash).

#### Middle Low Income Group:

<b>cost of services</b>	<b>less 10%</b>	<b>plus 25%</b>	<b>total / m<sup>2</sup></b>	<b>cost of 300m<sup>2</sup> erf</b>	<b>cost per 300m<sup>2</sup> erf at N\$129.00/m<sup>2</sup> + 25%</b>
112.50	11.25	25.31	126.56	37,968.75	48,375.00

#### Upper Low Income Group:

<b>cost of services</b>	<b>less 10%</b>	<b>plus 30%</b>	<b>total / m<sup>2</sup></b>	<b>cost of 300m<sup>2</sup> erf</b>	<b>cost per 300m<sup>2</sup> erf at N\$129.00/m<sup>2</sup> + 30%</b>
112.50	11.25	30.38	131.63	39,487.50	50,310.00

#### Low Middle Income & Middle Income Group:

<b>cost of services</b>	<b>less 10%</b>	<b>plus 35%</b>	<b>total / m<sup>2</sup></b>	<b>cost of 300m<sup>2</sup> erf</b>	<b>cost per 300m<sup>2</sup> erf at N\$129.00/m<sup>2</sup> + 35%</b>
112.50	11.25	35.44	136.69	41,006.25	52,245.00

- (ii) *Taking into consideration the large number of registered bidders, Council considers restricting the number of bids to 3 erven per bidder.*
- (iii) *That should erven not be bid on (for example the erven listed last) the General Manager: Corporate Services and Human Resources must assess the situation and bases on the number, if any, of the erven remaining, decide how to proceed on the day, these erven be allocated by lucky draw to the bidders who have not be allocated erven at the cost of installation of services plus 10%.*

### 5.2 That Council approves the dates for the closed bids as follows:

- *Low Middle and Middle Income (combined):* Friday, 23 August 2013
- *Upper Low Income* : Friday, 13 September 2013
- *Middle Low Income (majority)* : Friday, 27 September 2013

5.3 That all bidders be informed in writing of the above dates relevant to their income category; of the conditions applicable (must be present on the date - no proxies will be allowed) and briefly of the process that will be followed on the date of the closed bid allocation.

5.4 That Ministerial approval be obtained for the method of allocation in advance as soon as the erf numbers and registered bidders are listed.

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

**RECOMMENDED:**

(a) That Council reconsiders point (e) (i), (ii) and (iii) of Council's resolution passed on 27 March 2013, under item 11.1.1 - i.e. that the upset price of N\$129.00/m<sup>2</sup> plus the permissible maximum mark-up be amended to read:

(e) That the remaining erven be allocated to the following categories and that they be sold on a Cost Limited Average Price Close Bid process as was conducted on the 7<sup>th</sup> and 14<sup>th</sup> September 2012, with an upset price of N\$112.50/m<sup>2</sup> for all erven:

- (i) 30 Erven to the Middle Low Income group (persons earning between N\$3 000.00 and N\$5 999.00 per month) to be sold at a maximum markup permissible of 25%, i.e. the maximum being N\$126.50/m<sup>2</sup>.
- (ii) 30 Erven to the Upper Low Income group (persons earning between N\$6 000.00 and N\$8 999.00 per month) to be sold at a maximum markup permissible of 30%, i.e. the maximum being N\$131.50/m<sup>2</sup>.
- (iii) 30 Erven to the Low Middle Income & Middle Income group (Persons earning between N\$9 000.00 and N\$14 999.00 per month) to be sold at a maximum markup permissible 35%, i.e. the maximum being N\$136.50/m<sup>2</sup>.

(b) That the number of bids be restricted to 3 erven per bidder.

(c) That should erven not be bid on (for example the erven listed last) the General Manager: Corporate Services and Human Resources must assess the situation and bases on the number, if any, of the erven remaining, decide how to proceed on the day, these erven be allocated by lucky draw to the bidders who have not been allocated erven at the cost of installation of services plus 10%, i.e. N\$124.00/m<sup>2</sup>.

(d) That Council approves the dates for the closed bids as follows:

- Low Middle and Middle Income (combined - 119) : Wednesday, 21 Aug 2013
- Upper Low Income (195) : Friday, 13 Sept 2013
- Middle Low Income (majority - 609) : Friday, 27 Sept 2013

(e) That all bidders be informed in writing of the above dates relevant to their income category; of the conditions applicable (must be present on the date - no proxies will be allowed, except persons with specified Powers of Attorney) and briefly of the process that will be followed on the date of the closed bid allocation.

(f) That Ministerial approval be sought in terms of Section 30 (1) (t) of the Local Authorities Act, Act 23 of 1992, as amended, for the method of allocation in advance as soon as the erf numbers and registered bidders are listed.

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11.1.12 **PROPOSED STRATEGY FOR THE FORMALISATION OF DRC**

(C/M 2013/07/31 - H 5/4)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 7.22 page 159 refers.

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

**1. INTRODUCTION**

This document is submitted to identify a proposed strategy for the **technical** procedure involved in the formalisation of the DRC.

**2. EXISTING STRATEGY**

Council on **28 February 2013** under item 11.1.3 resolved as follows:

(a) *That public meetings be arranged as soon as possible for the election of Committees representing the various interests groups and commences with discussions on the formalization of the DRC.*

(b) *That the process of formalization be implemented step by step as set out below:*

**1. Establishment of Representative Committees:**

- DRC Residents,
- Backyard Squatters,
- DRC East and
- DRC West

**2. Registration of:**

- DRC Residents,
- Backyard Squatters,
- DRC East and
- DRC West

**3. Survey:**

- Block 8 (322 erven),
- Block 9 (286 erven),
- Block 10 (237 erven) and
- Block 11 (364 erven)

*Total: 1209 erven*

**4. Install basic water provision on Blocks 8 to 11**

**5. Illegal Squatters to move to Blocks 8, 9, 10 and 11**

**6. Survey**

*DRC (Portions 125, 127 and 128) 920 erven*

- Portion 121 (227 erven)
- Portion 122 (329 erven)
- Portion 123 (318 erven)
- Portion 124 (286 erven)
- Portion 126 (280 erven)

*Total: 2360 erven*

**7. Determine overflow from DRC to be moved to which erven, preferably to:-**

- Portion 121 ( 227 erven)
- Portion 126 ( 280 erven)

*Total: 507 erven*

8. *Blocks reserved for backyard squatters:-*
  - Any erven left unallocated from
  - Portion 121 to Portion 126
9. *Commence with installation of Bulk Services for Water Supply and Sewerage in July / August 2013.*
10. *Where possible commence with internal service (water and sewerage) on a labour-based method.*
11. *Find housing / loan solution*
12. *Commence with construction of housing solution.*

### 3. STATUS QUO

(See locality plan **Attachment A**)

The following blocks were already surveyed (Erf beacons installed):

<b>Block</b>	<b>Erven</b>
1	107
2	51
3	233
8	322
9	286
10	237
11	364
<b>Total</b>	<b>1 600</b>

No services have been provided to these erven.

Designs for the installation of both Primary and Secondary reticulation for water, sewage and electricity services, as well as the streets layout have been completed by Windhoek Consulting Engineers (WCE).

The erven targeted for this exercise shall only be the domestic erven, thus excluding *Public Open Spaces* and Business erven. The numbers of **domestic erven** identified are:

Block 1- 3414  
 Block 8-11732  
**TOTAL 1 146**

### 4. PROPOSED DEVELOPMENT

#### 4.1. Streets

*All streets shall initially be in situ gypcrete ripped, graded and rolled.*

*The primary roads to link the indicated areas with Ernst Könnecke (route to Solid Waste Disposal Site) street and Moses Garoëb (Road to Henties Bay) as indicated in Attachment B shall be completed to allow suitable access to the Central Business District and Industrial Area. These roads are expected to now be used by Taxis and buses to allow commuting.*

#### 4.2. Electricity

*Erongo RED has been in discussion with the designing consultant (Windhoek Consulting Engineers) to allow suitable construction and installation of substations, kiosks and electrical reticulation. The construction of the water and sewer services shall be coordinated with the construction of the electrical services.*



*Sufficient sleeves shall be installed at all street connections to facilitate the later installation of electrical connections.*

*Final connection to the houses shall need to be arranged by the erf-owners with Erongo RED, with the connections recommended to be pre-pay meters.*

#### **4.3. Street lighting**

*The installation of street lighting shall be coordinated with Erongo RED. No hi-mast lighting shall be considered.*

#### **4.4. Potable Water**

*The installation of primary potable water reticulation and control equipment shall be undertaken as designed for the future Northern Blocks.*

*It is expected that the pressure available to Blocks 8 to 11 will be insufficient in the future when all of the other blocks have been occupied, yet the provision of a pressure tower immediately to the north-east of the DRC Block is envisioned will only be required earliest next Financial Year.*

*Individual connections shall be prepaid water meters attached to the toilet blocks.*

#### **4.5. Purified Effluent**

*No provision shall be made for Purified Effluent reticulation at this stage.*

#### **4.6. Sewage**

*The pump station complete with screen and grit trap shall need to be completed prior to the erven being occupied.*

*The installation of the reticulation, pump station and rising discharge line shall be performed in parallel to accelerate the construction sequence.*

*The pump station shall facilitate integration with lines from the existing coastal pump stations as well as other future development in the immediate vicinity, but will only be equipped to discharge the effluent from Blocks 1 - 3 and 8 -11 initially to reduce financial burden on this Financial Year.*

*Individual connections shall be via closed sewer connections with only rodding eyes allowed on the erven, and the rodding eyes cast in concrete to prevent possible introduction of debris into the sewer lines. Connection shall be terminated into the toilet blocks.*

#### **4.7. Toilets**

*Each erf shall be provided with a toilet block consisting of a toilet with lockable door, and a wash-trough attached to the toilet block.*

### **5. POSSIBLE CONSTRUCTION PROGRAMME**

The principle of this project will be to minimise time required to have the required deliverable (serviced erven) available soonest. To accomplish this, the following is proposed to be imposed on the contractors:

- *Mobilisation will be limited to minimum, commencing immediately upon signature of contract.*
- *Materials shall be acquired immediately upon commencement of contract, thus payment for Materials on Site shall be applicable. This shall specifically apply to long delivery term items such as pumps, motors, valves, switchgear and transformers.*
- *Toilets shall be pre-manufactured units, with possible assembly on site only. The units shall be acquired immediately after signature of contract.*
- *The main roads shall be done by Works Section.*
- *The sewage pump station and electrical substations shall be commenced with first.*

- *Primary reticulation and supply / discharge reticulation for water, electricity and sewage shall be constructed in parallel (At the same time), thus the resources of the project may come at a premium compared to a less fast-track project.*

Secondary reticulations of water, sewage and electricity shall be constructed in parallel to the primary reticulation where possible.

The works shall be targeted as follows:

- *Main streets*
- *Sewage pump station and Substations*
- *Main water supply*
- *Main electrical supply*
- *Sewage discharge line*
- *Primary sewage, water and electrical reticulation - Blocks 1-3*
- *Secondary sewage, water and electrical reticulation & toilets - Blocks 1-3*
- *Primary sewage, water and electrical reticulation - Blocks 8-11*
- *Secondary sewage, water and electrical reticulation & toilets - Blocks 8-11*
- *Streets Blocks 1-3*
- *Streets Blocks 8-11*

## 6. POSSIBLE CONSTRUCTION SCHEDULE

Kindly note that the schedule is an **estimate only** and shall not be contractually binding. A preliminary schedule is attached as **Attachment C**.

## 7. COST ESTIMATE

The following cost estimate was submitted by WCE, with the cost for Consultants inclusive to the estimate. This estimate includes the cost of water meters (Estimate N\$ 2 500.00 installed) and electrical meters (Estimate N\$ 1 500.00 installed) for the 1 146 erven. The estimate excludes the transfer and registration duties on erven, which is considered outside of the scope of this presentation.

<b>DESCRIPTION</b>	<b>AMOUNT</b>
<i>Preliminary &amp; General</i>	<i>8 336 000</i>
<i>Internal Sewer Reticulation</i>	<i>6 644 270</i>
<i>Bulk Sewer Reticulation</i>	<i>5 986 515</i>
<i>Potable Water Reticulation</i>	<i>4 809 929</i>
<i>Bulk Potable Water Reticulation</i>	<i>4 210 365</i>
<i>Toilet Facilities</i>	<i>6 589 500</i>
<i>Streets</i>	<i>5 385 018</i>
<i>Internal Electrical Reticulation</i>	<i>29 796 000</i>
<i>Bulk Electrical Reticulation</i>	<i>19 250 000</i>
<i>Water Meters</i>	<i>2 865 000</i>
<i>Electrical meters</i>	<i>1 719 000</i>
<i>Contingencies (10%)</i>	<i>10 159 160</i>
<i>Escalation (10%)</i>	<i>10 159 160</i>
<i>VAT (15%)</i>	<i>18 286 487</i>
<b>TOTAL ESTIMATED COST</b>	<b>140 196 404</b>

This implies a cost to develop of N\$122 335.00 per erf for the 1 146 erven.

One should note, however, that several of the services / infrastructure benefit will be shared by the rest of the erven in the DRC and Northern Blocks, thus the cost per erf should not be considered as an indication of what it should cost the future owners of the properties.

## 8. FINANCING

This document discusses only the technical development of services to facilitate the relocation process - the cost for relocating the informal settlers is not allowed for, nor for the construction of houses / dwellings.

Council allowed the following on Budget for the 2013/2014 Financial Year for North Eastern / upgrading of DRC - phase 2:

<b>VOTE NUMBER</b>	<b>PROJECT DESCRIPTION</b>	<b>AMOUNT</b>
3025 340 166 00	New sewer pump	7 500 000
3025 340 167 00	Main sewers	7 000 000
3025 340 168 00	Internal sewer network	3 000 000
4020 340 172 00	Water mains	5 000 000
4020 340 173 00	Internal water network	3 000 000
<b>TOTAL AMOUNT APPROVED</b>		<b>25 500 000</b>

It is assumed that Erongo RED will be able to provide sufficient funds (N\$26 096 670.00 in 2013/2014 and N\$45 168 721.00 in 2014/2015) to install the street lights, primary electrical grid and secondary reticulation to the erven, as well as to finance the provision of electrical meters. Communications to this effect have been forwarded to Erongo RED.

It is clear that the total of the amounts approved by Municipality and Erongo RED (N\$52 000 000.00) will not finance the total project in this Financial Year (Shortfall = N\$88 599 734.00), thus the development will need to be executed in more than one phase.

### Financing Solution A - Finance as One Project over two years

Should the development of the two areas (Blocks 1-3 and 8-11) be considered as one project executed in two phases, the tender documents may be compiled to reflect the total development cost, yet commitment will be required of Erongo RED and the Municipality to finance the total project. As such the project cost could be distributed as indicated in the table below:

<b>Financial Year</b>	<b>2013-14</b>		<b>2104-15</b>	
<b>Item Description</b>	<b>ERED</b>	<b>MUN</b>	<b>ERED</b>	<b>MUN</b>
Preliminary & General	1 551 693	1 774 494	2 292 603	2 717 209
Internal Sewer Reticulation		2 000 000		4 644 270
Bulk Sewer Reticulation		3 000 000		2 986 515
Sewage Pump Station		6 000 000		0
Potable Water Reticulation		2 500 000		2 309 929
Bulk Potable Water Ret		4 210 365		0
Toilet Facilities		411 844		6 589 500
Streets		0		5 385 018
Internal Electrical Ret	0		29 796 000	
Bulk Electrical Reticulation	19 250 000		0	
Water Meters		250 000		2 615 000
Electrical meters	0		1 719 000	
Contingencies	1 891 063	2 162 592	2 604 545	3 500 959

(10%)				
Escalation (10%)	0	0	2 865 000	3 851 055
VAT	3 403 913	3 346 394	5 891 572	5 189 918
<b>TOTAL EST COST</b>	<b>26 096 670</b>	<b>25 655 689</b>	<b>45 168 721</b>	<b>39 789 373</b>
Erven	100		1 046	

The following assumptions were made:

- Bulk water supply allowed for in 2013/2014
- Bulk sewage works and pump station allowed for in 2013/2014
- No Escalation applied for 2013/2014
- Erongo RED contribution assumed. This needs to be confirmed
- Preliminary and General costs split pro rata to the total cost.
- Contingencies allowed split pro rata to total cost
- Escalation (2014/2015) split pro rata to total cost
- All electrical meters, streets, Toilet and remainder of water meters allowed for in 2014/2015.
- Total of 1 146 Erven allowed for the project. This may not be sufficient.
- Only a small number (100) of water meters and toilets allowed for in 2013/2014
- The commencement of the relocation process will depend on the commissioning of the sewage pump station
- Remainder of relocation (1 046) shall take place in 2014/2015
- The slight over-expenditure of the Municipal budget (N\$155 689.00) will be absorbed through savings on other identified expenditure

### Financing Solution B - Finance as Two Projects over two years

Messrs Windhoek Consulting Engineers was approached to submit a cost breakdown for:

- Combined items (Sewage pump station & discharge line, major streets, part of bulk water supply, electrical substations & major supply lines)
- Services supply to Blocks 1-3
- Services supply to Blocks 8-11

The following table summarises the information:

<b>SHARED COSTS</b>	<b>6 064 451</b>
Part 14 : Bulk sewer reticulation	1 036 620
Part 15 : Bulk potable water reticulation	1 266 180
Part 16 : Roads infrastructure	2 091 730
Contingencies	439 453
Escalation	439 453
VAT	791 015
<b>Block 1- 3 (414 Domestic Erven)</b>	<b>46 309 832</b>
Part 1 : Preliminary & General (pro rata)	4 722 562
Part 2 : Internal sewer reticulation (south west)	2 628 900
Part 3 : Bulk sewer reticulation (south west)	2 838 500
Part 4 : Internal potable water reticulation (south west)	1 150 322
Part 5 : Bulk potable water reticulation (south west)	1 091 415
Part 6 : Toilet facilities (south west)	2 380 500
Part 7 : Roads infrastructure (south west)	2 599 650
Part A : Electrical distribution (primary & secondary)	14 490 000
Part B : Electrical pre-pay meters	621 000
Part C : Water pre-pay meters	1 035 000
Contingencies	3 355 785

Escalation	3 355 785
VAT	6 040 413
<b>Block 8-11 (732 Domestic erven)</b>	<b>83 351 690</b>
Part 1 : Preliminary & General (pro rata)	9 118 438
Part 8 : Internal sewer reticulation (north east)	4 119 200
Part 9 : Bulk sewer reticulation (north east)	2 164 780
Part 10 : Potable water reticulation (north east)	2 155 608
Part 11 : Bulk potable water reticulation (north east)	1 524 370
Part 12 : Toilet facilities (north east)	8 489 190
Part 13 : Roads infrastructure (north east)	4 280 190
Part D : Electrical distribution (primary & secondary)	25 620 000
Part E : Electrical pre-pay meters	1 098 000
Part F : Water pre-pay meters	1 830 000
Contingencies	6 039 978
Escalation	6 039 978
VAT	10 871 960
<b>TOTAL ESTIMATED COST</b>	<b>135 725 974</b>
Shared Costs	4 394 530
Block 1- 3 (414 Domestic Erven)	33 557 849
Block 8-11 (732 Domestic erven)	60 399 776
Contingencies	9 835 216
Escalation	9 835 216
VAT	17 703 388

When split into a two year project (not two projects), the cost can be presented as follows:

<b>2013/2014</b>	<b>TOTAL</b>	<b>ERED</b>	<b>MUN</b>
<b>SHARED COSTS</b>	<b>6 064 451</b>	<b>0</b>	<b>6 064 451</b>
Part 14 : Bulk sewer reticulation	1 036 620		1 036 620
Part 15 : Bulk potable water reticulation	1 266 180		1 266 180
Part 16 : Roads infrastructure	2 091 730		2 091 730
Contingencies	439 453		439 453
Escalation	439 453		439 453
VAT	791 015		791 015
<b>Block 1- 3 (414 Domestic Erven)</b>	<b>42 450 680</b>	<b>22 246 084</b>	<b>20 204 595</b>
Part 1 : Preliminary & General (pro rata)	4 722 562	2 474 837	2 247 725
Part 2 : Internal sewer reticulation	2 628 900		2 628 900
Part 3 : Bulk sewer reticulation	2 838 500		2 838 500
Part 4 : Internal potable water reticulation	1 150 322		1 150 322
Part 5 : Bulk potable water reticulation	1 091 415		1 091 415
Part 6 : Toilet facilities	2 380 500		2 380 500
Part 7 : Roads infrastructure	2 599 650		2 599 650
Part a : Electrical distribution	14 490 000	14 490 000	
Part B : Electrical pre-pay meters	621 000	621 000	
Part C : Water pre-pay meters	1 035 000		1 035 000

Contingencies	3 355 785	1 758 584	1 597 201
Escalation			
VAT	5 537 045	2 901 663	2 635 382
<b>TOTAL PROJECT COST 2013-14</b>	<b>48 515 131</b>	<b>22 246 084</b>	<b>26 269 047</b>

Funds approved by Municipality			25 500 000
Funds indicated by E-RED		22 246 084	
Total funds possibly available	47 746 084		

Note that no escalation is allowed for the first year of the contract.

Though sufficient funds appear to be available from Erongo RED (to be confirmed), a shortfall of N\$769 047.00 is identified for the Municipality, which shortfall will need to be recovered from savings on other projects.

2014/2015	TOTAL	ERED	MUN
<b>Block 8-11 (732 Domestic erven)</b>	<b>83 351 690</b>	<b>43 426 918</b>	<b>39 924 772</b>
Part 1 : Preliminary & general (pro rata)	9 118 438	4 750 781	4 367 656
Part 8 : Internal sewer reticulation	4 119 200		4 119 200
Part 9 : Bulk sewer reticulation	2 164 780		2 164 780
Part 10 : Potable water reticulation	2 155 608		2 155 608
Part 11 : Bulk potable water reticulation	1 524 370		1 524 370
Part 12 : Toilet facilities	8 489 190		8 489 190
Part 13 : Roads infrastructure	4 280 190		4 280 190
Part D : Electrical distribution	25 620 000	25 620 000	
Part E : Electrical pre-pay meters	1 098 000	1 098 000	
Part F : Water pre-pay meters	1 830 000		1 830 000
Contingencies	6 039 978	3 146 878	2 893 099
Escalation	6 039 978	3 146 878	2 893 099
VAT	10 871 960	5 664 381	5 207 579

## 9. CONCLUSION

Given the budgetary constraints identified and the magnitude of the cost involved, with the assumption that Erongo RED within the indicated provision of funds, it is apparent that the formalisation of the DRC (and surrounding informal settling) shall require to be done in several phases.

Given the complicating impact of the shared services (Consulting Engineering costs, Major roads, Primary potable water supply lines, Primary sewage reticulation, pump station and discharge line and Primary electrical reticulation and substations) the development of the already surveyed (erf beacons installed) Blocks 1-3 and 8-11, appears to be best executed as a single project over a two year period, with Blocks 1-3 developed the first year and Blocks 8 - 11 the second year.

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

**RECOMMENDED:**

- (a) That Council repeal and replace the following parts of Resolution 11.1.3 of the Council Meeting on 2013-02-28:
- (b) *That the process of formalization be implemented step by step as set out below:*

.....

4. *Install basic water provision on Blocks 8 to 11*

5. *Illegal Squatters to move to Blocks 8, 9, 10 and 11"*
- (b) That Council approves the following relocation process in lieu of the recalled resolution, as follows:
- (c) That the process of formalization be implemented step by step as set, with the first two relocation steps identified below:
4. *Install basic services provision to Blocks 1 to 3 within the present Financial Year (2013-14), with relocation to these 412 erven on completion of the services installation and the area from which the illegal squatters are relocated be cleared of all structures and maintained such to allow services development in this area;*
  5. *Install basic services provision to Blocks 8, 9, 10 and 11 within the next Financial Year (2014-15), with relocation to these 732 erven on completion of the services installation and the area from which the illegal squatters are relocated be cleared of all structures and maintained such to allow services development in this area;*
  13. *Appraise the situation prior to completion of the steps identified in 4. and 5. above, and submit a programme for the continuation of the development of the remaining Blocks (4-7, 12-26 and DRC and DRC2)*
- (d) That Council approves contracting suitable contractors to provide the resources required and to install the following basic services supporting, and within, Blocks 1 to 3 and 8 to 11, contracted to suit the process as indicated in (b) above:
1. *Main streets constructed of in situ compacted material with suitable levelling (thus not a full road pavement construction), no sidewalks and no kerbing, yet all road signs.*
  2. *Secondary streets constructed of in situ compacted material with minimal acceptable levelling (thus not a full road pavement construction), no sidewalks and no kerbing, yet all road signs.*
  3. *Electrical Substations and primary supply lines.*
  4. *Primary electrical distribution network between substation(s) and kiosks.*
  5. *Street lighting (Hi-mast lighting not to be considered).*
  6. *Secondary electrical reticulation between kiosks and erf connections.*
  7. *Installation of pre-paid electrical metering connection within the toilet provided.*
  8. *Main water supply lines connecting the area to the existing grid and reservoir to suit future requirements.*
  9. *Secondary water reticulation to erven.*
  10. *Installation of pre-paid water metering connection within the toilet provided.*
  11. *Sewage pump station with discharge line to Treatment Facility, with mechanical installation selected such to facilitate future requirements, but only service present requirements.*
  12. *Sewage discharge line to suit future required throughput.*
  13. *Primary sewage reticulation to suit future requirements.*
  14. *Secondary sewage reticulation connected to toilets.*
  15. *Toilets complete with water and electrical meters, lockable door and outside wash-trough attached to structure.*
- (e) That Erongo RED be informed of the planned development and requested to provide and install the electrical services if and when their funds are available.

11.1.13 **REQUEST FOR BTS SITE OCCUPATION FOR MTC AT 3 LOCATIONS IN SWAKOPMUND**

(C/M 2013/07/31 - G 4/2/2)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 8.2 page 46 refers.

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

Application was received from Messrs AGA Technical Services (Pty) Ltd on behalf of Messrs Mobile Telecommunications Limited (MTC) requesting consent from Council to construct base stations for the purpose of its telecommunications operations at three stated sites. Messrs AGA Technical Services (Pty) Ltd was appointed as the Turnkey BTS Site Build contractor of MTC.

The three areas identified by Messrs AGA Technical Services (Pty) Ltd are all zoned as 'Public Open Spaces' and are indicated on **Annexure "B"**.

The Municipality of Walvis Bay and the City of Windhoek were contacted and the rental tariffs charged by them for BTS sites in their constituencies are shown by the statistics in the below depicted table:

<u>Municipality of Walvis Bay</u>				
<i>BTS Site Size</i>	<i>Total per annum (VAT excl.)</i>	<i>Total per month (VAT excl.)</i>	<i>Total per m<sup>2</sup> per month (VAT excl.)</i>	<i>Annual Escalation</i>
81 m <sup>2</sup>	N\$ 10 574.05	N\$ 881.00	N\$ 11.00	12%
<u>City of Windhoek</u>				
<i>BTS Site Size</i>	<i>Total per annum (VAT excl.)</i>	<i>Total per month (VAT excl.)</i>	<i>Total per m<sup>2</sup> per month (VAT excl.)</i>	<i>Annual Escalation</i>
81 m <sup>2</sup>	N\$ 11 508.00	N\$ 959.00	N\$ 12.00	Determined according to inflation rate

Council currently charges rental of N\$ 20.92 /m<sup>2</sup> for its BTS sites and these tariffs escalate annually with 10% as from **1 July 2014**.

As per advice from the Engineering Services Department, 'Public Open Spaces' do however not make provision for land use of this nature and a lay-out plan will have to be provided by them indicating the relevant portions of the 3 erven that will be allocated for the lease. These identified areas will then have to be subdivided and the newly created properties rezoned to a 'Parastatal' zoning at the cost of the applicant.

In order to effect the subdivision of the relevant properties, the additional estimated costs that will have to be borne by the applicant are as follows:

<i>Description</i>	<i>Estimated Costs</i>
Advertising of the closure of the public open space (depending on zoning)	N\$ 3000.00
Advertising of the sale of the street portion	N\$ 3000.00
Additional approximate costs (for hiring of Town Planner) as take from a quotation supplied by the Town Planners, WinPlan in 2012:	
For the statutory processes of closure as a street portion / public open space, subdivision and consolidation	N\$ 20 362.60
The surveying of the portion by a professional land surveyor for submission of diagrams to the Surveyor-General's Office	N\$ 6 579.90



<b>Total estimated costs per site</b>	<b>N\$ 32 907.00</b>
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For the above stated scenario where the applicant wants to rent 3 sites currently zoned as *Public Open Spaces*, an estimated additional N\$ 98 721.00 will thus have to be paid by the applicant. This will affect the subdivision and subsequent rezoning of the 3 newly created properties whilst ownership of the land will still vest with Council. This amount would be a onetime expenditure and would be additional to the monthly rental payable for the sites rented from Council.

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

**RECOMMENDED:**

- (a) That a Portion of the *Public Open Spaces* Erven 6083, 5361 and 5979 be leased to Messrs MTC.
  - (b) That Messrs MTC adheres to the following requirements:
    - *A maximum height of 25m*
    - *Consent letter from the neighbours*
    - *Environmental Impact Assessment*
  - (c) That the following standard lease conditions be applicable to the leasing of E 6083, E 5361 and E 5979:
    - (i) *Lease period of 5 years;*
    - (ii) *That building plans of all proposed buildings must be submitted to the Engineering Services Department;*
    - (iii) *That the portion of land is leased on the explicit condition that the lessee indemnifies Council against any claim for damages resulting from its occupation by the lessee; and*
    - (iv) *That all costs be for the account of the lessee.*
    - (v) *That the lease be at the existing tariff of N\$ 20.92/m<sup>2</sup> per month with an annual escalation of 10% as from 1 July 2014.*
  - (d) That the Engineering Services Department provides a lay-out plan for the exact site to be used for the tower.
  - (e) That Messrs MTC installs their own electrical meter so that any expenses and costs generated be allocated to Messrs MTC.
  - (f) That the proposed lease be advertised in terms of Section 63 of the Local Authorities Act, (Act 23 of 1992), as amended; at the cost of Messrs MTC.
  - (g) That the areas be subdivided and that the transaction be handled in terms of the Town Planning Scheme and Environmental Management Act.
  - (h) That Messrs MTC appoints a town planner and bears all the costs relating to the subdivision and rezoning of E 6083, E 5361 and E 5979 should Council decide to subdivide these portions.
  - (i) That it be investigated whether, in future, telecommunication be provided for in the layout of Townships and erven be created adjacent to electrical substations to serve telecommunication towers and other users if possible.
  - (j) That Council's standard conditions as approved on 30 August 2012 be made applicable for the rental of a portion of E 6083, E 5361 and E 5979.
-

11.1.14 **BUILD TOGETHER: BENEFICIARY WHO HAD NHE LOAN PREVIOUSLY**

(C/M 2013/07/31 - H 5/3)

**Ordinary Management Committee Meeting of 18 July 2013, Addendum 8.3 page 16 refers.**

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

Mr Gervasius Alfred applied for the Build Together Programme loan during **2004** and was recently approved to receive a loan on 26 April 2012 to the amount of N\$33 000.00 to build a house on Erf 3747, Mondesa (**Annexure “A”**).

It was however discovered that the beneficiary was the owner of Erf 1427, Mondesa under the National Housing Enterprise (**Annexure “B”**) but sold his property for unknown reasons. According to the Build Together Guidelines - applicants who have obtained loans from National Housing Enterprise, Building Societies or any other institution are not eligible for Build Together Project loans (**Annexure “C”**).

The Build Together Programme aims to provide housing to as many people as possible and therefore does not support those who had the opportunity to obtain a house. In this case and many similar scenarios, the beneficiary had the opportunity to own a property but decided to alienate it for unknown reason.

This matter was submitted to the Build Together Committee Meeting of **21 May 2013** which decided the following:

- (a) *That the application of Gervasius Alfred be cancelled due to fact that he owned a low cost house before.*
- (b) *That the loan and erf be allocated to the next applicant on the Build Together Master Waiting list.*

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

**RECOMMENDED:**

- (a) **That the application of Mr Gervasius Alfred be cancelled due to fact that he owned a low cost house before.**
  - (b) **That the loan and erf be allocated to the next applicant on the Build Together Master Waiting list.**
-

11.1.15 **BUILD TOGETHER: TRANSFER OF LOAN TO SURVIVING SPOUSE**  
(C/M 2013/07/31 - H 5/3)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 8.4 page 21 refers.

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

Mr Moses Jonas was No. 35 on the Master Waiting List and formed part of the replacements allocated by Council on **26 April 2012** with a loan of N\$20 000.00 (**Annexure “A”**). Unfortunately Mr M Jonas had already passed away on **21 February 2010 (Annexure “B” on file)**.

His wife Ms Lavinia Shimaneni wrote a letter on **18 May 2012 (Annexure “C”)**, expressing her willingness to take over the loan of her late husband. Ms L Shimaneni was married in community of property on **15 October 2004 (Annexure “D” on file)** and she is currently living at DRC informal settlement with the children of her late husband.

Ms L Shimaneni is employed at Namaqua Meat Market (**Annexure “E” on file**) thus qualifies for a loan in terms of the Build Together Guidelines.

On **18 January 2011**, while discussing a similar case, the Build Together Committee among others decided:

*That a request from a surviving spouse to take over a Build Together loan and/or an erf initially allocated to the deceased spouse be supported, provided that the surviving spouse was married in community of property and that a written request has been submitted to the Build Together Committee in that regard.*

This matter was submitted to the Build Together Committee Meeting of **21 May 2013** which decided the following:

- (a) That the loan of the late Mr M Jonas be re-allocated to his wife Ms L Shimaneni based on her marital status and income.*
- (b) That Ms L Shimaneni be provided with erf number 3841 Mondesa.*

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

**RECOMMENDED:**

- (a) That the loan of the late Mr M Jonas be re-allocated to his wife, Ms L Shimaneni based on her marital status and income.**
  - (b) That Ms L Shimaneni be provided with Erf 3841, Mondesa.**
-

11.1.16 **BUILD TOGETHER APPLICANT WHO MIGRATED TO ANOTHER TOWN**

(C/M 2013/07/31 - H 5/3)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 8.5 page 28 refers.

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

Mr Paulus Ingo - (number 53 on the Master Waiting List) applied for a Build Together Programme loan during 2004 (**Annexure "A" on file**) and was allocated Erf 3812, Mondesa (**Annexure "B"**). It has now emerged that the applicant is residing at Oranjemund where he is currently employed (**Annexure "C" on file**).

Mr P Ingo wishes to continue with his application however the Build Together Programme Guidelines stipulate that in order for the applicant to be considered, "**beneficiaries should be residents of the particular area for at least 2 years and show willingness to settle down in the area**".

On **05 October 2011** while discussing a similar case, the Build Together Committee rejected the request from Mr Goagoub who was working and residing in Khorixas but wished to continue with his application for a loan. In this respect, the Committee resolved:

*That the request of Mr Goagoub not be considered due to the fact that he no longer resides in Swakopmund.*

The matter was submitted to the Build Together Committee Meeting of **21 May 2013** which decided the following:

- (a) *That the loan of Mr Paulus Ingo be cancelled because he no longer resides in Swakopmund.*
- (b) *That the loan and Erf 3812 be allocated to the next applicant on the Build Together Master Waiting list.*

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

**RECOMMENDED:**

- (a) **That the loan of Mr Paulus Ingo be cancelled because he no longer resides in Swakopmund.**
  - (b) **That the loan and Erf 3812, Mondesa be allocated to the next applicant on the Build Together Master Waiting list.**
-

#### 11.1.17 **BUILD TOGETHER BENEFICIARIES - UNCLAIMED LOANS**

(C/M 2013/07/31 - H 5/3)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 8.6 page 33 refers.

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

During the year 2012, the Build Together Committee allocated loans and even to a number of beneficiaries. However it appears that the beneficiaries have to be replaced due to the following reasons:

- *Death*
- *Not showed up*
- *Owning a house*

During the verification exercise, the Community Development Services Department detected that there were 6 beneficiaries on the Master Waiting List who already own houses through other low cost housing projects such as National Housing Enterprise, Meduletu Project or through private transactions. As such these beneficiaries need to be replaced with the people on the waiting list.

In addition, there are still 3 beneficiaries who have not claimed their loans despite a notice placed in a local newspaper (**Annexure "A"**) inviting them to urgently report to the Community Development Services Department within 30 days. Unfortunately the 3 beneficiaries have thus far not responded to the request thus need to be replaced. In all scenarios the Community Development Services Department tried to obtain proof to substantiate each and every case as summarized hereunder:

<b>WL No.</b>	<b>Name</b>	<b>Loan</b>	<b>Erf</b>	<b>Reasons</b>	<b>Annexure</b>
1	Alfred Gowaseb	40 000.00	3722	Unclaimed loan	A
14	Tusnelde Thomas	20 000.00	3802	Owens a house	B
19	Phillemon Johannes	16 000.00	3765	Owens a house	C
21	Gideon N Amutenya	40 000.00	3788	Unclaimed loan	A
26	Rubert Ochurub	40 000.00	3792	Passed away	D
28	Pendapala Immanuel	40 000.00	3632	Unclaimed loan	A
36	Reinhard Gurirab	20 000.00	3714	Owens a house	E
37	Helena Shuuya	20 000.00	3617	Passed away	F
41	Nikanor Shipushu	20 000.00	3718	Owens a house	G
42	Beata Kaali	20 000.00	3726	Owens a house	H
48	Sevelinus Eposhe	20 000.00	3795	Owens a house	I
56	Elizabeth Hoabes	40 000.00	3715	Passed away	J
59	Martha Kanyumbo	33 000.00	3794	Passed away	K

The demand for housing in Swakopmund has become an important aspect, as such unclaimed Build Together loans need to be re-allocated to applicants on the Master Waiting List in order to reduce the housing backlog in our town.

The matter was submitted to the Build Together Committee meeting of **21 May 2013** which decided the following:

- (a) That the following applications of Build Together beneficiaries who failed to take up their loans be cancelled

WL no.	Name	Loan	Erf	Reasons
1	Alfred Gowaseb	40 000.00	3722	Unclaimed loan
14	Tusnelde Thomas	20 000.00	3802	Owens a house
19	Phillemon Johannes	16 000.00	3765	Owens a house
21	Gideon N Amutenya	40 000.00	3788	Unclaimed loan
26	Rubert Ochurub	40 000.00	3792	Passed away
28	Pendapala Immanuel	40 000.00	3632	Unclaimed loan
36	Reinhard Gurirab	20 000.00	3714	Owens a house
37	Helena Shuuya	20 000.00	3617	Passed away
41	Nikanor Shipushu	20 000.00	3718	Owens a house
42	Beata Kaali	20 000.00	3726	Owens a house
48	Sevelinus Eposhe	20 000.00	3795	Owens a house
56	Elizabeth Hoabes	40 000.00	3715	Passed away
59	Martha Kanyuumbo	33 000.00	3794	Passed away

- (b) That the loans and erf numbers mention in (a) above be allocated to the next applicants on the Build Together Master Waiting list.

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

**RECOMMENDED:**

- (a) That the following applications of Build Together beneficiaries who failed to take up their loans be cancelled due to reasons indicated below:

WL No.	Name	Loan	Erf	Reasons
1	Alfred Gowaseb	40 000.00	3722	Unclaimed loan
14	Tusnelde Thomas	20 000.00	3802	Owens a house
19	Phillemon Johannes	16 000.00	3765	Owens a house
21	Gideon N Amutenya	40 000.00	3788	Unclaimed loan
26	Rubert Ochurub	40 000.00	3792	Passed away
28	Pendapala Immanuel	40 000.00	3632	Unclaimed loan
36	Reinhard Gurirab	20 000.00	3714	Owens a house
37	Helena Shuuya	20 000.00	3617	Passed away
41	Nikanor Shipushu	20 000.00	3718	Owens a house
42	Beata Kaali	20 000.00	3726	Owens a house
48	Sevelinus Eposhe	20 000.00	3795	Owens a house
56	Elizabeth Hoabes	40 000.00	3715	Passed away
59	Martha Kanyuumbo	33 000.00	3794	Passed away

- (b) That the loans and erf numbers mention in (a) above be allocated to the next applicants on the Build Together Master Waiting list.

11.1.18 **REGISTRATION OF RESIDENTS OF THE DRC INFORMAL SETTLEMENT, MONDESA BACKYARD TENANTS AND OTHERS**

(C/M 2013/07/31 - H 5)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 8.7 page 43 refers.

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

**1. PURPOSE**

Good planning is based on reliable, up to date and accurate information on the state of the community. The registration of residents living in informal structure in Mondesa, the DRC as well as those renting elsewhere in Swakopmund has been identified as part of the process preceding the actual upgrading / development of the DRC Informal Settlement. The purpose of the exercise is to gather all relevant data that will make it possible for Council to plan better in terms of access to land for housing and municipal services.

The data to be acquired will therefore present a full and reliable picture of the population which will form the basis for setting local plans and priorities in this regard, according to the needs and affordability of the population. Through this exercise Council will also make sure that all eligible residents have been accounted for.

**2. TARGET GROUP**

The envisaged registration exercise is intended to collect the relevant data from residents living in informal structure within Mondesa and the DRC Informal Settlement as well as those renting elsewhere in Swakopmund. The aforementioned constitute the bulk of residents facing challenges regarding lack of access to land for housing and municipal services.

**3. KEY ISSUES TO BE ADDRESSED**

The information to be collected includes data on:

- (i) **Personal details:** Name, Surname, ID No, date of birth, gender, marital status, particulars of spouse, postal address, residential address and contact details.
- (ii) **Socio economic characteristics:** Employment status, Income, Source of Income.

**4. INSTRUMENTS TO BE USED**

Correct equipment/instruments need to be made available at all times in order for the project to achieve its goals and objectives. Instruments to be used when conducting the data collection will therefore include:

- (i) Registration form in triplicate with imprinted serial number (copy attached)
- (ii) Aerial photos (DRC & Mondesa) in order to link enumerated persons to specific sites and mark shacks according to serial numbers on registration form

- (iii) *Identity cards, uniforms and stationery*
- (iv) *Transport for the supervisors*

## 5. HUMAN AND FINANCIAL RESOURCES

In order for this project to be successful, Council needs to properly plan for human resources which is crucial to any project. This aspect should therefore clearly define things such as roles and responsibilities, organizational charts, time when each resource will be needed and any specialized training requirements.

- (a) Human Resources will include:

### Staff Complement:

We have allocated 15 minutes per questionnaire which will result in 4 questionnaires being completed in an hour; this in turn will translate into 32 questionnaires being completed in a day by one person (4 questionnaires x 8 hours = 32). According to the 2010 counts of “shacks” there were 6 000 “shacks” in Mondesa while a total of 2000 “shacks” was counted in the DRC Informal Settlement, this figure has however increased in the meantime to an approximate total of 6 000 “shacks”.

Based on the above figures of total “shacks” in the DRC and Mondesa the following calculations were made: 12 000 “shacks” (DRC & Mondesa) X 3 (the average number of eligible residents in a “shack”) = 36 000 (total number of people to be counted).

To determine as to how many enumerators will be required to count 36 000 people in one month (31 days) on the basis of 32 forms per person per day, the following formula was used:  $36\,000 / 32$  (forms per day per person) / 31 (days in one month) = 36 enumerators.

- (i) *2 x Municipal officials as supervisors*
- (ii) *36 x enumerators (Mondesa and DRC Informal Settlement)*
- (iii) *4 x enumerators for those renting to be based at strategic points*
- (iv) *15 x DRC Planning Committee members*
- (v) *1 x Data typist*

### Requirements:

- (i) *Enumerators is Grade 12*
- (ii) *Data typist is Grade 12 with knowledge of computer literate as special requirement.*
- (iii) *Recruitment via advertisement*
- (iv) *Training of recruits on the registration form, interview techniques, Handling conflict, courtesy and confidentiality.*
- (v) *Contracts for workers with specific terms and conditions for one month*



(b) Financial Requirements:

Another important aspect to the success of this project is the availability of financial resources. As such, Council needs to allocate sufficient resources to effectively carry out this exercise. The anticipated budget will therefore cover the followings:

- (i) Stationery
- (ii) Fuel
- (iii) Remuneration as follows:

- A3 for enumerators = N\$5,891.00 x 40 = N\$235 640.00
- B1 for Data typist = N\$8,000.00 x 1 = N\$8,000.00
- An allowance of N\$1,500.00 x 15 = N\$22,500.00
- Total Estimated Cost = N\$266 140.00

## 6. METHOD OF DATA COLLECTION

- (i) Interviews for those living in shacks in Mondesa and DRC Informal Settlement - enumerator to visit each shack.
- (ii) Interview for those renting - residents to visit the office in order to register

## 7. PUBLICITY

The success of this project depends on the publicity it receives. Therefore Council has to disseminated information through various media to attract sufficient public response. Tools to be used will include:

- (i) Radio
- (ii) Newspapers
- (iii) Public and Committee Meetings
- (iv) Posters and Notices

## 8. TIMELINE

A time frame to carry out this project is necessary to ensure its timely conclusion. In this regard a list of all activities required to complete this assignment and a duration that each activity is envisaged to take is outlined hereunder:

- |   |   |         |
|---|---|---------|
| (i) Publicity and advertisements                    | - | 2 weeks |
| (ii) Advertisement and Recruitment of field workers | - | 1 week  |
| (iii) Training of field staff and supervisors       | - | 2 days  |
| (iv) Implementation                                 | - | 1 month |

## 9. CHALLENGES

In order for this project to be successful Council needs support and buy-ins from each and every member of the community. Therefore Council needs to interact with all residents including the DRC Informal Settlement concerned group in order to reach consensus and to speed up the process. Other challenges which will face Council are the residents who might be out of town during the period of registration and thus might lose out. As such, Council may consider to register people for an extended period of time.

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

**RECOMMENDED:**

- (a) That the General Manager: Community Development Services embarks on a registration exercise of residents residing in temporary structures at the DRC Informal Settlement, Mondesa as well as those renting elsewhere in Swakopmund.**
  - (b) That General Manager: Community Development Services approves the appointment of 21 contract workers and unemployed DRC Planning Committee Members to assist in carrying out the data collection exercise.**
  - (c) That additional funds in the amount of N\$266 140.00 be made available, in order to carry out the data collection exercise.**
-

11.1.19 **APPROVAL OF SWAKOPMUND TOWN PLANNING AMENDMENT  
SCHEME NO. 56**

(C/M 2013/07/31 - G 3/2/2/2)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 8.8 page 48 refers.

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

The **attached** Amendment Scheme No. 56 was received from Messrs Urban Dynamics Africa. Amendment Scheme No. 56 needs to be approved by Council in order to submit it to the Ministry of Regional and Local Government, Housing and Rural Development for final approval. The following item will be included in Amendment Scheme No. 56:

- *Rezoning of Erf 535, Swakopmund, from "Light Industrial" to "General Business" with a bulk of 2.0. (C/M 2012/10/25)*

The item as contained in Amendment Scheme No. 56 has been approved by Council through the resolutions taken.

Council's approval is sought for the proposed Amendment Scheme No. 56 in order to gain statutory approval from the Honourable Minister.

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

**RECOMMENDED:**

- (a) That Council approves Amendment Scheme No. 56 as submitted by Messrs Urban Dynamics Africa containing the following item:

- *Rezoning of Erf 535, Swakopmund, from "Light Industrial" to "General Business" with a bulk of 2.0.*

- (b) That Messrs Urban Dynamics Africa be informed to submit Amendment Scheme No. 56 to the Ministry of Regional and Local Government, Housing and Rural Development for approval by the Honourable Minister.
-

11.1.20 **FUND TO ASSIST WOMEN SME'S: THE NDAHAFa CARE FUND**

(C/M 2013/07/31 - A 2/3/1/4)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 8.10 page 68 refers.

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

Councillor Rosalia Andreas-Noabes wishes to establish a fund to assist SME's owned or operated by women by marketing their products. Furthermore she intends to assist these SME's to attend trade fairs to showcase their products.

Her starting capital is N\$1.00 and she relies on her fellow Councillors to assist by contributing to the newly established fund. Members of the public will also be approached by Councillor R Andreas-Noabes and her trustees for assistance of this worthy cause.

Councillor Rosalia Andreas-Noabes prefers to have a separate bank account for the fund, so that there is no commitment from and to Council.

At this stage the Trustees will be herself, Ms Trudie Xoagus and another female member from the public still to be nominated.

Councilor Rosalia Andreas-Noabes is herewith seeking Council's moral support for the fund and material assistance from her fellow Councillors.

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

**RECOMMENDED:**

**That Council in principle supports the Messrs Ndahafa Care Fund to be established and managed by Councillor Rosalia Andreas-Noabes and the trustees of the fund.**

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11.1.21 **REQUEST FOR ADDITIONAL FUNDS FOR TENDER NO 107/2010 - WASTEWATER TREATMENT WORKS - CONSTRUCTION OF TREATMENT PLANT (CIVIL AND STRUCTURAL)**

(C/M 2013/07/31 - N 6/1/3)

Ordinary Management Committee Meeting of 18 July 2013, Addendum 8.11 page 69 refers.

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

**INTRODUCTION**

Four contracts were awarded for the New Waste Water Treatment Works Construction Project to Engineer, Procure, Construct and Manage the Construction and commissioning of the new Sewage Purification Plant, namely:

<b>CONTRACTS AWARDED</b>				
<i>Contract number</i>	<i>132-2009</i>	<i>106-2010</i>	<i>107-2010</i>	
<i>Deliverable</i>	<i>Mechanical Works</i>	<i>Electrical Works</i>	<i>Civil Works</i>	<i>Consulting Services</i>
<i>Contractor</i>	<i>Aqua Services &amp; Engineering</i>	<i>Walters Electrical</i>	<i>Botes &amp; Kennedy</i>	<i>WCE &amp; Golder</i>
<i>Contract Amount</i>	<i>20 779 684.80</i>	<i>4 076 490.99</i>	<i>97 219 728.82</i>	
<i>Contingencies</i>	<i>2 077 968.48</i>	<i>407 649.10</i>	<i>9 721 972.88</i>	
<i>Escalation</i>	<i>2 077 968.48</i>		<i>9 721 972.88</i>	
<b>Total</b>	<b>24 935 621.76</b>	<b>4 484 140.09</b>	<b>116 663 674.58</b>	<b>14 336 465.63</b>
<i>VAT</i>	<i>3 740 343.26</i>	<i>672 621.01</i>	<i>17 499 551.19</i>	<i>2 217 538.17</i>
<b>Approved Amount</b>	<b>28 675 965.02</b>	<b>5 156 761.10</b>	<b>134 163 225.77</b>	<b>17 001 125.96</b>
<b>TOTAL APPROVED AMOUNT TO CONSTRUCT FACILITY</b>				<b>184 997 077.86</b>

The project was completed, with the final Taking-Over Certificate for the Works issued by Messrs Windhoek Consulting Engineers on **12 April 2013**. At present the facility is being brought to Operational Readiness under the guidance of Messrs Aqua Utilities Corporation (Pty) Ltd under separate contract. Deliverables under this contract include operational commissioning of the plant and training of personnel.

As is customary, the Consultant executed a Reconciliation of the Project on completion to determine if there may be any claims (from either party) outstanding prior to issuing the Final Payment Certificate upon receiving the Contractor's Statement at Completion.

Written Discharge documents shall be accompanying the Statement at Completion which confirms that the total of the Final Statement represents full and final settlement of all moneys due to the Contractors under, or in connection with the Contract, where-after the Final Certificates shall be issued to the Contractors, indicating cessation of the Employer's (Municipality's) responsibilities to the Contractors in terms of the Contract.

## EVENTS OCCURRING DURING CONSTRUCTION PERIOD

The reconciliation done by Messrs Windhoek Consulting Engineers identified that during the course of the Works, the Contractor was requested to execute additional work which was both needed for the completion of the project and to accommodate development of the town.

A series of Variation Orders was issued by Messrs Windhoek Consulting Engineers as Engineer (FIDIC), resulting in an increase in the Contract Amount. These variations were initiated both by the Employer (Municipality) and Engineer.

The following table summarises the variations, escalations, savings, additional cost and indicates the final contract amounts for the three Construction Contracts and the Consultation Contract:

<b>SUMMARY - FINAL ESTIMATED COST OF CONSTRUCTION (Incl VAT)</b>				
<b>Contractor</b>	<b>ASE</b>	<b>Walters Electrical</b>	<b>Botes &amp; Kennedy</b>	<b>Windhoek Consulting</b>
<i>Contract Amount</i>	20 052 846.82	4 455 194.97	111 802 688.14	17 001 125.96
<i>Variations</i>	3 057 377.41	0.00	26 301 612.59	2 260 460.19
<i>Escalation</i>	1 505 417.82	0.00	6 215 661.88	0.00
<i>(Saving -; Deficit +)</i>	-(4 060 322.99)	-(701 566.14)	10 156 736.84	0.00
<b>FINAL COST</b>	<b>24 615 642.04</b>	<b>4 455 194.97</b>	<b>144 319 962.61</b>	<b>19 261 586.15</b>
<b>FINAL COST TO CONSTRUCT FACILITY</b>				<b>192 652 385.77</b>

The following tables detail the essential reasons for variation from the Original Contract Approved Amounts:

<b>ASE</b>		
<b>VO</b>	<b>Description</b>	<b>Value (N\$)</b>
<b>1</b>	<i>Digester mixer system replaced with plunger system, leading to considerable savings</i>	2 658 589.05
<i>Total</i>		2 658 589.05
<i>VAT</i>		398 788.36
<b>Total Variation</b>		<b>3 057 377.41</b>

<b>Walters Electrical</b>		
<b>VO</b>	<b>Description</b>	<b>Value (N\$)</b>
<b>1</b>	<i>Saving on works</i>	-(610 057.51)
<i>Total</i>		-(610 057.51)
<i>VAT</i>		-(91 508.63)
<b>Total Variation</b>		<b>-(701 566.14)</b>

<b>B&amp;K</b>		
<b>VO</b>	<b>Description</b>	<b>Value (N\$)</b>
<b>1</b>	<i>Additional time &amp; P&amp;G - Steel shortage</i>	933 983.37
<b>2</b>	<i>Electrical Sub-contractor appointed for N\$13 931 084.30 with only N\$2 500 000.00 on budget. This appears to have been a typing error in the original Schedule of Quantities</i>	12 574 192.73
<b>3</b>	<i>Mechanical Sub-contractor - Contracting cost lower than Provisional Sum on Budget</i>	-(1 634 600.36)
<b>4</b>	<i>Re-measurement of 25 items on Contract resulted total increase in value of contractual work done</i>	7 962 867.90
<b>5</b>	<i>Further Additional time &amp; P&amp;G - Steel shortage</i>	827 766.63
<b>6</b>	<i>Additional time &amp; P&amp;G due to scope changes, delays on design information, unforeseen closure of Petzetakis factory, design changes due to closure of factory</i>	1 191 000.00
<b>7</b>	<i>Add time &amp; P&amp;G – Scope changes - inlet, backfill, bulk pipe lines</i>	907 000.00
<b>8</b>	<i>Mechanical &amp; Electrical Subcontracts - reconciliation Savings on the contract identified</i>	-(601 574.80)
<b>9</b>	<i>Spares (Commissioning &amp; Maintenance)</i>	710 332.00
<i>Total</i>		22 870 967.47
<i>VAT</i>		3 430 645.12
<b>Total Variation</b>		<b>26 301 612.59</b>

<b>CONSULTANT COSTS – WINDHOEK CONSULTING ENGINEERS</b>		
<b>VO</b>	<b>Description</b>	<b>Value (N\$)</b>
<b>1</b>	<i>Digester mixer system replaced with plunger system, leading to considerable savings</i>	2 658 589.05
<i>Total</i>		2 658 589.05
<i>VAT</i>		398 788.36
<b>Total Variation</b>		<b>3 057 377.41</b>

The applicable written correspondence between the Engineering Services Department and the Consulting Engineers are **attached**.

The following can be identified from the communication:

- (i) *The Variations were originated by both the Employer and Consultant due to various identified needs and situations.*
- (ii) *The Consultant instructed the Contractor to execute the additional works, which the Contractor promptly executed.*
- (iii) *The instructions by the Consultant was verbal, or if written, only as Site Instructions, thus an oversight in terms of Contract Administration, as a written Variation Order, duly signed by the Employer to attest to the provision of additional funds (whether from the Contingencies Amount, or additional financing to the Project).*
- (iv) *The oversight was identified to WCE, making it clear that the Consultant failed to execute the Project Management appropriately. As such, the Consultant was instructed to motivate why it should be paid additional consultation fees for Contract Administration which appears not to be executed correctly.*
- (v) *WCE acknowledged the oversight, with no mention made to present of any claim for the consulting fees on the additional work.*

- (vi) *As the Contractor completed the Works as identified in the five Variation Orders under legitimate instruction as per FIDIC Conditions of Contract, the Variation Orders was afforded ex post facto approval.*
- (vii) *Though approved, insufficient funds are approved to compensate the cost of the Variation Orders, though sufficient funds are available on Budget. (See below)*

## FINANCIAL STATUS OF PROJECT

Given the situation that WCE only declared the Variations at the completion of the Project, with several Variation Orders issued without approval from the Client (Municipality), the following resulted:

<i>Final cost to construct facility</i>	<i>N\$ 192 652 385.77</i>
<i>Total approved amount to construct facility</i>	<i>N\$ 184 997 077.86</i>
<b><i>Unapproved expenditure</i></b>	<b><i>N\$ 7 655 307.91</i></b>

Payment made, Retention allowed and outstanding payments to the Contractors / Consultant are tabled below:

<b><i>Contractor</i></b>	<b><i>ASE</i></b>	<b><i>Walters Electrical</i></b>	<b><i>Botes &amp; Kennedy</i></b>	<b><i>Windhoek Consulting</i></b>
<i>Total Cost</i>	<i>24 615 642.04</i>	<i>4 455 194.97</i>	<i>144 319 962.61</i>	<i>19 261 586.15</i>
<i>Paid to present</i>	<i>24 449 191.10</i>	<i>4 455 194.97</i>	<i>135 560 759.37</i>	<i>17 001 125.96</i>
<i>Outstanding amounts</i>	<i>166 450.94</i>	<i>0.00</i>	<i>8 759 203.24</i>	<i>2 260 460.19</i>
<i>Retention</i>	<i>1 230 782.10</i>	<i>0.00</i>	<i>3 607 999.07</i>	
<i>Total amounts due</i>	<i>1 397 233.04</i>	<i>0.00</i>	<i>12 367 202.30</i>	<i>2 260 460.19</i>
<b><i>TOTAL OUTSTANDING AMOUNTS DUE (Incl VAT)</i></b>				<b><i>16 024 895.54</i></b>

## AVAILABILITY OF FUNDS

Given that the Works is already completed, suitable steps are now required to honour the payment of the Contractors and Consultant, namely:

- (a) *Give ex post facto approval to the Variations submitted by Consultant Windhoek Consulting Engineers*
- (b) *Provide funds to allow honouring the outstanding payments in the 2013/14 Financial Year.*

All Work pertaining to the construction of the new treatment plant, thus including the Mechanical works and the Construction works (civil and structural) were financed from two votes (2012-13 Financial Year), with provision made to cover the unexpected additional cost (2013-14 Financial Year). See table below:

<b><i>Budget Year</i></b>	<b><i>Vote Description</i></b>	<b><i>Vote number</i></b>	<b><i>Funds Available (N\$)</i></b>
<i>2012-13</i>	<i>New Sewerage Treatment Plant</i>	<i>302534013700</i>	<i>5 826 049.63</i>
<i>2012-13</i>	<i>New Sewerage Plant</i>	<i>302534015200</i>	<i>8 465 015.63</i>



2013-14	Purification works - additional cost due to variations	302534016900	1 500 000.00
<b>TOTAL AMOUNT AVAILABLE</b>			<b>15 791 065.26</b>

## SITUATION

The cost of the unapproved work allowed by Windhoek Consulting thus resulted in a compromising situation to the Municipality, as follows:

<i>Total outstanding amounts due (Incl VAT)</i>	<i>N\$ 16 024 895.54</i>
<i>Total amount available</i>	<i>N\$ 15 791 065.26</i>
<b>DEFICIT</b>	<b>N\$ 233 830.28</b>

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

### **RECOMMENDED:**

- (a) That Council takes note and approves the total value of variation orders to the amount of N\$15 791 065.26.
  - (b) That approval be granted by Council to allow the additional funds requested by the General Manager: Engineering Services under Vote 302534016900 (N\$1 500 000.00), as well as the amounts remaining on Votes 302534013700 (N\$5 826 049.63) and 302534015200 (N\$8 465 015.63) from the previous Financial Year to be utilised to settle the outstanding amounts for work done by:
    - (i) That Messrs Botes and Kennedy (Namibia) (Pty) Ltd be informed that under Tender 107/2010 - Wastewater Treatment Works - Construction of Treatment Plant (Civil and Structural) (N\$12 367 202.30, of which N\$3 607 999.07 shall be kept on Retention until the end of the Defects Liability Period as per Contract);
    - (ii) That Messrs Aqua Services and Engineering under Tender 132/2009 - Mechanical Equipment for the Swakopmund WWTW (N\$1 397 233.04 of which N\$1 230 782.10 shall be kept on Retention until the end of the Defects Liability Period as per Contract), and;
  - (c) The settlement of the outstanding consulting fees to Messrs Windhoek Consulting Engineers be limited to the amount of N\$2 026 629.91, thus that the deficit (N\$2 260 460.19 - N\$2 026 629.91 = N\$233 830.28) on the Project Cost be made up by Messrs Windhoek Consulting Engineers due to their apparent substandard financial administration of the Project.
-

11.1.22 **TRANSFER FUNDS FROM 2012/13 FINANCIAL YEAR TO THE 2013/14 FINANCIAL YEAR DUE TO CONTINUATION OF PROJECTS**

(C/M 2013/07/31 - N 7/3/4, I 1/12, M 4354)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 8.12 page 118 refers.

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

During the financial year 2012/2013, the Community Development Services Department completed twenty four (24) capital projects and left two projects still to be completed. Unfortunately these projects did not form part of the continuation projects as it was anticipated that they would be completed within the same financial year.

The respective votes and funds are listed below:

<b>Description</b>	:	<i>Resurfacing of Three (3) Tennis Courts at Vineta Central Sport Field</i>
<b>Vote</b>	:	<i>1045 316 176 00</i>
<b>Funds available</b>	:	<i>N\$150 000.00</i>
<b>Status</b>	:	<i>Tender advertised on 19 April 2013.</i>

<b>Description</b>	:	<i>Cultural / Tourist Centre</i>
<b>Vote</b>	:	<i>5005 316 205 00</i>
<b>Funds available</b>	:	<i>N\$150,000.00</i>
<b>Status</b>	:	<i>Permission to go ahead granted on 30 May 2013. Design / Plans being finalized</i>

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

**RECOMMENDED:**

**(a) That the following capital projects be transferred to the 2013/14 financial year:**

**(i) *Resurfacing of Three (3) Tennis Courts at Vineta Central Sport Field***  
***Vote: 1045316176 00***  
***Available N\$150 000.00***

**(ii) *Cultural/ Tourist Centre***  
***Vote: 500531620500***  
***Funds available: N\$150 000.00***

**(b) That permission be granted to the General Manager: Finance to transfer these votes with the amounts indicated to the 2013/2014 financial year.**

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11.1.23 **TRANSFER OF FUNDS: BOMAG TYRE COMPACTOR – N 6529 S**  
(C/M 2013/07/31 - L 6)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 8.13 page 119 refers.

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

The Pneumatic 20 ton Bomag Tyre Compactor developed a noise in the differential and was taken out of operation and sent to Messrs Rex Quip to investigate the problem. It was discovered that the crown wheel and pinion were badly damaged and needed to be overhauled completely or even replaced.

As there was a huge backlog of work, especially after the recent rains and the airport runways also needed urgent attention. The compactor's differential was urgently needed to be repaired and the tender process would not ensure speedy repair. The matter was, therefore, submitted to the Chairman of the Urgency Committee in order to be exempted from the normal tender procedures, permission was granted to call for quotations due to the urgency of the matter.

A quotation notice for the repair or replacement of the differential of the Bomag Tyre Compactor (N6529S), under the reference number 62/13/WS was called for and only Messrs Rex Quip quoted to the amount of N\$138,080.85 with a delivery between 10 to 15 days.

Once the above quotation was received; it was noticed that insufficient funds were available on Vote Number – 30-65-1-04-311-00 on the Operational Budget 2012/13. Permission was then asked and granted from the Chief Executive Officer and Chairperson of Management Committee to transfer additional funds to Vote 306510431100 to ensure that enough funds are available for the Urgency Committee to approve Quotation 62/13/WS. The Urgency Committee electronically approved the above on **12 June 2013** due to the urgency of the repair to the differential of the Bomag Tyre Compactor (as per attached **Annexure**).

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

**RECOMMENDED:**

- (a) That permission be granted to accept the quotation of Messrs Rex Quip for the repair or replacement of the differential of the Bomag Tyre Compactor N6529S, to the total amount of N\$138 080.85, VAT inclusive, being the only quotation received.
  - (b) That permission be granted to transfer the shortfall to Vote 306510431100 in order to proceed with the repair of the differential of the Bomag Tyre Compactor N6529S.
-

11.1.24 **WRITING OFF OF OLD INFORMATION TECHNOLOGY (IT) EQUIPMENT**

(C/M 2013/07/31 - D 12/1, L 2)

**Ordinary Management Committee Meeting of 18 July 2013, Addendum 8.14 page 121 refers.**

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

The Computer Committee at its meeting held on **25 June 2013** under item 5.3 resolved as follows:

*That Council writes off all workstations that became redundant after the replacement exercise except those that were designated for the computer training room.*

**Attached** IT equipment has become redundant and needs to be written off.

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

**RECOMMENDED:**

- (a) That redundant IT equipment per respective department as indicated above be written off and be sold at the next Public Auction.
  - (b) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset price for the printer.
-

11.1.25 **WRITING OFF: OLD AND REDUNDANT EQUIPMENT - ENGINEERING SERVICES DEPARTMENT**

(C/M 2013/07/31 - L 2)

**Ordinary Management Committee Meeting of 18 July 2013, Addendum 8.15 page 126 refers.**

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

The following old and redundant equipment in the Engineering Services Department needs to be written off:

<i>Equipment</i>	<i>Computer</i>	<i>Mouse</i>	<i>Keyboard</i>	<i>Hard Drive</i>
<i>Computer 1</i>	<i>Serial No:</i> 33930347	<i>Serial No:</i> 33930199	<i>Serial Nr:</i> 33930325	<i>Serial No:</i> A21VM7VR02197

<i>Equipment</i>	<i>Serial No</i>
<i>Univa Fridge</i>	744246
<i>LG Vacuum cleaner</i>	608TAX TO2354

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

**RECOMMENDED:**

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

<i>Equipment</i>	<i>Computer</i>	<i>Mouse</i>	<i>Keyboard</i>	<i>Hard Drive</i>
<i>Computer 1</i>	<i>Serial No:</i> 33930347	<i>Serial No:</i> 33930199	<i>Serial No:</i> 33930325	<i>Serial No:</i> A21VM7VR02197

<i>Equipment</i>	<i>Serial No</i>
<i>Univa Fridge</i>	744246
<i>LG Vacuum cleaner</i>	608TAX TO2354

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

11.1.26 **OFFER TO PURCHASE REDUNDANT TRACTOR - N 1585 S**

(C/M 2013/07/31 - L 2)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 8.16 page 127 refers.

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

This vehicle is a Ford Tractor with only an engine block, gearbox and fixed with (3) wheels.

This tractor was offered at an upset price of N\$15 000.00 to the public at Council's auction which was held on **6 April 2013**, but no offer was received.

Below is an extract from Council's conditions for auction as to how redundant items not sold must be dealt with.

1. *Redundant or obsolete items not sold or items sold but not paid for, will be sold out of hand after the auction on a first come first serve basis as follows:*

- (i) for not less than 90% of the highest bid, or*
- (ii) At the upset price.*

As no formal offer was received for this tractor and as per above condition, the next offer which the Chief Executive Officer and General Manager: Finance can accept is only at the upset price of N\$15 000.00.

However the attached offer received from Mr Eloff Claasen only amounts to N\$6 000.00, therefore the officials are not mandated to accept this offer.

The purpose of this submission is for Council to accept the offer from Mr E Claasen or to make a counter offer which will be acceptable to Council.

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

**RECOMMENDED:**

**That Council accepts the offer of N\$6 000.00 from Mr E Claasen to purchase the redundant Tractor N 1585 S as per Council's conditions of sale for redundant items.**

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11.1.27 **APPLICATION TO USE THE AMPHITHEATRE FOR SWAKOPMUND WOMEN'S MARKET DAY**

(C/M 2013/07/31 - N 7/3/6/1)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 8.17 page 129 refers.

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

1. **Attached** letter dated **02 July 2013 (Annexure "A")** was received from Councillor Rosalia N Andreas-Noabes on behalf of the Swakopmund Business Women's Market Day requesting permission from Council to utilize the Tomas Amunyela Amphitheatre, free of charge, to host the business market day for women in Swakopmund on **06 July 2013** from 07:00 until 18:00.
2. The event is open to all women of Swakopmund to exhibit their products on the market day. Registration fee of N\$ 80.00 per stall is charged and only one stall per applicant will be allocated.
3. The idea is to sensitize the women of Swakopmund towards the hosting of the 7<sup>th</sup> Namibian Woman Summit that will take place from **07-09 August 2013** in Swakopmund.

It's for the good cause that the local woman are given an opportunity to gain experience and to know what will be expected from them during the main event.

4. Since the Swakopmund Business Woman's Market Day have requested the free usage of the amphitheatre, refuse bins and refuse removal; it is therefore proposed that Council funds payment of the applicable fees, to be defrayed from the vote to be determined. The total cost is set out in the table below:

<i>No</i>	<i>Item Description</i>	<i>Rental Fee (N\$)</i>
1	<i>Lease of Land</i>	<i>115.00</i>
2	<i>Refuse Bins x 10</i>	<i>150.00</i>
3	<i>Refuse removal per load</i>	<i>357.00</i>
<b>Total</b>		<b>622.50</b>

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

**RECOMMENDED:**

- (a) That the initiative of the organisers of Swakopmund Business Women's Market Day be supported and that the use of the amphitheatre for the event be condoned.
- (b) That the cost of N\$622.50 be defrayed from Council's Publicity Vote 100510212700 where N\$30 000.00 is available.
- (c) That Council be indemnified against any claims that may arise from using the area.

11.1.28 **APPLICATION FOR PERMISSION TO OPERATE A RESIDENT OCCUPATION (ADMINISTRATIVE OFFICE AND FISH SHOP)**

(C/M 2013/07/31 - M 1356)

Ordinary Management Committee Meeting of 18 July 2013, Addendum 8.18 page 131 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 and fish shop in terms of the Swakopmund Town Planning Scheme Regulations:

- Erf 1356, Mondesa - Mr Linus Sileze - Administrative Office and fish shop

The owner of the above-mentioned erf has requested Council for permission to operate an administrative office and fish shop on the property. The property is zoned “*Single Residential*” and according to the Swakopmund Town Planning Scheme, with special consent from Council a resident occupation may be allowed.

**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>
A	<i>Single Residential</i>	<i>Yellow fill</i>	<i>Dwelling house</i>	<i>Place of Public Worship, Place of Instruction, Resident Occupation, Residential Guest House</i>

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 also requested to operate a fish shop from Erf 1356. The shop will take up a small part of the area indicated on the attached plan for the administration office. The products that will be sold will be already packed and frozen. According to the Swakopmund Town Planning Scheme, it will not be allowed to sell any products that are not manufactured on the erf from a single residential erf. A business zoned erf will be better suited for such an activity and therefore we do not support the applicants request to open a fish shop on the said property.

All adjacent neighbours were contacted and no objections were received. The proposed consent use was also advertised as per Clause 6 of the Swakopmund Town Planning Scheme in the Namib Times on the **24<sup>th</sup>** and **28<sup>th</sup>** of **May** 2013 and a notice was also placed on the site. No objections were received.

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

**RECOMMENDED:**

- (a) **That the following application for permission to operate an administrative office be approved:**
    - *Erf 1356, Mondesa - Mr Linus Sileze - Administrative Office*
  - (b) **That the applicant registers 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 the applicant must operate within the Town Planning Scheme regulations.*
    - *That the consent is not transferable.*
    - *That sufficient parking will be provided on the premises.*
    - *That no on street parking will be tolerated.*
  - (d) **That the application for permission to operate a fish shop from the premises be approved.**
-

11.1.29 **NEW INDUSTRIAL AREA, EXTENSION 10, ERVEN 4815, 4816 AND 4817: METJE AND ZIEGLER LIMITED**

(C/M 2013/07/31 - G 4/1/3)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 7.20 page 145 refers.

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

At the Council meeting of **27 June 2013**, the sale of the erven in the new industrial area, Extension 10, by Closed Bid Sale was approved. Under point (d) it was resolved that:

*(d) That erven 4800, 4807, 4817 and 4818 be reserved for motor vehicle dealership.*

The upset prices for the sale of the above erven were approved at the same meeting and are indicated in the table below:

<b>Erf No.</b>	<b>Size m<sup>2</sup></b>	<b>Upset Price N\$</b>	<b>Zoning</b>
4800	7167	1,146,720.00	Light Industrial
4807	8249	1,319,840.00	General Business
4817	9721	1,555,360.00	General Business
4818	6276	1,004,160.00	General Business

Communication was received from Messrs Metje + Ziegler Limited dated **27 June 2013** wherein they expressed their interest in making use of the opportunity Council afforded motor dealerships to acquire land. Messrs M+Z Ltd. are the official agents for Mercedes Benz and Volkswagen vehicles at the coast.

They have identified erven 4815, 4816 and 4817 as most suitable for their needs due to the large street front it would provide as well as the space it would offer to allow for the large turning circles trucks require. It must be noted that erven 4815 and 4816 were not included in the initial Council resolution.

Due to the fact that Council made special provision by reserving the specified erven solely for purchase by car dealerships, it is recommended that the purchase price for Erf 4815, 4816 and 4817 be determined at N\$ 550.00/m<sup>2</sup>. Messrs M + Z Ltd. also has the added advantage that they can participate in the process to acquire their property of choice in the new industrial area before the Closed Bid Sale which will be open to the general public.

A purchase price set at N\$ 550/m<sup>2</sup> would amount to the following:

<b>Erf</b>	<b>m<sup>2</sup></b>	<b>Total price at N\$550/m<sup>2</sup></b>	<b>Zoning</b>
4815	1970	1,083,500.00	Light Industrial
4816	2871	1,579,050.00	Light Industrial
4817	9721	5,346,550.00	General Business
<b>Total</b>	<b>14562</b>	<b>8,009,100.00</b>	

Erf 4817 is very narrow. The consolidation of the erven 4815, 4816, 4817 will be required for a dealer to build their facilities across the boundaries of the 3 erven. Apart from the consolidation, the Town Planning Division also calls for the rezoning of the newly created consolidated erf to 'Light Industrial' to be effected.

This measure would also mean that a dealer will not need to buy more than one property by private treaty. Similarly the rezoning of the consolidated property to 'Light Industrial' will avoid the need to advertise for consent use for Erf 4817, for a service industry, since the new zoning will allow for their use of the premises as a service centre or workshop for the repair of vehicles. It is proposed to offer the erven to light motor vehicle dealers at a closed bid sale instead of accepting the offer.

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

**RECOMMENDED:**

- (a) That Council adds erven 4815 and 4816 to the list of erven that are reserved for purchase by motor dealerships and the erven listed under point (e) of Council's resolution passed on 27 June 2013 be amended accordingly.
  - (b) That erven 4815, 4816 and 4817, Swakopmund be offered to light motor vehicle dealers by way of closed bid at the upset price of N\$1 083 500.00 for Erf 4815, N\$1 579 050.00 for Erf 4816 and N\$5 346 550.00 for Erf 4817 plus the cost as for (c) and (d) below subject to Council's standard conditions of sale.
  - (c) That the sale be held on 29 August 2013 and be advertised in terms of Section 63 (2) (b) of the Local Authorities Act 23 of 1992 as amended at the cost of the purchaser.
  - (d) That the Engineering Services Department attends to the consolidation of erven 4815, 4816 and 4817 and the subsequent rezoning to '*Light Industrial*' of the newly consolidated erf at the cost of the purchaser.
  - (e) That the special provisions resolved at the Council Meeting of 27 June 2013 be applicable to this sale.
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11.1.30 **NEW INDUSTRIAL AREA, EXTENSION 10, ERF 4800: STECKEL'S TOYOTA**

(C/M 2013/07/31 - G 4/1/3)

**Ordinary Management Committee Meeting of 18 July 2013,**  
Addendum 7.21 page 153 refers.

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

At the Council meeting of **27 June 2013**, the sale of the erven in the new industrial area, Extension 10, by Closed Bid Sale was approved. Under point (d) it was resolved that:

*(d) That erven 4800, 4807, 4817 and 4818 be reserved for motor vehicle dealership.*

The upset prices for the sale of the above erven were approved at the same meeting and are indicated in the table below:

Erf No.	Size m <sup>2</sup>	Upset Price N\$	Zoning
4800	7167	1,146,720.00	Light Industrial
4807	8249	1,319,840.00	General Business
4817	9721	1,555,360.00	General Business
4818	6276	1,004,160.00	General Business

Messrs Steckel's Toyota indicated that they would like to make Council an offer for the purchase of erf 4800. It is their intention to acquire the erf in order to expand their business as Toyota motor vehicle agents in Swakopmund which currently is hampered by the small premises they occupy. Their aim is to establish state of the art showrooms and service centres on their newly acquired property. (See **Annexure "A"**)

Messrs Steckel's Toyota has made an offer of N\$3 700 000.00 (VAT excluded) to Council to purchase Erf 4800. It is stated that the determination of the relevant offer was guided by the opinion of a sworn valuator as well as consideration was given to the price obtained for the sale of Erf 4884, Swakopmund (which have improvements on site) at the Closed Bid Sale of **14 June 2013**.

The sale of Erf 4884 is summarised in the table below:

Erf No.	Size m <sup>2</sup>	Upset Price N\$	Zoning	Sold N\$	N\$ / m <sup>2</sup>
4884	13780	2,532,000.00	Light Industrial	7,041,580.00	511

The offer of Messrs Steckel's Toyota for Erf 4800 is summarised in the table below:

Erf No.	Size m <sup>2</sup>	Upset Price N\$	Zoning	Offer N\$	N\$ / m <sup>2</sup>
4800	7167	1,146,720.00	Light Industrial	3,700,000.00	516

Due to the fact that Council made special provision by reserving the specified erven solely for sale to car dealerships, it is recommended that the purchase price for Erf 4800 be determined at N\$ 550/m<sup>2</sup> amounting to N\$3 941 850.00.

Messrs Steckel's Toyota also has the added advantage that they can participate in the process to acquire their property of choice in the new industrial area before the Closed Bid Sale which will be open to the general public.

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

**RECOMMENDED:**

- (a) That Erf 4800, Swakopmund be offered to light motor vehicle dealers at the price of N\$3 941 850.00 subject to Council's standard conditions of sale.
  - (b) That the sale be held on 29 August 2013 and be advertised in terms of Section 63 (2) (b) of the Local Authorities Act 23 of 1992 as amended.
  - (c) That the special provisions resolved at the Council Meeting of 27 June 2013 also be applicable to this sale.
-