

AGENDA

Ordinary Council Meeting

on

THURSDAY





31 MAY 2012

at

19:00



MUNICIPALITY OF SWAKOPMUND

 (064) 4104206
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 53 Swakopmund
NAMIBIA
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Ref No A 2/3/5

Enquiries: A Gebhardt

18 May 2012

The Mayor and Councillors
Municipality
SWAKOPMUND

Dear Sir / Madam

NOTICE: ORDINARY COUNCIL MEETING

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

THURSDAY, 31 May 2012 at 19:00,

M P C Swarts
ACTING CHIEF EXECUTIVE OFFICER

AG/-

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1. **OPENING**

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

2.1 Application for leave of absence.

2.2 Declaration of interest.

3. **CONFIRMATION OF MINUTES**

(C/M 2012/05/31 - A 2/3/5)

3.1 Minutes of an **Ordinary Council Meeting** held on **26 April 2012**.
(pp 49/2012 - 63/2012)

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

None.

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

5.1 Announcements by the Mayor and Chairperson of Council.

5.2 Long Service Awards.

6. **PETITIONS**

None.

7. **MOTIONS OF MEMBERS**

None.

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

None.

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

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

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10. (A) Minutes of an **Ordinary Management Committee meeting** **4 - 12**
held on **16 May 2012** and **Special Management Committee**
Meetings held on **18 April 2012** and **16 May 2012.**

11. **RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE
MEETING HELD IN MAY 2012**

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

10 (A) **MINUTES OF A SPECIAL MANAGEMENT COMMITTEE MEETING
HELD ON 18 APRIL 2012**

5. **DISCUSSION POINTS**

5.1 **PRELIMINARY OPERATIONAL AND CAPITAL BUDGETS**

(S/M/C 2012/04/18 - D 2/1)

RESOLVED:

That the General Manager: Finance attends to the changes as recommended during the discussion of this item and that the Preliminary Operational and Capital Budgets be submitted to Council for consideration.

10 (B) **MINUTES OF AN ORDINARY MANAGEMENT COMMITTEE MEETING
HELD ON 16 MAY 2012**

2. **CONFIRMATION OF MINUTES**

(M/C 2012/05/16 - A 2/3/5)

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

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

RESOLVED:

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

2.2 **MINUTES OF A SPECIAL MANAGEMENT COMMITTEE MEETING
HELD ON 17 APRIL 2012**

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

RESOLVED:

That the Minutes of an Ordinary Management Committee meeting held on 17 April 2012 be confirmed as correct.

2.3 **MINUTES OF A SPECIAL MANAGEMENT COMMITTEE MEETING
HELD ON 18 APRIL 2012**

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

RESOLVED:

That the Minutes of a Special Management Committee meeting held on 18 April 2012 be confirmed as correct.

5. **REPORTS: HEADS OF DEPARTMENTS**

5.3 **CORPORATE SERVICES & HUMAN RESOURCES**

5.3.1 **APPLICATIONS OF MESSRS KAZAK AFRICAN EXPERIENCE CULTURAL TOURISM**

(M/C 2012/05/16 - E 2747)

RESOLVED:

That General Manager: Corporate Services and Human Resources submits an updated summary of Messrs Kazak African Experience Cultural Tourism applications and Council's decisions to the next Management Committee meeting.

5.5 **FINANCE**

5.5.1 **TOTAL EXPENDITURE**

(M/C 2012/05/16 - D 7/3/2/1)

RESOLVED:

That the total expenditure of N\$81 277 862.28 for the period 01- 26 April 2012 be accepted and approved as correct.

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

7.2 **APPLICATION BY MESSRS ERONGO RED TO PURCHASE A PORTION OF ERF 1597, SWAKOPMUND**

(M/C 2012/05/16 - E 1597)

RESOLVED:

- (a) That Messrs Erongo Regional Electricity Distributor Company (Pty) Ltd be informed that their application was considered but cannot be approved as per Council's resolution passed on 31 May 2006 the portion applied for is reserved for future extensions of the Municipal Work's Section.
 - (b) That Messrs Erongo Regional Electricity Distributor Company (Pty) Ltd be advised to consider other alternatives.
-

7.5 **CONTRIBUTION TO THE DISASTER FUND**

(M/C 2012/05/16 - D 6/9)

RESOLVED:

That Council only considers this matter on receipt of a written motivation from the Erongo Regional Council as to what the application of the funds would be considering the contributions already requested and made to the Erongo Regional Emergency fund.

7.6 **REQUEST FOR AUDIENCE: 45 BUILD TOGETHER APPLICANTS**
(M/C 2012/05/16 - H 5/3)

RESOLVED:

That the General Manager: Community Development Services arranges an audience with all the Build Together applicants at a date and venue to be determined by the General Manager: Community Development Services.

7.7 **BUILD TOGETHER APPLICATION - BUSINESS STALLS ON ERF 632 MONDESA**
(M/C 2012/05/16 - M 632)

RESOLVED:

- (a) That this item be referred back for further investigation by the General Manager: Community Development Services and be resubmitted to the next Management Committee meeting.
 - (b) That the following be provided:
 - (i) *Application form.*
 - (ii) *Confirmation whether the applicants still stays at the Business stalls.*
-

7.8 **BUILD TOGETHER APPLICANTS WHO REPORTED AFTER THE DEADLINE**
(M/C 2012/05/16 - H 5/3)

RESOLVED:

- (a) That this item be referred back for further investigation by the General Manager: Community Development Services and be resubmitted to the next Management Committee meeting.
 - (b) That the following be provided:
 - (i) *Application form and other relevant documents.*
-

7.9 **FEEDBACK REPORT: INCOMPLETE HOUSES - BUILD TOGETHER PROGRAMME**
(M/C 2012/05/16 - H 5/3)

RESOLVED:

That this item be referred back for further investigation by the General Manager: Community Development Services and be resubmitted to the next Management Committee meeting.

- 7.10 **APPLICATION TO ACQUIRE AN OPEN SPACE SITUATED BETWEEN ERVEN 1894 & 1919, SWAKOPMUND**
(M/C 2012/05/16 - E 1894, E 1919, N 8/10/2/30)

RESOLVED:

That this item be referred back for further investigation by the General Manager: Engineering Services and be resubmitted to the next Management Committee meeting.

- 7.11 **MEETING WITH DRC CONCERNING GROUP**
(M/C 2012/05/16 - H 5/3)

RESOLVED:

That the letter be referred to the DRC Planning Committee for attention as correctly requested by the DRC Concerning Group.

8. **POLICY MATTERS**

- 8.2 **APPLICATION BY MDC HEALTH MANAGEMENT SERVICES TO PURCHASE LAND**
(M/C 2012/05/16 - G 4/1/1)

RESOLVED:

- (a) That the application by Messrs MDC Health Management Services dated 5 March 2012 be noted; and that a revised application will be submitted by them for consideration.
 - (b) That applicant in the meantime be informed of the following:
 - (i) *That Messrs MDC Health Management Services be informed that their application will be considered once the revised Property Policy is finalized and approved by the Minister of Regional and Local Government, Housing & Rural Development.*
 - (ii) *That Messrs MDC Health Management Services be informed that in terms of the draft revised Property Policy proof from a financial institution must be submitted that an account exists specifically to finance their project and no private residential units may be erected and sold.*
 - (iii) *That Messrs MDC Health Management Services further be informed of Council's standard conditions for the sale of large portions of land as proposed in terms of the draft revised Property Policy; and that a Surveyor-General approved diagram must be in place before land is sold.*
 - (iv) *That Council expresses support for the venture without committing to sell any land at this stage.*
-

- 8.5 **REQUEST TO USE A PORTION OF ERF 2747, SWAKOPMUND**
(M/C 2012/05/16 - E 2747)

RESOLVED:

- (a) That this item be referred back and be resubmitted to the next Management Committee meeting.
 - (b) That an "*in-loco*" inspection at a date to be determined by the Chief Executive Officer be conducted on a portion of Erf 2747, Swakopmund, adjacent to Erf 400, Swakopmund.
-

- 8.8 **REQUEST FOR PERMISSION TO DEMOLISH UNSTABLE WALL ON ERF 66, VINETA**
(M/C 2012/05/16 - V 66)

RESOLVED:

- (a) That further attempts be made to contact Mr J Profit.
 - (b) That submissions must provide proper background and detail for Management Committee to consider and decide on.
-

9. **PERSONNEL MATTERS**

- 9.1 **ELECTORAL COMMISSION OF NAMIBIA'S VOTERS EDUCATION PROGRAMME**
(M/C 2012/05/16 - A 3/5)

RESOLVED:

- (a) That Council approves the request from the Electoral Commission of Namibia to visit the Municipality in order for them to conduct a voters' education exercise with the staff members.
 - (b) That the General Manager: Corporate Services and Human Resources arrange information session for the voter's education exercises to be conducted for all staff members.
 - (c) That the General Manager: Corporate Services and Human Resources requests the Electoral Commission of Namibia to submit a signed letter for record purposes.
-

- 9.2 **EXPERIENTIAL LEARNING FOR 4th YEAR ENVIRONMENTAL HEALTH STUDENTS**
(M/C 2012/05/16 - B 1/4/8/1)

RESOLVED:

That the Polytechnic of Namibia be informed that Council will only be able to accommodate two (2) students in the 2012/13 Financial Year, (i.e. from 01 July 2012) for a maximum period of 4 months.

- 9.3 **INVITATION TO A WORKSHOP ON UNDERSTANDING THE PRACTICE OF WASTE MANAGEMENT**
(M/C 2012/05/16 - B 1/4/8)

RESOLVED:

- (a) That permission be granted to the Environmental Health Practitioners, Mr J Ihula and Mr A Kationdorozi to attend the workshop on *"Understanding the practice of Waste Management"* from 28–30 May 2012 at the Swakopmund Hotel & Entertainment Centre Namibia.
 - (b) That workshop cost of N\$7 490.00 per delegate be defrayed from the Cleansing Section Training Vote 301010215700 where N\$9 146.00 is available and the Conference vote 301010206500 where N\$12 300.00 is available.
-

9.4

ROADS CONSTRUCTION, MAINTENANCE AND REPAIRS TRAINING COURSE

(M/C 2012/05/16 - A 4/3/1/3, A 4/3/1/3)

RESOLVED:

- (a) That permission be granted to the Chief Superintendent of Works to attend the Roads Construction, Maintenance and Repairs Training Course at a cost of N\$8 999.00 from 4-6 June 2012 in Windhoek.
- (b) That the costs of the course and the subsistence and travel expenses of N\$3 200.00 be defrayed from the Engineering Services Department's Training of Personnel Vote 305210215700 where N\$17 900.00 is available.
- (c) That special leave be granted to the staff member during this period.
- (d) That permission be granted to the Chief Superintendent of Works to use a Municipal vehicle for travel purposes.

9.5

PROGRESS REPORT ON MUNICIPAL AIDS COMMITTEE (MAC)

(M/C 2012/05/16 - B 1/12)

RESOLVED:

- (a) That the current Municipal AIDS Committee (MAC) be disbanded.
 - (b) That the General Manager: Health Services submits terms of references with set objectives to the next Management Committee meeting.
 - (c) That Senior Management be made responsible to report quarterly on HIV / AIDS activities within their respective departments to the Management Committee.
 - (d) That the new MAC members be appointed and that newly identified Peer Educators receive appropriate training in order to fulfil their mandate.
 - (e) That the Chairperson of the Municipal AIDS Committee (MAC) reports to the Chief Executive Officer regarding the functioning of the HIV / AIDS Committee with report back to Management Committee and Council.
 - (f) That the General Manager: Health Services submits composition of the proposed new Municipal AIDS Committee (MAC) members to the next Management Committee meeting.
 - (g) That, in future, all Councillors be informed about meetings of the various Bodies / Committees.
-

9.6 **FEEDBACK REPORT ON THE INFORMATION AND RECORDS
MANAGEMENT TRAINING COURSE**

(M/C 2012/05/16 - A 4/3/1/3)

RESOLVED:

That the feedback report regarding the Information and Records Management Training Course submitted by the General Manager: Corporate Services and Human Resources be noted.

9.7 **ASSOCIATION OF REGIONAL COUNCILS: WORKSHOPS ON
LOCAL PROCUREMENT AND ACCESS OF LOCAL PEOPLE**

(M/C 2012/05/16 - A 2/3/1/4, A 4/3/1/3)

RESOLVED:

- (a) That the permission granted to Councillor R Andreas-Noabes and the Chief Executive Officer to attend the workshop on Local Procurement and Access of Local People in Tsumeb on 10 - 11 May 2012, be condoned
- (b) That the cost for subsistence and travelling of be defrayed from Vote 100510206500 (Conference Expenses) where the amount of N\$40 000.00 is available and that the permission granted to travel with only one official vehicle, be condoned.

9.8 **FEEDBACK ON DISCUSSIONS WITH THE PRESIDENT OF THE
ENGINEERING COUNCIL OF NAMIBIA**

(M/C 2012/05/16 - B 1/1/4)

RESOLVED:

- (a) That the Technicians/ Engineers-in-training in the Municipality of Swakopmund be encouraged to study further in their field of specialization.
 - (b) That in future the Top Management in the Engineering Services Department must be registered as Professional Engineers/ Incorporated Engineers with the Engineering Council of Namibia.
 - (c) That in the absence of Registered Professional Engineers /Incorporated Engineers the Municipality should look into the services of a Professionally Registered Consulting Engineer to help in supervising current Technicians to register.
 - (d) That the current staff members who do not meet the requirements according to Engineering Council of Namibia be encouraged to further their education for a certain period of time so that they can be registered.
 - (e) That measures be put in place to help with Technicians work specifically on their areas of specialization.
 - (f) That all staff members be encouraged to have their qualifications evaluated by the Namibia Qualification Authority (NQA).
-

9.9

NAMIBIA HAYPAYNET™ SURVEY 2012

(M/C 2012/05/16 - B 1/3)

RESOLVED:

- (a) That permission be granted to the General Manager: Corporate Services & Human Resources, the Manager: Human Resources, the Human Resources Officer and the General Manager: Finance or delegate, to attend the Feedback and training session for the Namibia Remuneration General Survey 2012 on 22 May 2012, in Windhoek.
- (b) That special leave be granted to the staff members during this period.

9.10

REQUEST FOR FUNDING OF TRAVELLING COST FOR BURSARY STUDENT: FILLEMON PETRUS

(M/C 2012/05/16 - B 1/11)

RESOLVED:

- (a) That permission be granted to Mr F Petrus to do his Internship in AACHEN-Germany from 1 July 2012 to 31 December 2012.
- (b) That Council purchase a return ticket to and from Germany for Mr F Petrus at cost of N\$11 385.00.
- (c) That Mr F Petrus be granted special leave towards his contractual obligations which state that he should do his practical training at the Swakopmund Municipality.
- (d) That it be noted that Mr F Petrus proved to the Municipality that he is hardworking to be selected among many Engineering students at Polytechnic of Namibia.

10.

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

10.1

INVITATION TO PARTICIPATE AT THE FISHERIES EXPO AND FESTIVAL

(M/C 2012/05/16 - J 10/2)

RESOLVED:

- (a) That permission be granted to all Councillors to participate at the first-ever Fisheries Expo and Festival to be held in Walvis Bay from 24-26 May 2012.
 - (b) That all Councillors attend the Gala Dinner that will be held on 24 May 2012 and that Council purchase a table for the amount of N\$10 000.00 at the event and that the cost of the table be defrayed from the Functions and Entertainment Vote 100510208700 where N\$25 615.61 is available.
 - (c) That Councillors confirm attendance to the Chief Executive Officer's office and that the Councillors who are unable to attend be replaced with General Managers.
 - (d) That pledges at the event be determined by the office of the Chief Executive Officer.
-

10.2 **INVITATION TO THE REGIONAL DEVELOPMENT COORDINATING COMMITTEE (RDCC) MEETING**

(M/C 2012/05/16 - A 2/3/12)

RESOLVED:

That permission be granted to all the Councillors and the Acting Chief Executive Officer to attend the Regional Development Coordinating Committee (RDCC) meeting, which will be held in the Chambers of the Erongo Regional Council in Swakopmund on 23 May 2012.

10 (C) **MINUTES OF A SPECIAL MANAGEMENT COMMITTEE MEETING HELD ON 16 MAY 2012**

5. **DISCUSSION POINTS**

5.1 **AUDIENCE: TRANSFER OF ERF 4326 (A PORTION OF ERF 63, MONDESA), MONDESA IN THE NAME OF MESSRS MONDESA PROPERTY INVESTMENT CC**

(S/M/C 2012/05/16 - M 4326)

RESOLVED:

That Mr J Kambueshe of Messrs Mondesa Property Investment CC be given 91 (ninety one) days from the date of Council's resolution (31 May 2012) to secure the purchase price plus 15 % VAT, failing, which the transaction be cancelled without any further notice.

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**
- 11.1 **ORDINARY MANAGEMENT COMMITTEE MEETINGS HELD ON 16 MAY 2012**
- 11.1.1 **APPLICATION BY ATLANTIC SEABOARD PROPERTY DEVELOPMENT (PTY) LTD TO PURCHASE BLOCK 2**
(C/M 2012/05/31 - G 4/1/1)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 7.1 page 01 refers.

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

1. **Application**

An application dated 15 March 2012 was received from **Messrs Atlantic Seaboard Property Development (Pty) Ltd** to purchase land east of the current Dunes Estate Development (*Annexure "A"*).

The applicant proposes that Council sells the land to the entity, or considers a public-private partnership on the basis of sharing the proceeds equally. The development will include the sale of plot and plan to third parties.

2. **Land Applied For**

Block 2 is located east of Kramersdorf and falls within the Kramersdorf East Extension in terms of the Master Development Plan 2008.

2. *Kramersdorf East Extensions*

The area from the eastern boundary of the planned new extension up to the bypass and having a line extending east of the southern border of the planned new extension of Kramersdorf as its northern boundary.

- (a) *Zoning: Residential*
- (b) *Primarily residential*

Apart from the application of Messrs **Atlantic Seaboard Property Development (Pty) Ltd**, various applications were received in the past for land in the vicinity, although not on the same basis:

Shopping Malls

- Zillion
 - Stratford
- : The Management Committee on 10 March 2011 turned down these applications.

Residential

- Inter-Namibia Development
 - Palms for Africa
 - Buelah Endola Property Development Consultants
 - Atlantic Seaboard Property Development (Pty) Ltd
- : Except for Palms for Africa, all applications are for the exact same area – Block 2.

Miscellaneous

- Coimbra - birding paradise
 - NamWater
 - Messrs Schubert & Bock
 - Kazak Cultural Exchange
- : These applicants were informed that their applications will be considered once the subdivision of the structural plan for the land east of Kramersdorf is finalized.

Although not indicating the exact area, various applications are on file to acquire large portions of land.

3. **Similar Previous Application**

A similar application was received on **15 April 2011** from Messrs Beulah Endola Property Development Consultants to obtain two blocks east of the Dunes Estate Development, whereafter the Management Committee passed the following resolution on **16 June 2011**:

That this item be kept in abeyance until Council approves the amended Property Policy, including provision for the sale of blocks of land.

Messrs Beulah Endola Property Development Consultants proposed the following (summarized):

Offer / Proposal: *The applicant offered Council the normal purchase price (N\$100.00 / m² approved for Messrs Dunes Estate Development in 2010) and a 50% profit share of all erven sold, on condition that sufficient pre-sales are recorded, failing which the normal conditions will apply. It was not mentioned what the applicant considers the "normal conditions" are.*

The Result / Outcome: *The result is that Council receives income and gains new townships without the added burden of having to plan and budget for it, and taking the risk of not selling the erven; and in addition a 50% profit share will be received.*

With reference to three similar applications, the Management Committee confirmed on **12 January 2012** and **16 February 2012** that all applications be held in abeyance pending the finalization of the revised Property Policy.

4. **Revision of the Property Policy**

The revised framework of the Property Policy was discussed by the Management Committee on Friday, **24 February 2012** and by the Planning Forum on Tuesday, **27 March 2012** and again on Thursday, **19 April 2012**.

In order to ensure the prompt transfer of land, it is *proposed* that large portions of land only be sold once, at least, a Surveyor-General approved diagram for the block is in place.

Furthermore, it is *proposed* not to consider joint ventures, but rather that Council retains a percentage of the developed erven (title deeds of the newly created, serviced erven be provided to Council) and / or off-set developments be considered, whereby land be serviced and / or houses be constructed by the developer in another area (such as for low income earners).

The revised Property Policy will be submitted to the Management Committee of **June 2012** for consideration. Pending Council's approval of the revised Property Policy and subsequent Ministerial approval, the whole process might take up to 6 months to finalize.

Once the Property Policy is approved, all applications for large portions of land will be submitted to Council for consideration of the method of sale thereof, i.e. private treaty, tender (which include development proposals) or public auction.

In addition to the above, the Management Committee passed the following decision on **10 March 11**:

(c) *That in future Council attends to all Town Planning issues before land is sold to the public.*

5. **Proposal**

It is proposed that a response similar to the Management Committee recommendation of **12 April 2012** be sent to the applicant:

(a) *That Messrs Manah Enterprises be informed that Council remains with the decision of the Management Committee on 10 March 2011, whereby Council attends to all planning issues before land is sold; and in line with the Management Committee's resolution passed on 12 January 2012, Council will only consider the sale of large portions of land once the revised Property Policy is finalized.*

(b) *That once land is available, Council will consider inviting development proposals from private developers to the benefit of the low income community.*

Except with reference to (b) above, Council considers development proposals whereby Council retains a percentage of the developed erven (title deeds of the newly created, serviced erven be provided to Council) and / or set-off developments be considered, whereby land be serviced and / or houses be constructed by the developer in another area (such as for low income earners).

It is furthermore proposed that all future applicants for large portions of land be informed of the above, seeing that Council is inundated with applications for large portions of land for residential developments.

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

RECOMMENDED:

(a) **That Messrs Atlantic Seaboard Property Development (Pty) Ltd and *all future applicants* for large portions of land for residential developments be informed that Council remains with the decision of the Management Committee of 10 March 2011, whereby Council attends to all planning issues before land is sold; and in line with the Management Committee's resolutions passed on 12 January 2012 and 12 April 2012, Council will only consider the sale of large portions of land once the revised Property Policy is finalized.**

(b) **That once a Surveyor-General approved diagram is available for Block 2, Council will consider to invite development proposals from private developers whereby Council retains a percentage of the developed erven (*title deeds of the newly created, serviced erven be provided to Council*) and / or off-set developments be considered, whereby land be serviced and / or houses be constructed by the developer in another area (*such as for low income earners*).**

11.1.2 **APPLICATION TO CLOSE A CORRIDOR BETWEEN ERVEN 992 & 993, MONDESA**

(C/M 2012/05/31 - M 992, M 933)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 7.3 page 12 refers.

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

1. PURPOSE

The purpose of this submission is to obtain Council's approval for the:

- ✓ permanent closure of a corridor situated between Erf 992 and Erf 993, Mondesa; and
- ✓ sale of the above mentioned corridor to Mr M J & C van Wyk (owner of Erf 992 , Mondesa and Late Estate AW van Wyk (owner of Erf 993, Mondesa)

2. DISCUSSION OF THE CORRIDOR

With reference to the previous submission tabled to Council for closure of corridors, Council on **29 March 2012** passed the following resolution:

- (a) *That the permanent closure of the corridors situated between the following erven as indicated on the maps (Annexure "A") (on file) be approved, subject to the conditions as stipulated in terms of Section 50 of the Local Authorities Act of 1992, Act 23 of 1992, as amended:*

- | | |
|-------------------------|---------------------------|
| 1. 215 & 905, Mondesa | 9. 1068 & 1069, Mondesa |
| 2. 635 & 636, Mondesa | 10. 1078 & 1079, Mondesa |
| 3. 653 & 654, Mondesa | 11. 1087 & 1088, Mondesa |
| 4. 807 & 808, Mondesa | 12. 3217 & 3218, Mondesa |
| 5. 961 & 962, Mondesa | 13. 143 & 596, Tamariskia |
| 6. 979 & 980, Mondesa | 14. 314 & 506, Tamariskia |
| 7. 1050 & 1051, Mondesa | 15. 351 & 352, Tamariskia |
| 8. 1057 & 1058, Mondesa | |

- (b) *That a notice for permanent closure of corridors be published in terms of Section 50 of the Local Authorities Act, Act 23 of 1992, as amended, the cost thereof be recovered from the respective adjacent erf owners upon transfer.*

- (c) *That the sale and donation of the corridors situated between the following erven, in terms of Section 63 of the Local Authorities Act, Act 23 of 1992 be approved, as amended to:*

Corridor between erven	Purchaser / Receiver
(sale)	
635 & 636, Mondesa	Mr P Habeb (owner of Erf 635, Mondesa)
807 & 808, Mondesa	Mr RN Kangumba (owner of Erf 808, Mondesa)
961 & 962, Mondesa	Mr J Mungolo (owner of Erf 961) & Mr E Evenson (owner of Erf 962)
979 & 980, Mondesa	Mr NP Philander (owner of Erf 979) & G A Ludwig - owners of Unit 4 & Mr R A Olkers - unit 3 - Erf 980)
1057 & 1058, Mondesa	Mr J Kambrude (owner of Erf 1058) & Mr S Gurirab(owner of Erf 1057)
3217 & 3218, Mondesa	Mr S Petrus (owner of Erf 3217) & Mr B Helmut(owner of Erf 3218)
(donation)	
143 and 596	Mr J G van Neel (owner of Erf 143, Tamariskia)

<i>Tamariskia</i>	
314, and 506, Tamarikia	Mr J Gariseb (owner of Erf 314, Tamariskia)
351 & 352, Tamariskia	Mr V J Haimbondi (owner of Erf 351, Tamariskia)
653 & 654, Mondesa	Mr R R Phillander (owner of Erf 654, Mondesa)
215 & 905, Mondesa	Ms G Naris (owner of Erf 905, Mondesa)
1050 & 1051, Mondesa	Mr T S Shindume (owner of Erf 1050)
1068 & 1069, Mondesa	Executor in the Late estate of Mr J Isaacs (owner of Erf 1069, Mondesa)
1078 & 1079, Mondesa	Mr M N Herman (owner of Erf 1079, Mondesa)
1087 & 1088, Mondesa	Mr Jean - Pierre Kouwenhoven (owner of Erf 1088 , Mondesa)

(d) *That a notice with reference to (c) above will be published at the cost of the respective purchasers subsequent to the subdivision of these portions.*

The application for the corridor located between Erven 992 and 993, Mondesa was not included in the submission to Council thus it was not approved together with other corridors.

As per **attached** map (**Annexure “A”**), there are no services across the corridor. Both erf owners of Erf 992 and Erf 993, Mondesa agreed to share the corridor, each will get a portion. **Attached** as **Annexure “B”** is consent forms signed by both adjacent erf owners.

In order to advertise the sale and permanent closure of the corridor between Erf 992 and Erf 993, Mondesa together with other corridors as approved by Council previously, it is proposed the Council approves the sale and permanent closure of the portion located between Erven 992 and 993, Mondesa in terms of section 50 of the Local Authorities Act, Act 23 of 1992, as amended.

3. **BACKGROUND**

3.1 The Management Committee on **21 September 2010** under item 7.10, among other, passed the following resolution:

(c) *That Corridors/ Public Open Spaces which have been identified as problem areas be submitted to the Management Committee together with proposals on how to eliminate the problems and improve the situation of the community.*

3.2 A list of corridors identified as problems areas were submitted to Council on **28 April 2011** and the following was resolved:

(a) *That Council in principle approves to:*

- (i) *Sell the identified corridors/walkways to the adjacent owners at full recovery of all costs where there are no services located in the corridor.*
 - *Council to attend to the statutory processes (closure as public open space, subdivision, consolidation and registration of servitudes over the services); the cost thereof be recovered from the purchaser*
 - *Purchase price to be determined by Council*
 - *The purchaser is also responsible for the transfer cost*

AND

(ii) to donate the land where there are services located in the corridor.

- Council to attend to the statutory processes (closure as public open space, subdivision, consolidation and registration of servitudes over the services); the cost to be recovered from the purchaser.
- No purchase price is payable
- Council also be responsible for the transfer cost

(b) That subject to (a) above, adjacent Erf owners be requested to indicate whether they are interested to purchase the adjoining corridors; and where services cross the middle of the corridors, they must decide between themselves who will purchase the corridor.

(c) That if there are no services or services parallel to the corridors' boundaries approval be granted to the adjacent Erf owners to share the portion of land equally, if they wish to do so.

(d) That Council closes all corridors / walk ways as per site plans (Annexure "A" on file) in terms of Section 50 of the Local Authorities Act, Act 23 of 1992, as amended.

(e) That the Engineering Services Department attends to the statutory procedures of subdivision, consolidation and registration of servitudes.

(f) That no permanent structures be erected on the portion of land on which services are located.

(g) That valuations be obtained from the Municipal Valuers in respect of the relevant portions of land.

3.3 With reference to (g) above, valuations were obtained from Messrs The Trust & Estate and Nasikama Property Consulting and were submitted to Council who on **28 July 2011** under item 11.1.17 passed the following resolution:

(a) That the sale of identified corridors / walkways with no services located on the corridors to the adjacent owners at the following purchase price be approved:

Mondesa	N\$ 135.00/m ²
Tamariskia	N\$ 175.00/m ²

(b) That the sale and donation of corridors be subject to the following conditions:

- advertising
 - in terms of the Local Authorities Act, Act 23 of 1992, as amended, Section 63 (2) (b) for possible objections.
- Agreements
 - that the agreements of sale and donation be concluded and signed within 12 months from the closing date for objections / Ministerial approval.
- Payment
 - Purchase prices be payable as monthly instalments for a period of 24 months at no interest.
 - That the approximate cost of N\$7 710.00 per person for all statutory processes be recovered over a period of 24 months from

date of acceptance of Council's offer to purchase / donate by the relevant adjoining erf owner.

- That a suspense account be created for the above payments.

(c) That developments must comply with the provisions of the Swakopmund Town Planning Scheme.

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

RECOMMENDED:

- (a) That Council approves the permanent closure of the corridor situated between Erven 992 and 993, Mondesa subject to the conditions as stipulated in terms of Section 50 of the Local Authorities Act of 1992, Act 23 of 1992, as amended.**
 - (b) That Council approves the sale of the corridor between Erf 992 and Erf 993, Mondesa to Mr M J & C van Wyk (owner of Erf 992, Mondesa) and Late Estate A W van Wyk (owner of Erf 993, Mondesa) subject to the conditions approved by Council on 28 April 2011 and 28 July 2011.**
 - (c) That Council's intention to sell the corridor to Mr M J & C van Wyk (owner of Erf 992 , Mondesa) and Late Estate A W van Wyk (owner of Erf 993, Mondesa) be advertised in terms of section 63 (2) of the Local Authorities Act, Act 23 of 1992, as amended.**
 - (d) That the corridor situated between Erven 992 and 993, Mondesa be subdivided into two portions and one portion be consolidated with Erf 992 and another with Erf 993, Mondesa in terms of Townships and Division of Land Ordinance (Ordinance 11 of 1963).**
-

11.1.3 **REQUEST FOR EXTENSION OF TIME TO PROVIDE PROOF OF APPROVED LOAN**

(C/M 2012/05/31 - M 3289, M 3290, M3291)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 7.4 page 18 refers.

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

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

(a) *That Erven 3289, 3292 and 3291, Mondesa measuring 13 395m² be sold to Messrs Dr Theo-Ben Gurirab Private Hostel being a private company at the purchase price of N\$2 136 502.50 (N\$159.50/m²) + 15% VAT (if any), being the market related price subject to the conditions approved by Council on 30 June 2011 item 11.1.5.*

(b) *That points (a) and (b) of Item 11.1.5 of Council's resolution of 30 July 2011, i.e.:*

(a) *That Council in principle allocates ±1.3ha (13 395 m²) land on Erven 3289, 3290 and 3291, Mondesa to Rev G Kandume for a period of six (6) months from date of Council's offer, to build a private hostel for vulnerable children on condition that Rev G Kandume provides proof of an approved loan to purchase the land.*

(b) *That if no proof is provided, Council's offer be revoked.*

be repealed and replaced with the following:

(a) *That Council in principle approves the sale of Erven 3289, 3290 and 3291, Mondesa measuring approximately 1.3ha (13 395 m²) to Messrs Dr Theo-Ben Gurirab Private Hostel for the purpose of building a private hostel for vulnerable children.*

(b) *That the entity provides proof of an approved loan to purchase the erven within a period of six (6) months from the date of Council's resolution approving the purchase price on condition that should no proof be provided, Council's offer be revoked.*

(c) *That point (f) of Item 11.1.5 of Council's resolution of 30 July 2011 be amended to read as follows:*

(f) *That the housing units on the property may only be occupied by staff in the employ of the applicant and who work on site, and may not be sold at all and may not be leased to anyone except bona fide employees of the hostel.*

(d) *That Council decides the minimum housing units to be constructed once the layout plans are submitted for consideration (Council resolution of 30 July 2011).*

(e) *That in addition to point (g) • statutory disciplines - it is the responsibility of the applicant to appoint a registered town & regional planner to attend to the consolidation- of the three (3) erven and, rezoning to "Institutional", etc for the applicant's / developer's account to attend to these requirements*

the applicant be informed to apply for "consent use" simultaneously with the rezoning in order to obtain permission to operate a hostel.

2. With reference to point (b) of the above resolution, Messrs Dr Theo Ben Gurirab Private Hostel was informed on **28 October 2011 (Annexure "B")** of Council's resolution passed on **27 October 2011** and was requested to provide proof of an approved loan to purchase the erven on / before **30 April 2012**, no proof was received at the said date.

3. A letter dated **07 May 2012 (Annexure “A”)** was received from Messrs Dr Theo Ben Gurirab Private Hostel requesting Council to extend the period to provide proof of an approved loan with six months, since they got delayed while in the process of acquiring some funds. They further request Council to consider breaking up the total amount and permit them to pay it in monthly instalments as from **January 2013**.
4. The six months period extension requested by Dr Theo Ben Gurirab Private Hostel cannot be considered as they were already given a reasonable period of six months from the date of the Council resolution to provide proof of an approved loan.
5. With reference to the sale of Erf 989, Swakopmund to Messrs Luxury Investments One Hundred & One (Pty) Ltd, they failed to return a signed deed of sale and no bank guarantee was provided to Council within the period of 21 days as per conditions of the agreement. Subsequently, Council on **12 April 2012**, among other, passed the following resolution:

(a) That the sale of Erf 989, Swakopmund to Messrs Luxury Investments One Hundred & One (Pty) Ltd be cancelled.
6. Since no proof of an approved loan was received from Messrs Dr Theo Ben Gurirab Private Hostel on the closing date, it is proposed that the Management Committee considers granting Messrs Dr Theo Ben Gurirab Private Hostel an extension of ninety days to provide proof of an approved loan, even though their letter does not cover the factual reasons as to what caused the delay or whether there is any progress made so far.

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

RECOMMENDED:

That Messrs Dr Theo Ben Gurirab Private Hostel be informed that:

- (a) **An extension of 21 days is granted to provide proof of an approved loan to purchase Erven 3289, 3290, and 3291, Mondesa; as from 31 May 2012; (21 days)**
 - (b) **Should no proof of an approved loan be submitted, Council's offer be revoked;**
 - (c) **No further application for extensions will be considered; and**
 - (d) **Their proposal to pay the purchase price in instalments cannot be considered as it is not in line with Council's Property Policy, i.e. the purchase price be secured by a formal guarantee payable on the date of transfer of the erven.**
-

11.1.4 **APPLICATION TO PURCHASE A STREET PORTION ADJACENT TO ERF 3589, SWAKOPMUND**

(C/M 2012/05/31 - E 3589)

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

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

1. **Attached** application (**Annexure “A”**) dated **10 August 2011** was received from Mr D D Kloppe (owner of Erf 3589, Swakopmund) to purchase a portion of land (street) adjoining his Erf 3589, Swakopmund; and consolidate the portion with Erf 3589, Swakopmund.
2. The portion applied for is indicated on the map attached as **Annexure “D”** and it measures approximately 362m².
3. Mr D D Kloppe was informed by Engineering Services Department on **17 August 2011 (Annexure “B”)** that his application cannot be considered as the portion forms part of the road reserve of Trunk Road 2/2. According to the Engineering Services there is a semi-purified effluent water line running across the north- western corner of the proposed portion.
4. A letter dated **20 October 2011 (Annexure “C”)** was received from the Roads Authority stating that they have no objection to the sale of the proposed piece of land to Mr D D Kloppe by the Municipality of Swakopmund as the portion of land in question falls outside the 45 metres jurisdiction of the Roads Authority.
5. The application was discussed by the Planning Forum on **11 January 2012** and it was proposed that Erongo RED be requested to provide the cost estimate for the relocation of electrical cables crossing the street portion.

Attached as (Annexure “E”) is the cost estimate received from Erongo RED, with an amount of N\$30 738.82. The applicant was informed accordingly about the cost thereof and requested to indicate whether he is willing to proceed with the transaction.

6. An e-mail (**Annexure “F”**) dated **26 March 2012** was received from Mr D D Kloppe confirming his intention to proceed with the transaction. The applicant also obtained quotations for the statutory processes of closure as a street portion, subdivision and consolidation (N\$20 326.60) and the surveying of the portion (N\$6 579.90); he now only awaits the purchase price for the street portion. A Council resolution is required in order to request and pay for the two probable market related valuations required in terms of the Property Policy.

7. Taking into consideration that the proposed portion of land does not form part of the road reserve, it is proposed that the portion be sold to Mr D D Kloppe being the current owner of Erf 3589, Swakopmund.

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

RECOMMENDED:

That a portion of land situated on the corner of Trunk Road 2 / 2 and Aukas Street measuring $\pm 365\text{m}^2$, adjoining Erf 3589, Swakopmund be sold to the Mr D D Kloppe, being the owner of Erf 3589, Swakopmund; subject to the following conditions:

- (i) That the Engineering Services confirms the exact size of the street portion located adjacent to Erf 3589, Swakopmund (excluding the area of the semi-purified effluent water line).*
 - (ii) That the purchase price of the portion be obtained from the municipal valuator and an additional valuator, assuming a zoning as "Single Residential".*
 - (iii) That the requirements regarding the alienation of immovable property as prescribed in the Local Authorities Act, Act 23 of 1992, (as amended), and the Townships and Division of Land Ordinance 11 of 1963 respectively, be dealt with successfully.*
 - (iv) That Council's approval in terms of Section 50 (2) of the Local Authorities Act, 1992 as amended, be given for the permanent closure of the portion as "Street" as indicated on the attached map.*
 - (v) That the street portion be subdivided from Trunk Road 2/2 and consolidated with Erf 3589, Swakopmund ("Single Residential") in terms of the Townships and Division of Land Ordinance 11 of 1963.*
 - (vi) That the applicant / purchaser appoints a town planner at his cost to attend to the statutory processes as set-out in (iv) and (v) above.*
 - (vii) That all costs regarding this transaction be for the account of the applicant.*
 - (viii) That the relocation of electrical services (cables) to be for the applicant's account.*
 - (ix) That the developments must comply with the provisions of the Town Planning Scheme.*
 - (x) That the applicant takes note that no rights will accrue to the applicant unless all the abovementioned conditions are complied with in full and all the relevant authorities have given the necessary permission, if applicable.*
-

11.1.5 **APPLICATION BY BLOOD TRANSFUSION SERVICES OF NAMIBIA
TO ACQUIRE A PORTION OF ERF 577, TAMARISKIA**
(C/M 2012/05/31 - T 577, I 1/1/5)

Ordinary Management Committee Meeting of 16 May 2012, Addendum
8.3 page **21** refers.

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

1. APPLICATION

- 1.1 An application was received from **Messrs Blood Transfusion Services of Namibia** dated **02 November 2011** to acquire land. With reference to their application, the Chief Executive Officer and the architect of Messrs Blood Transfusion Services of Namibia had a meeting on **20 December 2011**; whereby their application was discussed and it was agreed that Messrs Blood Transfusion Service of Namibia will submit a revised application.

Following the above, an application was received from Messrs Blood Transfusion Services of Namibia dated **2 February 2012** to purchase a 50% portion of the Remainder of Erf 577, Tamariskia (**Annexure "A"**) at a maximum purchase price of **N\$80.85/ m²**.

- 1.2 In addition to the above application, a letter was received from their appointed architect, Messrs Eckhard Siedentopf Architectural Design indicating that they wish to acquire a portion of the Remainder of Erf 577, Tamariskia measuring $\pm 3\,146\text{m}^2$ (**Annexure "B"**). Messrs Blood Transfusion Services of Namibia is a section 21 company, an association not for gain.
- 1.3 Ms Christa Gouws of Messrs Blood Transfusion Services of Namibia on **18 April 2012** informed the Property Section that the organisation currently owns Erf 521, Swakopmund where they are operating from since 2006. According to Ms Gouws, they are planning to sell Erf 521, Swakopmund as it is very small and inconvenient for blood donors to access their clinic.
- 1.4 Erf 521, Swakopmund measures $1\,077\text{m}^2$ and is zoned "*Single Residential*" in terms of the Swakopmund Town Planning Amendment Scheme No.12. During 2005, Messrs Blood Transfusion Services of Namibia applied for rezoning of the erf into "*Institutional*" the new zoning is included in the Swakopmund Town Planning Amendment Scheme No.35 which is still to be approved.

2. LAND APPLIED FOR

Messrs Blood Transfusion Services of Namibia applies for a portion measuring approximately $\pm 3\,146\text{m}^2$ of the Remainder of Erf 577, Tamariskia as indicated on a map attached **Annexure “C”**.

Erf 577, Tamariskia was subdivided into Erf 699, Tamariskia (sold to Histochem Laboratories Namibia Pty Ltd); Erf 1250 (sold to Little Foot Nursery) and Erf 1251, Tamariskia (sold to Namibia Institute of Pathology Ltd). The Town Hall is also located on the Remainder of Erf 577, Tamariskia and the hall requires adequate parking.

With reference to the purchase price offered by the applicant at a maximum price of **N\$80.85/ m²**, previous purchase prices were approved as follows:

①	Histochem Laboratories Namibia Pty Ltd	= N\$215.21/m ² (28 July 2011)
②	Little Foot Nursery	= N\$123.50/m ² (24 September 2009)
③	Namibia Institute of Pathology Ltd	= N\$ 80.85/m ² (2 June 2009)

3. COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT

Engineering Services Department on **23 March 2012** was requested to provide comments whether the available portion is reserved for parking taking into consideration the size applied by the applicant. Their comments are attached as **Annexure “D”**:

- *That the proposed portion applied by the applicant not be sold but be reserved for parking purposes as the town hall will need more parking spaces for big events and meetings are held on the premises.*
- *Currently there are 73 parking bays around the town hall which are not sufficient for parking when big events held at the town hall.*
- *The portion will be used for surrounding uses when the area is in full operation.*

Taking the above into consideration, it is proposed that the remaining portion of Erf 577, Tamariskia should be reserved for future parking purposes.

4. ALTERNATIVE LAND

4.1 Since the Remainder of Erf 577, Tamariskia is reserved for parking and the erf (Erf 521, Swakopmund) from which Messrs Blood Transfusion Services of Namibia is currently operating from is too small and not easily accessible by donors, it is proposed that that a portion of the subdivision of Portion 5 zoned “undetermined” (to be zoned “institutional”) be offered to Messrs Blood Transfusion Services of Namibia to enable them to establish a clinic for the community of Swakopmund.

Quoted from the Swakopmund Town Planning Amendment Scheme No 12,

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

4.2 The following portions were allocated as erven to be created by the subdivision of Portion 5: (layout attached Annexure “E”):

Portion A	-	undetermined	-	Moria Congregations of Africa’s
Portion B	-	undetermined		
Portion C	-	undetermined		
Portion D	-	undetermined		
Portion E	-	private open space	-	Celtic Football Club
Portion F	-		-	Community Hall / Multipurpose Centre
Portion G	-	undetermined	-	Akasia Funeral Services
Portion H	-	undetermined		
Portion I	-	undetermined		
Portion J	-	undetermined		
Portion K	-	undetermined	-	Assemblies of God
Portion L	-	undetermined		
Portion M	-	parking		
Portion N	-	business		
Portion O	-	business		
Portion P	-	undetermined		
Portion Q	-	offered for sale to the adjacent		Tamariskia Clinic

4.3 A separate submission is tabled to the Management Committee regarding applications received for portions of Portion 5, but which do not fit in with the intended use for the area as approved by Council on 25 November 2010.

5. RECENTLY APPROVED SALES TO NON-PROFIT ORGANISATIONS

Council on **26 April 2012** approved the sale of land to both Messrs Tears of Hope and Messrs Erongo Development Foundation at 50% of the cost of installation of services.

6. PROPOSAL

6.1 It is proposed that the application of Messrs Blood Transfusion Services of Namibia for a portion of the Remainder of Erf 577, Tamariskia measuring approximately ±3 146m² not be considered; and the undeveloped open space be reserved for future parking.

It is further proposed that a portion of Portion 5 as per **Annexure “E”**, be offered to Messrs Blood Transfusion Services of Namibia (being either **Portion B** or **C**), subject to

the conditions of Non- Profit Organisation as prescribed in Council's Property Policy.

6.2 **Provisions of the Property Policy**

With reference to the sale of land to non-profit organizations, Council's Property Policy reads as follows and mostly refers to the sale of land to churches:

1 NON PROFIT ORGANISATIONS

(i) *Qualification requirements for subsidised land A (i). The following information should be submitted:*

- A constitution.
 - Provide a name list of at least 75 adult members residing in Swakopmund.
 - A letter indicating the Power of Attorney granted by the institution to a particular person/s that he/she/they have the authority to sign on behalf of the institution.
 - ~~Proof of affiliation with a governing body within Namibia. (C/M 2008/03/27 - Erf 986, M)~~
 - 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.
 - Proof that the organisation is operational in Namibia for at least two years before the sale of institutional land to the relevant organisation is considered.
 - No application will be considered unless all the above information pertaining to the applicant has been submitted.
 - That churches applying for land shall provide proof of their financial ability to develop the erf immediately after transfer. (M/C of 14 January 2010)
- Blood Transfusion Services of Namibia is a 21 company (non-profit organisation).*
- Ms Christa Gouws of Blood Transfusion Services of Namibia confirmed that the organisation was already operational in Swakopmund since 2006*

(ii) **Purchase Price:**

For subsidised land which is sold to non profit organisations, the following prices shall be applicable:

- A 50 % subsidy of the development cost, provided that the development level also be considered in determination of land.

The cost for the installation of services for portion 5 will only be known once the subdivision is finalized.

(iii) **Method of payment**

No deposit is required and payment to be done in monthly instalments over a period of 7 (seven) years, (from date of signing of the contract), at prime commercial overdraft rate as charged by any registered commercial bank operating in Namibia.

The purchase price is secured on date of signing the Deed of Sale in cash or by bank guarantee, thereafter transfer can be effected and construction of the project can be commenced with.

7. **CONCLUSION**

The application of Messrs Blood Transfusion Services was discussed by the Planning Forum and it was concluded that a portion of the subdivision of Portion 5 be offered to Messrs Blood Transfusion Services of Namibia at the purchase price of 50% of the cost of installation of services.

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

RECOMMENDED:

- (a) That the application of Messrs Blood Transfusion Services of Namibia to purchase a 50% portion of the Remainder of Erf 577, Tamariskia be turned down.
 - (b) That the Remainder of Erf 577, Tamariskia be reserved for parking.
 - (c) That Messrs Blood Transfusion Services of Namibia be offered a portion on the subdivided Portion 5 (either Portion B or C) adjacent to the Tamariskia Clinic to establish a blood transfusion clinic at 50% of installation of services once the subdivision, surveying and servicing of Portion 5 is finalized.
 - (d) That the portion of Portion 5 to be offered to Messrs Blood Transfusion Services of Namibia to establish a clinic be rezoned "*Institutional*" at the cost of Messrs Blood Transfusion Services of Namibia.
 - (e) That the sale of a portion on the subdivided Portion 5 to Messrs Blood Transfusion Services of Namibia be subject to the conditions as prescribed in the Property Policy.
-

11.1.6 **APPLICATION TO LEASE A SITE AT THE CORNER OF MANDUME
YA NDEMUFAYO STREET AND NELSON MANDELA AVENUE TO
OPEN A TRADITIONAL RESTAURANT**
(C/M 2012/05/31 - M 2310)

Ordinary Management Committee Meeting of 16 May 2012, Addendum
8.4 page 31 refers.

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

1. Introduction

Attached, is a letter received on **14 March 2012** from Mesdames H Joseph and L Shapumba, requesting to lease an open space, being Erf 2310, Mondesa situated on the corner of Mandume Ya Ndemufayo Street and Nelson Mandela Avenue to start a traditional restaurant of which the design will look like a traditional Oshiwambo homestead. (**Annexure “A”**)

The two ladies intend to serve local food and drinks and wish to also inform the tourist and locals about the history and culture of the Ovambo people. They also indicate in their letter that they plan to include traditional food and drinks of other cultural groups. With this initiative they intend to develop the township and to provide employment and income to the young people of Mondesa.

2. Land Applied for

The land applied for is zoned “**Public Open Space**” and in terms of Town Planning Amendment Scheme 12 a **public open space** means any land used or reserved in this scheme for use by the public as an open space, park, garden playground, recreation ground or square.

Attached as **Annexure “B”** is a locality plan of **Erf 2310, Mondesa**.

3. Comments from Engineering Services Department

Quoted: *Due to the fact that the land is zoned as “**Public Open Space**” it does not make provision for such business activities as indicated by the Mesdames H Joseph and L Shapumba. It is advised that the applicants identify a portion of land that is either zoned “**Local Business**” or “**General Business**” which will be suitable for the type of venture they intend to start.*

Furthermore, it must be kept in mind that Council is not in favour of leasing undeveloped land due to the complication of having the improvements erected on Council's property. As explained by the Engineering Service Department, a **permanent structure** is any type of roof whether it's cardboard, netting, asbestos or iron with a cement floor.

4. **Proposal**

It is proposed not to consider the application of Mesdames H Joseph and L Shapumba, as the land applied for is zoned “Public Open Space”.

That Mesdames H Joseph and L Shapumba be informed that Council cannot consider their application as the land applied for is zoned “Public Open Space” and therefore no business activities will be allowed, furthermore Council does not allow any permanent structures on lease land; in addition they be informed of the following:

- ① *That Council is in the process of subdividing the Remainder of Erf 138, Mondesa into business erven which will be available for sale by closed bid once the subdivision and rezoning process is finalized;*
- ② *That Council will at a later stage decide about the future sale of the business erven in the PDA (as was resolved by the Management Committee on 12 April 2012); and*
- ③ *That whenever land is available Council advertises its’ intention in two newspapers circulating locally, as prescribed by the Local Authorities Act, Act 23 of 1992, as amended.*

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

RECOMMENDED:

That Mesdames H Joseph and L Shapumba be informed that Council cannot consider their application as the land applied for is zoned “Public Open Space” and therefore no business activities will be allowed, furthermore Council does not allow any permanent structures on lease land; in addition they be informed of the following:

- (i) *That Council is in the process of subdividing the Remainder of Erf 138, Mondesa into business erven which will be available for sale by closed bid once the subdivision and rezoning process is finalized;*
 - (ii) *That Council will at a later stage decide about the future sale of the business erven in the PDA (as was resolved by the Management Committee on 12 April 2012); and*
 - (iii) *That whenever land is available Council advertises its’ intention in two newspapers circulating locally, as prescribed by the Local Authorities Act, Act 23 of 1992, as amended.*
-

11.1.7 **URGENT REQUEST BY MESSRS DOLPHIN RUGBY CLUB TO
UPGRADE TAMARISKIA SPORT FIELD**

C/M 2012/05/31 - I 1/10)

**Ordinary Management Committee Meeting of 16 May 2012, Addendum
8.6 page 41 refers.**

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

Attached (Annexure “A”) letter was received from Messrs Dolphin Rugby Club a local rugby club which was recently promoted to the Namibia Rugby League for the 2012 / 2013 season. According to Messrs Dolphin Rugby Club, they have made history as it is their first time to participate in this high-status completion viz. the country top-flight league.

As a result of the above, the club will be required from time to time to utilize the Tamariskia Sport field when playing their home games. Unfortunately the field does not meet the minimum national standard to host premier league matches, hence a request for the following items to be attended to:

1. *Repair of the barrier fence - the fence needs to be tightened at various points.*
2. *Installation of the booster pump - pump to supply sufficient effluent water for irrigation purposes.*
3. *Installation of new goal posts at the field.*
4. *Extension and upgrading of the pitch - the field needs to be extended to standard length.*

Below is an estimate cost of **N\$60 000.00** to repair the current conditions.
(Annexure “B”)

- | | | |
|----|---|---------------------|
| 1. | <i>Installation of the booster pump</i> | <i>N\$15 000.00</i> |
| 2. | <i>Removal, restore curbs</i> | <i>N\$7000.00</i> |
| 3. | <i>Lawn</i> | <i>N\$13 000.00</i> |
| 4. | <i>Repair barrier fence</i> | <i>N\$15 000.00</i> |
| 5. | <i>Installation of goal posts</i> | <i>N\$10 000.00</i> |

This project was not budgeted for during the 2011/12 or 2012/13 Financial Year, thus no funds are available to carry it out. However there is a saving of N\$336 588.45 on the Boundary Wall (Mondesa informal Field) Vote 104531613500 which can be utilize for this purpose.

A similar request was done in 2010 when Blue Boys reached the Premier League where after Council upgraded the Mondesa Sport field. It is therefore important that Council once again assist in this respect to enable Messrs Dolphin Club to host these prestigious sport events at their home ground.

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

RESOLVED: (For Condonation By Council)

- (a) That permission be granted to the General Manager: Community Development Services to utilize N\$60 000.00 which can be defrayed from the Boundary Wall (Mondesa informal Field) Vote 104531613500 where N\$336 588.45 is available in order to upgrade the Tamariskia Sport field.**
 - (b) That this project be made a continuation project for the 2012/2013 Financial Year.**
 - (c) That the General Manager: Community Development Services ensures that staff are pro-active to ensure that Council's sport fields and facilities comply with required national standards and are maintained to provide high quality service to the public.**
-

11.1.8 **REQUEST FOR PERMISSION TO UTILIZE SAVING FROM OTHER PROJECTS FOR THE CONSTRUCTION OF MONDESA CEMETERY WALL**

(C/M 2012/05/31 - H 1/10/2)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 8.7 page 44 refers.

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

An amount of N\$380 160.00 was made available for the construction of a boundary wall at the Mondesa Cemetery. So far the project is progressing well and a distance of 763 meters has already been constructed leaving a distance of 50 meters still to be built. It is however estimated that the project will be finalized before the end of the financial year. The project is currently experiencing shortage of funds to purchase 3200 block bricks needed to cover the remaining distance.

In the meantime, a saving of N\$336 588.45 has been realized on the Boundary Wall (Mondesa Practice Field) **Vote 104531613500**. It is therefore proposed to utilize an amount of N\$35 000.00 (**Annexure "A"**) from this saving to purchase the outstanding 3 200 block bricks.

The Mondesa cemetery will soon fill up to capacity, hence the importance that the boundary wall of the new extension is finalized in order to start utilizing this area.

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

RESOLVED: (For Condonation By Council)

- (a) That permission be granted to the General Manager: Finance to transfer an amount of N\$36 000.00 from the Boundary Wall (Mondesa informal Field) **Vote 104531613500** to **Vote 200531609200** in order to finalize the construction of boundary wall at the Mondesa cemetery.
 - (b) That the assurance given by the Acting General Manager: Community Development Services that the amount of N\$36 000.00 will be sufficient to complete the project be noted.
 - (c) That Heads of Departments enforce proper planning and make sufficient budgetary provision for projects in order to avoid the transfers of funds from various Votes.
-

11.1.9 **REQUEST FOR DONATION BY WESTSIDE HIGH SCHOOL**
(C/M 2012/05/31 - D 5)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 8.9 page 48 refers.

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

Attached application was received from Messrs Westside High School requesting Council for a donation of 20 bags of manure for their gardens as well as assistance with a dozer to pile up garden refuse.

It is seen as a positive effort from the school with limited funds to improve their gardens and the image of the school. The donation of 20 bags of manure to Westside High School is therefore supported, however the municipal dozer is out of order and we cannot assist in this regard. It is proposed that the school makes an alternative arrangement to stockpile the garden refuse.

The cost of one bag of manure is N\$25.00 and for 20 bags the cost will be N\$500.00.

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

RECOMMENDED:

That the request by Messrs Westside High School for a donation of 20 bags of manure at a cost of N\$500.00 be approved and that the cost be defrayed from Publicity Vote 100510212700 where N\$511.91.00 is available.

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

(C/M 2012/05/31 - E 2893)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 8.10 page 50 refers.

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

Attached application was received for the registration of an Administrative Office in terms of the Town Planning Regulations:

- *Erf 2893, Swakopmund (6 Malven Street) - Mr B M Sissing t/a Messrs Advanced Fire Suppression Namibia
(Notice No. 12/2012-04-03)*

The property is zoned “*Single Residential*” and according to the Town Planning Scheme Regulations, with special consent from Council a resident occupation may be allowed.

Insert from the Town Planning Amendment Scheme No.12:

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

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

All adjacent neighbours were contacted and no one objected. The proposed consent use was also advertised as per Clause 6 of the Town Planning Scheme Regulations (**Notice No. 12/2012-04-03**) and no objections were received.

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

RECOMMENDED:

(a) That the following application for permission to operate an Administrative Office on Erf 2893, 6 Malven Street, Swakopmund be approved:

- *Erf 2893, Swakopmund (6 Malven Street) - Mr B M Sissing t/a Messrs Advanced Fire Suppression Namibia (Notice No. 12/2012-04-03)*

(b) That they register with the Health Services Department and the standard Health Regulations will apply.

(c) That the consent use be subject to the following:

- *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - *That they must operate within the Town Planning Scheme regulations.*
 - *That the consent is not transferable.*
 - *That they provide sufficient parking on the premises.*
 - *That no on street parking will be tolerated.*
-

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

(C/M 2012/05/31 - E 691, T 290, T65, E 2473, E 4027)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 8.11 page 58 refers.

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

Attached applications were received for the registration of an Administrative Office in terms of the Town Planning Regulations:

- *Erf 691 Swakopmund (73 Sam Nujoma Avenue) - Mr J H Rohlink & Ms I Lösch t/a Messrs H.R. Technical Services CC - Administrative Office (Civil Construction and all related activities)
(Notice No. 12/2012-04-03)*
- *Erf 290 Tamariskia (Copper Avenue) - Mr J L Carew t/a Messrs Casey's Trading and Enterprises CC - Administrative Office (Public Transport)
(Notice No. 12/2012-04-03)*
- *Erf 65 Tamariskia (Brockerhoff Avenue) - Mr S H Fillipus & A T Shaanika t/a Messrs AVSI Investments CC - Administrative Office (Construction, renovations, development of properties, transport, cleaning services and geological services)
(Notice No. 12/2012-04-03)*
- *Erf 2473 Swakopmund (45 Diamond Street) - Mr C H Lesch t/a Messrs Green Grazing Solutions CC - Administrative Office (Marketing and selling fodder units)
(Notice No. 12/2012-04-03)*
- *Erf 4027 Kramersdorf (24 Riverside Avenue) - Ms N Schneider t/a Messrs Namibia Booking Service - Administrative Office (Booking office)
(Notice No. 12/2012-04-03)*

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

Insert from the Town Planning Amendment Scheme No.12:

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

- (i) *The resident occupation shall be confined to one third of the total floor area of the said dwelling;*
- (ii) *The resident occupation must be carried out entirely within the dwelling to include the basement, outbuilding, garage, and/or attic of the dwelling.*
- (iii) *The home occupation must be clearly incidental and secondary to the residential use of the dwelling;*
- (iv) *The residential character and appearance of the dwelling and the property on which it is located shall not be changed in any visible manner. No advertisement of the existence of the resident occupation shall be visible from the dwelling or the erf on which it is located, except for one sign as permitted by this Scheme;*
- (v) *No materials or products shall be stored on the erf outside in such a manner as to be visible from any adjacent property;*
- (vi) *Display of merchandise or products of the resident occupation for sale may be permitted at the discretion of Council in keeping with subparagraph (iv) above;*
- (vii) *The resident occupation shall not create any objectionable noise, odor, vibration or unsightly conditions;*

- (viii) *The resident occupation shall not create a health or safety hazard;*
- (ix) *The resident occupation shall not create any interference with communication transmission or reception in the vicinity;*
- (x) *Only products that are substantially manufactured or fabricated in the dwelling solely by the inhabitants thereof shall be sold as part of the resident occupation. Products not manufactured or fabricated within the dwelling by the inhabitants may only be sold by catalogue sales and may not be stocked for retail sales within the residence. Incidental sales of products directly associated with the resident occupation may be permitted by Council;*
- (xi) *The resident occupation may employ up to 2 full time employees.*

All adjacent neighbours were contacted and no objections were received. The proposed consent use was also advertised as per Clause 6 of the Town Planning Scheme Regulations (**Notice No. 12/2012-04-03**) and no objections were received.

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

RECOMMENDED:

- (a) **That the following applications for permission to operate administrative offices be approved:**
 - *Erf 691 Swakopmund (73 Sam Nujoma Avenue) - Mr J H Rohlink & Ms I Lösch t/a Messrs H.R. Technical Services CC - Administrative Office (Civil Construction and all related activities)
(Notice No. 12/2012-04-03)*
 - *Erf 290 Tamariskia (Copper Avenue) - Mr J L Carew t/a Messrs Casey's Trading and Enterprises CC - Administrative Office (Public Transport)
(Notice No. 12/2012-04-03)*
 - *Erf 65 Tamariskia (Brockerhoff Avenue) - Mr S H Fillipus & A T Shaanika t/a Messrs AVSI Investments CC - Administrative Office (Construction, renovations, development of properties, transport, cleaning services and geological services)
(Notice No. 12/2012-04-03)*
 - *Erf 2473 Swakopmund (45 Diamond Street) - Mr C H Lesch t/a Messrs Green Grazing Solutions CC - Administrative Office (Marketing and selling fodder units)
(Notice No. 12/2012-04-03)*
 - *Erf 4027 Kramersdorf (24 Riverside Avenue) - Ms N Schneider t/a Messrs Namibia Booking Service - Administrative Office (Booking office)
(Notice No. 12/2012-04-03)*
 - (b) **That they register with the Health Services Department and the standard Health Regulations will apply.**
 - (c) **That the consent use be subject to the following:**
 - *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - *That they must operate within the Town Planning Scheme regulations.*
 - *That the consent is not transferable.*
 - *That they provide sufficient parking on the premises.*
 - *That no storage of equipment be on site.*
 - *That no on street parking will be tolerated.*
-

11.1.12 **APPLICATION FOR PERMISSION TO OPERATE RESIDENT OCCUPATIONS**

(C/M 2012/05/31 - M 1860, E 4048, E 689)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 8.12 page 90 refers.

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

Attached applications were received for the registration of resident occupations in terms of the Town Planning Regulations:

- *Erf 1860 Mondesa (Mandume Ya Ndemufayo Street) - Ms S Paulus t/a Messrs Deo's Hair Salon - Hair Salon
(Notice No. 12/2012-04-03)*
- *Erf 4048 Kramersdorf (29 Riverside Avenue) - Ms E de Klerk t/a Messrs IGS Namibia – Erongo - Health and Beauty Salon
(Notice No. 12/2012-04-03)*
- *Erf 689 Swakopmund (69 Sam Nujoma Avenue) - Mr J M Struwig t/a Messrs Namibia Rescue Services (Emed Rescue 24) - Rescue and Ambulance Services
(Notice No. 12/2012-04-03)*

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

Insert from the Town Planning Amendment Scheme No.12:

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

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

within the residence. Incidental sales of products directly associated with the resident occupation may be permitted by Council;
(xi) *The resident occupation may employ up to 2 full time employees.*

All adjacent neighbours were contacted and no objections were received. The proposed consent use was also advertised as per Clause 6 of the Town Planning Scheme Regulations (**Notice No. 12/2012-04-03**) and no objections were received.

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

RECOMMENDED:

(a) That the following applications for permission to operate resident occupations be approved:

- *Erf 1860 Mondesa (Mandume Ya Ndemufayo Street) - Ms S Paulus t/a Messrs Deo's Hair Salon - Hair Salon
(Notice No. 12/2012-04-03)*
- *Erf 4048 Kramersdorf (29 Riverside Avenue) - Ms E de Klerk t/a Messrs IGS Namibia - Erongo - Health and Beauty Salon
(Notice No. 12/2012-04-03)*
- *Erf 689 Swakopmund (69 Sam Nujoma Avenue) - Mr J M Struwig t/a Messrs Namibia Rescue Services (Emed Rescue 24) - Rescue and Ambulance Services
(Notice No. 12/2012-04-03)*

(b) That they register with the Health Services Department and the standard Health Regulations will apply.

(c) That the consent use be subject to the following:

- *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - *That they must operate within the Town Planning Scheme regulations.*
 - *That the consent is not transferable.*
 - *That parking will be provided on the premises.*
 - *That no on street parking will be tolerated.*
-

11.1.13 **REZONING OF ERF 2709, SWAKOPMUND FROM “PUBLIC OPEN SPACE” TO “INSTITUTIONAL”**

(C/M 2012/05/31 - E 2709)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 8.13 page 122 refers.

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

Application is herewith made for the rezoning of Erf 2709, Swakopmund from “*Public Open Space*” to “*Institutional*”.

The Erf is located along Aquamarine Street in Extension 8. It measures 2 613.78m² in extent and is owned by the Municipality of Swakopmund. The Erf is currently zoned “*Public Open Space*” and is vacant. Erf 2709 Swakopmund is currently not being used to its full potential since the Erf stands vacant and it is highly unlikely that the Erf will ever be used for a public open space. The Municipality therefore decided to make application to rezone the Erf to a different zoning that is better suited for this specific area.

Erf 2709, Swakopmund has already formally been closed as a Public Open Space on **19 January 2012**. See **attached** closing certificate.

The intention to rezone Erf 2709 Swakopmund from “*Public Open Space*” to “*Institutional*” was decided when Council was approached by the Seventh-Day Adventist Church for the purchase of the Erf in question in order to construct a new church on the property. Furthermore, in order to construct a church on the property, it will need to be rezoned to “*Institutional*”.

Rezoning Erf 2709, Swakopmund from “*Public Open Space*” to “*Institutional*” will not have a negative impact on the surrounding neighbourhood.

The intended rezoning was advertised in The Namibian on **16 and 23 March 2012** and the Namib Times on **16 and 23 March 2012**. Letters were also sent to the surrounding properties by means of registered mail to inform them of the owner’s intentions. The closing date for objections was on **10 April 2012** and to date no objections were received.

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

RECOMMENDED:

- (a) That Council approves the rezoning of Erf 2709 Swakopmund from “*Public Open Space*” to “*Institutional*”.
 - (b) That the approved rezoning be included in the next Amendment Scheme for approval by the Ministry of Regional and Local Government, Housing and Rural Development.
-

11.1.14 **REZONING OF ERF 4010, SWAKOPMUND, FROM “SINGLE RESIDENTIAL” WITH A DENSITY OF 1:900m² TO “GENERAL RESIDENTIAL 2” WITH A DENSITY OF 1:250m² AND THE SUBSEQUENT CONSOLIDATION OF ERF 4010 WITH ERF 1303 SWAKOPMUND**

(C/M 2012/05/31 - E 4010, E 1303)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 8.14 page 142 refers.

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

Application was received from Messrs Winplan Town & Regional Planning Consultants on behalf of their client, Mr C W mette for the rezoning of Erf 4010 Swakopmund from “*Single Residential*” with a density of 1:900m² to “*General Residential 2*” with a density of 1:250m² and the subsequent consolidation of Erf 4010 with Erf 1303 Swakopmund.

The two erven are located adjacent to each other in Anton Lubowski Street and Riverside Avenue as indicated on the locality plan supplied by the applicant. Erf 4010 measures approximately 782m² in size and is currently vacant. Erf 1303 measures approximately 1144m² in size and currently accommodates an existing dwelling with its out building. The surrounding area is already characterised by General Residential properties with densities of 1:250m² as can be seen from the **attached** zoning maps. Furthermore it is expected that the remaining surrounding properties will in the near future also change their land use rights to adapt to the growth changes of the town.

It is the intention of the client to use the consolidated Erf for no other purpose than a dwelling unit. The client only wants to make additions to his house in a form of an entertainment area and nothing more.

The intended rezoning and consolidation was advertised in the Republikein on **13 and 20 February 2012** and the Namibian on **13 and 20 February 2012**. Letters were also sent to the owners of the surrounding properties by means of registered mail to inform them of the applicant's intentions. The closing date for objections was on **6 March 2012** and to date no objections were received.

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

RECOMMENDED:

- (a) That Council approves the rezoning of Erf 4010, Swakopmund from “*Single Residential*” with a density of 1:900m² to “*General Residential 2*” with a density of 1:250m² as well as the subsequent consolidation of Erf 1303 with Erf 4010, Swakopmund.
 - (b) That the approved rezoning of Erf 4010, Swakopmund, be included in the next Amendment Scheme for final approval by the Ministry of Regional and Local Government, Housing and Rural Development.
-

11.1.15 **REZONING OF ERF 3486, SWAKOPMUND FROM “LIGHT INDUSTRIAL” TO “OFFICE”**

(C/M 2012/05/31 - E 3486)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 8.15 page 157 refers.

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

Application is herewith made for the rezoning of Erf 3486 Swakopmund from “*Light Industrial*” to “*Office*”.

The Erf is located along Rakotoka Street. It measures 4 363m² in extend and is owned by the Municipality of Swakopmund. The Erf is currently zoned “*Light Industrial*” and accommodates the SWAPO offices. This use is allowed on an Erf zoned “*Light Industrial*” but only with consent from Council. No consent was granted and therefore this use is in contravention of the Swakopmund Town Planning Scheme. In order to bring the use in line with the Swakopmund Town Planning Scheme the Erf must be rezoned from “*Light Industrial*” to “*Office*”. An “*Office*” zoning allows for offices and is a primary use right meaning no consent is needed from Council.

Rezoning Erf 3486, Swakopmund from “*Light Industrial*” to “*Office*” will not have a negative impact on the surrounding neighbourhood since offices already exists on the Erf.

The intended rezoning was advertised in The Namibian on **16 and 23 March 2012** and the Namib Times on **16 and 23 March 2012**. Letters were also sent to the owner’s of the surrounding properties by means of registered mail to inform them of the applicant’s intentions. The closing date for objections was on **10 April 2012** and to date no objections were received.

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

RECOMMENDED:

- (a) That Council approves the rezoning of Erf 3486, Swakopmund from “*Light Industrial*” to “*Office*”.
 - (b) That the approved rezoning be included in the next Amendment Scheme for approval by the Ministry of Regional and Local Government, Housing and Rural Development.
 - (c) That all costs of the transaction including costs of statutory processes be for the account of the applicant.
-

11.1.16 **REZONING OF ERF 776, MONDESA FROM “SINGLE RESIDENTIAL” TO “INSTITUTIONAL”**

(C/M 2012/05/31 - M 776)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 8.16 page 169 refers.

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

Attached application is herewith made for the rezoning of Erf 776, Mondesa from “*Single Residential*” to “*Institutional*”.

The Erf is located on the corner of 17th Street and 11th Avenue in Mondesa. It measures 2 640.53m² in extend and is owned by the African Methodist Episcopal Church. The Erf is currently zoned “*Single Residential*” and accommodates the African Methodist Episcopal Church. Currently the church is operating under a consent use which is allowed in terms of the Scheme.

Furthermore, it must also be mentioned that the church is in the process of purchasing a portion of Erf 787 Mondesa which is currently a Public Open Space. This portion will then automatically get the same zoning as Erf 776, Mondesa which will then be “*Institutional*”.

Rezoning Erf 776 Mondesa from “*Single Residential*” to “*Institutional*” will not have a negative impact on the surrounding neighbourhood since a church already exists on the erf.

The intended rezoning was advertised in The Namibian on **16 and 23 March 2012** and the Namib Times on **16th and 23rd March 2012**. Letters were also sent to the owners of the surrounding properties by means of registered mail to inform them of the applicant’s intentions. The closing date for objections was on **10 April 2012** and to date no objections were received.

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

RECOMMENDED:

- (a) That Council approves the rezoning of Erf 776, Mondesa from “*Single Residential*” to “*Institutional*”.
 - (b) That the approved rezoning be included in the next Amendment Scheme for approval by the Ministry of Regional and Local Government, Housing and Rural Development.
 - (c) That all costs of the transaction including costs of statutory processes be for the account of the applicant.
-

11.1.17 **SUBDIVISION OF ERF 1185 EXTENSION 3, MONDESA INTO 6 PORTIONS AND REMAINDER**

(C/M 2012/05/31 - M 1185)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 8.17 page 182 refers.

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

Application is herewith made for the subdivision of Erf 1185, Mondesa into 6 portions and remainder in terms of Section 19 of the Township and Division of Land Ordinance 11 of 1963.

The Closure of the Public Open Space previously served before Council on **31 August 2011** under item 11.1.6, it was resolved as follows:

- (a) *That the interest declared by Councillor E //Khoaseb and the fact that he left the Chamber during the discussion of this item be noted.*
- (b) *That the objections regarding "quick access to the Tamariskia Clinic" and "overcrowding" received from Ms M Matzi of Erf 1133, Mondesa against the permanent closure of Erf 1185, Mondesa not be supported.*
- (c) *That the objection regarding the "area being used by children to play" received from Ms M Matzi of Erf 1133, Mondesa be supported and Council therefore retains the two centrally located erven and develops them into a proper play park / garden.*
- (d) *That the amended layout of the subdivision of Erf 1185, Mondesa be approved.*
- (e) *That paragraph (b) of Council resolution of 30 September 2010 be repealed and replaced with the following:*
 - *That Erf 1185, Mondesa be subdivided into five erven and four (4) erven be rezoned from "Public Open Space" to "Single Residential" and the central located erf remains as a public open space and that the cost thereof be added to the purchase price of the four (4) residential erven.*
- (f) *That paragraph (d) of Council resolution of 24 February 2011 be repealed and replaced with the following:*
 - *That the remaining two erven to be created from the subdivision of Erf 1185, Mondesa be sold to the public by closed bid.*
- (g) *That in terms of Section 50 (3) (c) of the Local Authorities Act, Act 23 of 1992, as amended, the objection, together with Council's comments be referred to the Ministry of Regional and Local Government, Housing and Rural Development requesting approval to close four proposed erven permanently Erf 1185, Mondesa being a "Public Open Space" and retain the central located erf as public open space.*

It should be noted that Point (e) refers to the subdivision of the property into 5 portions. This is incorrect and will not enable the Municipality to apply to Townships Board for the subdivision of the property. Erf 1185, Mondesa should be subdivided into 6 Portions and Remainder to accommodate the newly created street portions that will provide access to the newly created Residential erven.

Erf 1185, Mondesa needs to be subdivided into Portions A, B, C, D, E, F and Remainder and this will allow for the following uses to be reserved for each portion.

Portion A	750m ²	Single Residential
Portion B	750m ²	Single Residential
Portion C	450m ²	Street
Portion D	1500m ²	Public Open Space
Portion E	450m ²	Street
Portion F	750m ²	Single Residential
Rem/1185	750m ²	Single Residential

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

RECOMMENDED:

That point (e) of Council's resolution passed on 31 August 2011 be repealed as it only refers to the subdivision into 5 portions:

(e) *That paragraph (b) of Council resolution of 30 September 2010 be repealed and replaced with the following:*

- *That Erf 1185, Mondesa be subdivided into five erven and four (4) erven be rezoned from "Public Open Space" to "Single Residential" and the central located erf remains as a public open space and that the cost thereof be added to the purchase price of the four (4) residential erven.*

and be replaced with the following:

- (a) **That Council approves the subdivision of Erf 1185, Ext 3, Mondesa, into Portions A, B, C, D, E, F and Rem/1185.**
 - (b) **That the newly created portions be reserved for the following:**
 - **Portion A** **Single Residential**
 - **Portion B** **Single Residential**
 - **Portion C** **Street**
 - **Portion D** **Public Open Space**
 - **Portion E** **Street**
 - **Portion F** **Single Residential**
 - **Rem/1185** **Single residential**
 - (c) **That the approved subdivision be submitted to the Ministry of Regional and Local Government, Housing and Rural Development for final approval by the Honourable Minister.**
 - (d) **The new zonings of the individual portions be included in a Town Planning Amendment Scheme to be submitted to the Ministry of Regional and Local Government, Housing and Rural Development for final approval by the Honourable Minister.**
-

11.1.18 **CONSOLIDATION OF ERVEN 3400 AND 3401, MONDESA**
(C/M 2012/05/31 - M 3400, M 3401)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 8.18 page 185 refers.

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

Application was received from Messrs Elmarie du Toit Town Planning Consultant on behalf of the Ministry of Health and Social Services for the consolidation of Erf 3400 with Erf 3401 Mondesa.

Erven 3400 and 3401 Mondesa is situated in Extension 7 of the Township of Mondesa in Swakopmund. Erf 3400 is 761m² and Erf 3401 is 763m² in extent. Both erven are zoned "*Local Business*" but are currently vacant. The natural terrain is flat and can be easily developed for the indented purpose.

It is the intention of the Ministry of Health and Social Services to use the consolidated Erf to construct a medical clinic with staff accommodation on the erven once consolidated. The clinic will include doctor consulting rooms, patient holding and treatment facilities and procedure rooms as well as the necessary ablution and admin facilities. It will also include staff accommodation facilities.

Services such as these mentioned above are much needed in areas such as Mondesa which has been neglected in the past. Health services are important services that must be provided in any town, city or suburb. Erf 3400 and 3401 Mondesa are centrally situated in this area and easy accessible.

Consolidating these two erven will not have a negative impact on the surrounding neighbourhood. Furthermore the intended use can be accommodated under the zoning of "*Local Business*".

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

RECOMMENDED:

- (a) **That Council approves the consolidation of Erf 3400 Mondesa with Erf 3401, Mondesa.**
 - (b) **That the applicant be informed to submit the application to the Townships Board for final approval.**
-

11.1.19 **NEED AND DESIRABILITY TO SUBDIVIDE ERF 34, ROSSMUND, INTO MORE THAN ELEVEN UNDEVELOPED ERVEN AND THE REMAINDER AND THE SUBDIVISION OF ERF 34, ROSSMUND, INTO 16 ERVEN AND THE REMAINDER**

(C/M 2012/05/31 - N 7/3/4/1)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 8.19 page 192 refers.

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

Application was received from Messrs Winplan Planning Consultants on behalf of their client, Rossmund Golf Estate cc, for the following:

- *The need and desirability to subdivide Erf 34, Rossmund into more than eleven undeveloped erven and the subdivision of Erf 34, Rossmund into 12 erven and the remainder*

This application was approved by Council on **24 November 2011** under Item 11.1.16 and it was resolved as follows:

- (a) *That Need and Desirability to subdivide Erf 34, Rossmund into more than eleven (11) undeveloped erven and the subdivision of Erf 34, Rossmund into 16 portions and Remainder for the purpose of Township Establishment be approved.*
- (b) *That the applicant be informed to complete all statutory requirements as required by the Ministry of Regional and Local Government, Housing and Rural Development.*
- (c) *That no building plans be approved by the Buildings Control Section unless proof could be supplied that the necessary statutory requirements have been met, and that the applicable Endowment Fee of 7.5% has been paid.*
- (d) *That any required upgrading of Municipal Services due to the subdivision, as well as the payment of the Endowment Fee is for the applicant's account.*
- (e) *That the subdivision shall be subject to the approval of the Homeowners Association and that no further subdivision of these erven will be permitted.*

The approved subdivision was submitted to NAMPAB for approval but was turned down due to Point (e). There is no Home Owners Association that needs to give approval for the proposed intentions. Point (e) will have to be repealed in order for the applicant to proceed with the application to Ministry. **Attached** is an email that was sent from the Ministry to the applicant with regards to the matter.

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

RECOMMENDED:

That point (e) under item 11.1.16 of resolution dated 24 November 2011 be repealed and the resolution to be as follows:

- (a) That Need and Desirability to subdivide Erf 34, Rossmund into more than eleven (11) undeveloped erven and the subdivision of Erf 34, Rossmund into 16 portions and Remainder for the purpose of Township Establishment be approved.
 - (b) That the applicant be informed to complete all statutory requirements as required by the Ministry of Regional and Local Government, Housing and Rural Development.
 - (c) That no building plans be approved by the Buildings Control Section unless proof could be supplied that the necessary statutory requirements have been met, and that the applicable Endowment Fee of 7.5% has been paid.
 - (d) That any required upgrading of Municipal Services due to the subdivision, as well as the payment of the Endowment Fee is for the applicant's account.
-

11.1.20 **EXTENSION OF TOWN BOUNDARIES, SUBDIVISION, CONSOLIDATION AND NEED AND DESIRABILITY**

(C/M 2012/05/31 - N 7/3/4/1)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 8.20 page 198 refers.

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

Application was received from Winplan Planning Consultants on behalf of their client, Messrs Rossmund Golf Estate cc, for the following:

- *Extension of the Rossmund township boundaries to incorporate Portion 116 as an Erf ``x``.*
- *The need and desirability to subdivide Erf ``x`` into 57 erven and Remainder and the subdivision of Erf ``x`` into 57 erven and Remainder.*
- *The need and desirability to subdivide Erf 32, Rossmund into more than eleven undeveloped erven and the subdivision of Erf 32, Rossmund into 19 erven and Remainder.*
- *The consolidation of Erf 1/32 with Erf 13/"x", Erf 10/32 with Erf 14/"x", Erf 9/32 with Erf 15/"x", Erf 8/32 with Erf 16/"x" and Erf 11/32 with Erf 22/"x" Rossmund.*
- *The need and desirability to subdivide Erf 36, Rossmund into more than eleven undeveloped erven and the subdivision of Erf 36, Rossmund into 12 erven and the Remainder.*

This application was approved by Council on 24 November 2011 under Item 11.1.15 and it was resolved as follows:

- (a) *That the following as requested by Messer's Winplan Planning Consultants on behalf of their client Messrs Rossmund Golf Estate CC be approved:*
- (i) *Extension of the Rossmund Township boundaries to incorporate Portion 116 as an Erf ``X``.*
 - (ii) *The Need and Desirability to subdivide Erf ``X`` into 57 erven and Remainder and the subdivision of Erf ``X`` into 57 erven and Remainder for the purpose of Township Establishment.*
 - (iii) *The Need and Desirability to subdivide Erf 32, Rossmund into more than eleven undeveloped erven and the subdivision of Erf 32, Rossmund into 19 erven and Remainder for the purpose of Township Establishment.*
 - (iv) *The consolidation of Erf 1/32 with Erf 13/" X", Erf 10/32 with Erf 14/" X", Erf 9/32 with Erf 15/"X", Erf 8/32 with Erf 16/" X" and Erf 11/32 with Erf 22/" X" Rossmund.*
 - (v) *The Need and Desirability to subdivide Erf 36, Rossmund into more than eleven undeveloped erven and the subdivision of Erf 36, Rossmund into 12 erven and the Remainder for the purpose of Township Establishment.*
- (b) *That the applicant be informed to complete all statutory requirements as required by the Ministry of Regional and Local Government, Housing and Rural Development.*
- (c) *That any required upgrading of Municipal Services due to the subdivision, as well as the payment of the Endowment Fee is for the applicant's account.*
- (d) *That no building plans be approved by the Buildings Control Section unless proof could be supplied that the necessary statutory requirements have been met, and that the applicable Endowment Fee of 7.5% has been paid.*
- (e) *That the subdivision shall be subject to the approval of the Home Owners Association and that no further subdivision of these erven will be permitted.*

The approved subdivision was submitted to NAMPAB for approval but was turned down due to Point (e). There is no Home Owners Association that needs to give approval for the proposed intentions. Point (e) will have to be repealed in order for the applicant to proceed with the application to Ministry. **Attached** is an email that was sent by the Ministry to the applicant with regards to the matter.

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

RECOMMENDED:

That point (e) under item 11.1.15 of resolution dated 2011/11/24 be repealed and the resolution to be as follows:

- (a) That the following as requested by Messrs Winplan Planning Consultants on behalf of their client Messrs Rossmund Golf Estate CC be approved:**
 - (i) Extension of the Rossmund Township boundaries to incorporate Portion 116 as an Erf "X".*
 - (ii) The Need and Desirability to subdivide Erf "X" into 57 erven and Remainder and the subdivision of Erf "X" into 57 erven and Remainder for the purpose of Township Establishment.*
 - (iii) The Need and Desirability to subdivide Erf 32, Rossmund into more than eleven undeveloped erven and the subdivision of Erf 32, Rossmund into 19 erven and Remainder for the purpose of Township Establishment.*
 - (iv) The consolidation of Erf 1/32 with Erf 13/" X", Erf 10/32 with Erf 14/" X", Erf 9/32 with Erf 15/"X", Erf 8/32 with Erf 16/" X" and Erf 11/32 with Erf 22/" X" Rossmund.*
 - (v) The Need and Desirability to subdivide Erf 36, Rossmund into more than eleven undeveloped erven and the subdivision of Erf 36, Rossmund into 12 erven and the Remainder for the purpose of Township Establishment.*
 - (b) That the applicant be informed to complete all statutory requirements as required by the Ministry of Regional and Local Government, Housing and Rural Development.**
 - (c) That any required upgrading of Municipal Services due to the subdivision, as well as the payment of the Endowment Fee is for the applicant's account.**
 - (d) That no building plans be approved by the Buildings Control Section unless proof could be supplied that the necessary statutory requirements have been met, and that the applicable Endowment Fee of 7.5% has been paid.**
-

11.1.21 **PPP GROUPS: REQUEST FOR AN INCREASE IN MONTHLY PAYMENTS**

(C/M 2012/05/31 - A 2/3/15)

Ordinary Management Committee Meeting of 16 May 2012, Addendum 9.11 page 42 refers.

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

Management Committee on **12 April 2012** resolved as follows:

That this item be referred back and that the General Manager: Community Development Services investigates the cost implications of the proposed increment and report back to Management Committee.

Subsequent to the above resolution, the General Manager: Community Development Services in consultation with the General Manager: Finance prepared the **attached** table (**Annexure "A"**) stipulating various possible scenarios (increment options) and cost implications to Council.

The PPP Groups have been working for the past two years without increment. Nevertheless, the PPP contracts stipulate that Council has the right to increase payments upon request. It is in view of the above that the PPP groups are requesting Council to consider increasing their payments for the 2012/2013 Financial Year.

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

RECOMMENDED:

That Council approves an increment of N\$150.00 (increase from N\$1 500.00 - N\$1 650.00 per person, per month) to the PPP groups and that the new rates be effective as from 1 July 2012.

11.1.27

(C/M 2012/05/31 -)

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

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

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

RECOMMENDED:
