

MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Office Building, Swakopmund on **Thursday, 27 June 2013 at 19:05.**

PRESENT:

Councillor J Kambueshe	:	Mayor (Chairperson of Council)
Alderwoman R //Hoabes	:	Chairperson of Management Committee
Councillor R N Andreas-Noabes	:	Alternate Chairperson of MC
Councillor A N Bessinger	:	Member of Management Committee
Councillor U Kaapehi	:	Additional Member of MC
Councillor F Hamukwaya	:	Member of Council
Alderman E //Khoaseb	:	Member of Council
Councillor P V Steinkopff	:	Member of Council

OFFICIALS:

Mr E U W Demasius	:	Chief Executive Officer
Mr M N Ipinge	:	GM: Community Development Services
Mr M P C Swarts	:	GM: Corporate Services & Human Resources
Mr D Duvenhage	:	GM: Engineering Services
Mr H !Naruseb	:	GM: Finance
Mr V S Kaulinge	:	Manager: Community Development Services
Mr M Cloete	:	Manager: Traffic Services
Mr A Plaatjie	:	Manager: Corporate Services
Mr M Amedick	:	Manager: Planning
Mr I !Gonteb	:	Manager: Finance
Ms M Bahr	:	Manager: Human Resources
Mr R Ujaha	:	Acting Manager: Health Services
Ms S Bruwer	:	Corporate Officer: Properties
Ms A Gebhardt	:	Administrative Officer: Administration

ALSO PRESENT:

One (1) representative each from the Namibian, Republikein, Allgemeine Zeitung, NAMPA, Namib Times and the Namibian Broadcasting Corporation. Also in attendance were 24 (twenty four) members of the public, Members of the Swakopmund Municipal Sports and Social Club, 3 (three) staff member received a Long Service Awards and 2 (two) staff members receiving retirement certificates. The Swakopmund Constituency Councillor, Honourable G N Shitaleni, MP, and former Councillors P Kavita and J Ngolombe also attended the meeting.

1. **OPENING**

Pastor van Heerden opened the meeting with scripture reading and a prayer.

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

2.1 Application for leave of absence

Councillor N N Salomon	-	Approved
Councillor L M Tlhabanello-Madi	-	Approved

2.2 Declaration of interest - None

3. **CONFIRMATION OF MINUTES**
(C/M 2013/06/27 - A 2/3/5)

3.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 30 MAY 2013**

On proposal of Councillor R N Andreas-Noabes seconded by Alderman E //Khoaseb it was:-

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 30 May 2013, be confirmed as correct.

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

None.

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

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

(C/M 2013/06/27 - A 2/3/5)

His Worship the Mayor welcomed everybody to the meeting and delivered his monthly announcements.

5.2 **LONG SERVICE AWARDS**

(C/M 2013/06/27 - B 1/8)

His Worship, the Mayor, also announced as follows:

QUOTED

Long Service Awards:

The following staff members received Long Service Awards:

- Richard S Swartbooi – 10 Years
- Alpheus Ndiweteko – 25 Years
- Simon Andreas – 35 Years

Retirement:

The following staff members went on retirement:

- Mr Aukus Ananias served Council for 31 years and 3 months.
- Mr Victor Shambo served Council for 28 years and 8 months.

5.3 **SPORTS AWARDS**

(C/M 2013/06/27 - J 10/1)

His Worship, the Mayor, announced that the Swakopmund Municipal Sports and Social Club participated in the NALASRA Games hosted in Luderitz from 27 May 2013 - 1 June 2013 where all the Municipalities participated and achieved second overall.

The Swakopmund Municipal Sports and Social Club achieved the following rewards in the various sports codes:

<i>Netball</i>	- <i>Gold medals and the 2013 NALASRA Netball Cup</i>
<i>Male Volleyball</i>	- <i>Gold Medals and the 2013 NALASRA Volleyball Cup</i>
<i>21 Km Marathon</i>	- <i>1 Gold Medal</i>
<i>5 Km Fun walk</i>	- <i>2 Silver and 1 Bronze Medals</i>
<i>Mix Volley Ball</i>	- <i>Silver Medals</i>
<i>Beach Volley Ball</i>	- <i>Silver Medals</i>
<i>Female Volley Ball</i>	- <i>Bronze Medals</i>

6. **PETITIONS**

None.

7. **MOTIONS OF MEMBERS**

None.

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

None.

9. **FEEDBACK REPORT ON THE EXECUTION OF RESOLUTIONS TAKEN BY COUNCIL IN MAY 2013**

- 9.1 The feedback on the resolutions taken by Council on 30 May 2013 was noted.

10. **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY MANAGEMENT COMMITTEE DURING JUNE 2013**10.1 **MINUTES OF MANAGEMENT COMMITTEE MEETING HELD DURING JUNE 2013**

(C/M 2013/06/27 - A 2/3/5)

RESOLVED:

That the resolutions taken at an Ordinary Management Committee Meeting held on 13 June 2013 be noted.

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**
11.1 **ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 13 JUNE 2013**

11.1.1 **APPLICATION BY MESSRS O&L LEISURE PTY LTD TO COMPLY WITH PARKING REQUIREMENTS ON ADJACENT LAND IN ACCORDANCE WITH THE TOWN PLANNING SCHEME**

(C/M 2013/06/27 - E 4743)

RESOLVED:

- (a) That Messrs O&L Leisure Pty Ltd provides the shortfall in parking for Erf 4743, Swakopmund on a portion of the adjacent Block 1 in terms of the Town Planning Scheme.
 - (b) That permission be granted to build a new access road, the design whereof to be scrutinised and approved by the General Manager: Engineering Services.
 - (c) That the cost of constructing the parking area and the new access road to the parking area be for the account of the developer.
 - (d) That a servitude be registered over the parking area and access road on adjacent area of Block 1 in favour of Erf 4743, Swakopmund for a period of 25 years on condition that provision be made to ensure that the property complies with the Town Planning Scheme after the expiry of the 25 year period.
 - (e) That the responsibility for the maintenance of the parking area and the access road be registered against the title deed of Erf 4743, Swakopmund for duration of the servitude, but that the road and parking area be available to the public at all times at no cost.
 - (f) That the owner of Erf 4743, Swakopmund be responsible for providing security for the parking area on Block 1 at their cost.
 - (g) That the provision for a contribution in the amount of N\$350 000.00 by Council for the construction of the Mole parking area be deleted from clause 7.8 of the deed of sale in respect of the sale of erf 4743, Swakopmund to Messrs O&L Leisure PTY Ltd.
 - (h) That no rights will accrue to Messrs O&L Leisure PTY Ltd regarding (a) to (g) hereinabove until (j) below is concluded.
 - (i) That all costs arising from the actions in (a) to (j) be for the account of Messrs O&L Leisure PTY Ltd.
 - (j) That the above be included in an addendum to the agreement and be signed by the parties.
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11.1.2 **APPLICATION BY MESSRS REITERVEREIN SWAKOPMUND TO LEASE OR PURCHASE ADDITIONAL LAND**

(C/M 2013/06/27 - E 1307, J 14/2, J 12)

RESOLVED:

- (a) That the application of Messrs ReiterVerein Swakopmund to purchase the additional portion of land located on Erf 1307, Swakopmund not be considered.
- (b) That *in principle* approval be granted to Messrs ReiterVerein Swakopmund to lease the additional portion of land located on Erf 1307, Swakopmund, subject to the following conditions:
 1. That Messrs ReiterVerein provides written proof that Nacoma has no objection to the use of the area as well as consent from the relevant Ministry for the use of the area not forming part of Erf 1307, Swakopmund, i.e. the area located in the riverbed.
 2. That the Engineering Services Department confirms the exact size and lay-out of the area from the GPS co-ordinates provided.
 3. That should Messrs ReiterVerein require any services such as water etc, same can be installed at their cost, but to the standards laid down by the General Manager: Engineering Services.
 4. That the lease conditions be similar to those approved for Messrs ReiterVerein Swakopmund on 26 July 2012:
 - (i) For a lease period of 3 years (with the option to renew for only one further period of 3 years) and which period is terminable by either party by giving / receiving 3 months' written notice;
 - (ii) Taking into account the motivation set-out under point 5 of this submission, the area be leased at a nominal rental amount of N\$3 000.00 (+15% VAT, i.e. N\$450.00) per annum ($\pm 200\,000.00\text{m}^2 \times \text{N\$}0.015$), subject to an annual escalation of 10%, starting on 1 July 2014;
 - (iii) That a deposit equal to 1 year's rental be paid in advance;
 - (iv) That no fixed structures be erected and that temporary structures be erected at the risk of the lessee and to be removed at the cost of the lessee at the termination / lapsing of the lease period;
 - (v) That Council be indemnified against any claims from the public or members of the club which may arise due to the use of the site by the club;
 - (vi) That the Municipal Council has unrestricted right of access to the area;
 - (vii) That the site only be used for the establishing of a country track and park for hosting events and training;
 - (viii) That the site be restored to an acceptable condition on termination / lapsing of the lease period to the satisfaction of the Engineering and Health Services Departments; and, failing which Council will restore the lease area to its previous condition for the account of the Messrs ReiterVerein Swakopmund;
 - (ix) That the club erects a perimeter fence (such as used tyres or split poles) and warning signs to warn the public of the horses on the site to the satisfaction of the General Manager: Engineering Services and General Manager: Health Services;
 - (x) That access to the additional portion of land to the public not be denied, but controlled for the enjoyment of the community; and
 - (xi) The lease may not be ceded or assigned to a third party without the written permission of Council first being obtained.
 5. That Council be informed of events scheduled on the leased portion of land.

6. *Messrs ReiterVerein Swakopmund ensures that sufficient ablution facilities and refuse bins are available to the satisfaction of the General Manager: Health Services.*

- (c) That it be recorded that Councillor U Kaapehi stated that all sports should be supported regardless of their demographic composition.

11.1.3 **NEW OWNERS OF MESSRS BUNDU N SEE REQUESTING PERMISSION TO CONTINUE TO LEASE SIDEWALK ADJACENT TO ERF 211, SWAKOPMUND**

(C/M 2013/06/27 - E 211)

RESOLVED:

- (a) That a certain portion of the sidewalk adjacent to Erf 211, Swakopmund situated in Hendrik Witbooi Street measuring $\pm 51.66\text{m}^2$ be leased to Messrs Hotel Bundu n See CC for a period of five (5) years commencing on 01 July 2013 and lapsing date 30 June 2018 for the purpose of open air seating.
- (b) That the lease amount be $\text{N\$}25.45 / \text{m}^2$ per month $\times 51.66 \text{ m}^2 = \text{N\$}1\,314.75 + \text{N\$}197.20$ (15% VAT) = $\text{N\$}1\,511.95$, with an annual escalation of 10% starting 1 July 2014.
- (c) That the lease be subject to the standard conditions and to the following:
- (i) *That a deposit equal to 1 months lease be paid in advance by the applicant.*
 - (ii) *That the demarcated area be barricaded by way of a non-permanent fixture, such as rope.*
 - (iii) *That the lessee not operates later than 22:00.*
- (d) That *clause 2* of the lease agreement in terms of the notice given by both parties be repealed and replace with (same as all other pavement leases):
- That a notice of termination period of three (3) months for both parties be applicable.*
- (e) That the lease be advertised in terms of the Local Authorities Act, (Act 23 of 1992), as amended.
- (f) That all costs involved will be for the applicant's account. Should they cease operating they have to reinstate the area to its original layout at their own cost and inform Council in writing.
- (g) That Messrs Bundu n See informs Council thirty (30) days in advance when they sell the business and that the new owner must apply in writing to lease the pavement area.
- (h) That the applicant shall indemnify and keep Council indemnified during the full period of this agreement against possible claims, which may arise from the use of the pavement by the applicant.

11.1.4

EXEMPTION FROM PAYMENT OF ASSESSMENT RATES

(C/M 2013/06/27 - D 3/2)

RESOLVED:

That exemption from payment of Assessment Rates in terms of Section 75 of the Local Authorities Act, 23 of 1992 (as amended), be granted in respect of the following properties:

ORGANISATION / BODY	ERF NUMBER	PURPOSE FOR WHICH ERF IS RESERVED
<i>Marie Douglas Heim Frial Care Centre / Prinzessin Rupprecht Heim</i>	<i>356 Swk</i>	<i>Old Age Home & Frail Care</i>
<i>The Old Apostolic Church</i>	<i>2108 & 681, Swk</i>	<i>Religious Gatherings</i>
<i>The Holy Cross Sisters in Namibia</i>	<i>196, Swk</i>	<i>Rectory/convent</i>
<i>Swakopmund Baptist Church</i>	<i>1729, & 4264, Swk</i>	<i>Manse & Church</i>
<i>Palm Court Retirement Village</i>	<i>3355, Swk</i>	<i>Old Age Home</i>
<i>Bet - El Congregation</i>	<i>789, Tam</i>	<i>Place of Worship</i>
<i>Swakopmund Lions Welfare Organization (Lions Old Age Home)</i>	<i>801, 2781 & 911, Swk</i>	<i>Old Age home & retirement village</i>
<i>Swakopmund Methodist Church</i>	<i>2649, Swk</i>	<i>Church Worship Services</i>
<i>Deutsche Eva. Luth. Gemeinde</i>	<i>183 & 491, Swk</i>	<i>Church Services & Kindergarten</i>
<i>Privates Deutsches Schuler Heim</i>	<i>723, 724, 725, 726 & 728, Swk</i>	<i>Hostel, Boarding School & Kindergarten</i>
<i>Voortrekkers of Namibia</i>	<i>1512, Swk</i>	<i>Youth Meeting Hall</i>
<i>Missionary Benedictine Sisters of Tutzing</i>	<i>195, Swk, 196 A</i>	<i>Residence of Missionary Benedictine Sisters</i>
<i>Church Council / Nederduits Reformed Church</i>	<i>508, Swk</i>	<i>Church</i>
<i>Ned . Geref. Kerk Swakopmund</i>	<i>2836 & 4206, Swk</i>	<i>Church & Rectory</i>
<i>Blood Transfusion Services</i>	<i>521, Swk</i>	<i>Collecting blood</i>
<i>Evangelische Stadt Mission</i>	<i>1759, Swk</i>	<i>Church</i>
<i>Uniting Reformed Church</i>	<i>588, 305 Swk</i>	<i>Church Activities</i>
<i>Reiterverein Swakopmund</i>	<i>3572, Swk</i>	<i>Horse Riding Sport (Non Profitable Club)</i>
<i>Scouts of Namibia</i>	<i>1515, Swk</i>	<i>Place of Worship</i>
<i>Mondesa Youth Opportunity Trust</i>	<i>63, Mondesa</i>	<i>Educational services</i>
<i>Scientific Society Swakopmund</i>	<i>35, 1613, 5856 Swk</i>	<i>Scientific Development</i>
<i>AFM Filadelfia (AGS)</i>	<i>4262, Swk</i>	<i>Church Activities</i>
<i>Tierschutzverein SPCA Swakopmund</i>	<i>3758, Swk</i>	<i>Animal Care</i>
<i>Swakopmund RCM</i>	<i>949, Swk, 24 Tamariskia, 284 Mondesa</i>	<i>Church Affairs</i>
<i>AFM Tamariskia</i>	<i>614 & 567, Swk</i>	<i>Church Services</i>

ORGANISATION / BODY	ERF NUMBER	PURPOSE FOR WHICH ERF IS RESERVED
<i>St Raphael's Anglican Church</i>	<i>603, Swk</i>	<i>Church</i>
<i>Owato Elcin Church</i>	<i>449, Mondesa</i>	<i>Church Sevices</i>
<i>Immanuel Elcin Church</i>	<i>602</i>	<i>Church</i>
<i>Private School Swakopmund</i>	<i>1772, 1774, 536</i>	<i>A School-Grade 1 to 12</i>
<i>COSDEC</i>	<i>1544</i>	<i>Public Meetings, community Skills Development</i>
<i>Erongo House of Safety</i>	<i>610, Tam</i>	<i>House for Vulnerable Kids</i>
<i>Deutsche Pfadfinder</i>	<i>3534, 4234</i>	<i>Youth Organisation</i>

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

(C/M 2013/06/27 - L 2)

RESOLVED:

- (a) That the Council resolution of 25 April 2013 be repealed and that the following items be retained:

<i>Equipment</i>	<i>Quantity</i>
<i>Tables</i>	<i>2</i>
<i>Printer- HP LaserJet 1012</i>	<i>1</i>

- (b) That the proceeds from the next public auction of redundant items be transferred to the Mayoral Development Fund.

11.1.6 **APPLICATION FOR THE ALLOCATION OF LAND**

① **TRANSNAMIB HOLDINGS LIMITED TO RELOCATE THE RAILWAY STATION**

② **SALT COMPANY (PTY) LTD**

(C/M 2013/06/27 - E 466, G 4/2/1/2)

RESOLVED:

- (a) That the allocation of a portion of the Remainder of Portion B of Swakopmund Town and Townlands No 41 to **Messrs TransNamib Holdings Limited** for the purpose of relocating the railway station and providing a new siding including rails for shunting operations and supplying the proposed new Salt Company (Pty) Ltd erf with services, be approved in principle, subject to the following:

- (i) *The completion of the statutory requirements for town planning;*
- (ii) *A price being determined for the land; and*
- (iii) *Completion of the statutory requirements for the sale of the property.*

- (b) That the allocation of a portion equal in size to Erf 2774, Swakopmund (44 037m²) of the Remainder of Portion B of Swakopmund Town and Townlands No 41 to **Messrs Salt Company (Pty) Ltd** be approved in principle, subject to the following:

- (i) *The completion of the statutory requirements for town planning;*
- (ii) *A market related price being determined for the land; and*

(iii) *Completion of the statutory requirements for the sale of the property.*

- (c) That all costs relating to the availing of the portions of land be for the account of the respective applicants, such as, but not limited to, the required town planning procedures, alienation cost and provision of services.
- (d) That Messrs TransNamib Holdings Limited and Messrs Salt Company (Pty) Ltd accept that no rights will accrue to them from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.

11.1.7 **APPLICATION TO TRANSFER FUNDS FROM VOTES IN 2012/13 FINANCIAL YEAR TO THE 2013/14 FINANCIAL YEAR DUE TO CONTINUATION OF PROJECTS**

(C/M 2013/06/27 - D 2/1)

RESOLVED:

- (a) That the following projects be included in Capital budget for 2013 / 2014 as continuation project:
 - *Town Planning for Northern Blocks - N\$854 426.00;*
 - *Survey of Informal Settlement (DRC) and 2nd PDA - N\$2 960 508.00;*
 - *Survey of Informal Settlement (DRC) and 2nd PDA - N\$1 479 351.00;*
 - *Layout Planning Tender for Mile 4 area - N\$769 280.00;*
 - *Development of 2 Blocks for Kramersdorf - N\$1 294 586.00*
- (b) That the General Manager: Finance transfers these votes to the next financial year accordingly.

11.1.8 **APPLICATION TO SUBDIVIDE PORTIONS OF THE REMAINDER OF PORTIONS 5, 27 AND B OF SWAKOPMUND TOWN AND TOWNLANDS NO. 41**

(C/M 2013/06/27 - G 3/3/2)

RESOLVED:

- (a) That the proposal by Messrs Ritta Khiba Planning Consultants in respect of street names and the suburb name be submitted to the Street Naming Committee and be finalized by November 2013.
- (b) That approval is given for the need and desirability for establishment of 18 new township extensions with ± 3,200 new erven.
- (c) That the following procedure be approved:
 - (i) *The subdivision of the Remainder of Portion B of Swakopmund Town and Townlands No. 41 into three portion (a), (b), (c), free of conditions and remainder;*
 - (ii) *The subdivision of the Remainder of Portion 5 of Swakopmund Town and Townlands No. 41 into Portion (d) free of conditions and remainder;*
 - (iii) *The subdivision of Portion 27 of Swakopmund Town and Townlands No. 41 into three portions (e), (f), (g) and Remainder, all free of conditions;*

- (iv) *Consolidation of Portion (d) of Portion 5 of Swakopmund Town and Townlands No. 41 with Portion (a) of the Remainder of Portion b of Swakopmund Town and Townlands No. 41 into a new Portion (x) free of conditions;*
 - (v) *Consolidation of Portion (e) of Portion 27 of Swakopmund Town and Townlands No. 41 with Portion (b) of the Remainder of Portion b of Swakopmund Town and Townlands No. 41 into a new Portion (z) free of conditions;*
 - (vi) *Consolidation of Portion (f) of Portion 27 of Swakopmund Town and Townlands No. 41 with Portion (c) of the Remainder of Portion b of Swakopmund Town and Townlands No. 41 into a new Portion (y) free of conditions;*
 - (vii) *Subdivision of consolidated Portion (x) into thirteen (13) Portions and the Remainder of Portion (x) all free of conditions.*
- (d) The need and desirability to establish new townships on the following Portions and Remainders (see table on file):
- (i) *Portions (1) to (13)*
 - (ii) *Remainder of Portion (x)*
 - (iii) *Portion (y)*
 - (iv) *Portion (z)*
 - (v) *Portion (g)*
 - (vi) *Remainder of Portion 27 of Swakopmund Town and Townlands No. 41.*

11.1.9 **TRANSFER OF SUBSTATION ON ERF 3341, SWAKOPMUND TO ERONGO RED**

(C/M 2013/06/27 - A 4/3/1/16, E 3341)

RESOLVED:

- (a) That Erf 3341, Swakopmund, measuring 196m² be donated to Messrs Erongo RED for the construction of the electrical substation for service provision to Block 5 of Messrs Rössing Uranium Limited.
- (b) That, in future, land be donated to parastatals as new townships develop and that parastatals be required to provide the equivalent value as social responsibility in Swakopmund.
- (c) That all costs involved for the transfer and rezoning of these erven be for the account of the relevant parastatal.
- (d) That Messrs Erongo RED be responsible for and attends to the rezoning and transfer of Erf 3341, Ocean View at their own cost.

11.1.10 **APPLICATION FOR THE RELAXATION OF BUILDING HEIGHT ON ERF 131 (Unit 3), MILE 4, SWAKOPMUND**

(C/M 2013/06/27 - M4 E 131)

RESOLVED:

That the application for the relaxation of building height from 8m to 10m on Erf 131 (Unit 3) Mile 4, Swakopmund be approved.

- 11.1.11 **APPLICATION FOR PERMISSION TO OPERATE A NOXIOUS INDUSTRY - STORAGE OF MEAT ON ERF 3968, EXTENSION 10, SWAKOPMUND**
(C/M 2013/06/27 - E 3968)

RESOLVED:

- (a) That the application of Mr D Holloway t/a Banjo Properties for permission to operate a noxious industry, storage of meat on Erf 3968, Extension 10, Swakopmund be approved.
 - (b) That Mr D Holloway t/a Messrs Banjo Properties register with the Health Services Department and the standard Health Regulations will apply.
 - (c) That the consent use be subject to the following:
 - *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - *That they must operate within the Town Planning Scheme regulations.*
 - *That the consent is not transferable.*
 - *That no on street parking will be tolerated.*
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- 11.1.12 **APPLICATION TO OPERATE AN EDUCARE CENTRE (PRE-SCHOOL) FROM ERF 1275, KRAMERSDORF**
(C/M 2013/06/27 - E 1275)

RESOLVED:

- (a) That the application of Ms A Jearey t/a Messrs Son Shine Kids Pre-school for consent to operate a “*Place of Instruction*” – Educare Centre (Pre-School) from Erf 1275, Kramersdorf, be approved.
 - (b) That the applicant registers with the Health Services Department and the standard Health Regulations will apply.
 - (c) That the consent use be subject to the following:
 - *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - *That the applicant must operate within the Town Planning Scheme regulations.*
 - *That the consent is not transferable.*
 - *That sufficient parking will be provided on the premises.*
 - *That no on street parking will be tolerated.*
 - (d) That Mr K Hoffmann be informed of his right to object (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister, within 28 days of this notice against Council’s decision, provided that written notice of such an appeal shall be given to the Ministry, as well as the Council within the said period.
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11.1.13 **APPLICATION FOR PERMISSION TO OPERATE A RESIDENT
OCCUPATION (ADMINISTRATIVE OFFICE)**
(C/M 2013/06/27 - T 1066)

RESOLVED:

- (a) That the following application for permission to operate an administrative office be approved:
- *Erf 1066, Tamariskia - Mr L R Nawa t/a Messrs Nawa Labour Practitioners CC - Administrative Office (Labour Law Consultancy)*
- (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.*
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11.1.14 **APPLICATION TO OPERATE AN ADMINISTRATIVE OFFICE FROM
UNIT 19 PALM GARDENS SITUATED ON ERF 1358, SWAKOPMUND**
(C/M 2013/06/27 - E 1358)

RESOLVED:

- (a) That the application of Messrs Magic Vibes Tours and Services CC for consent to operate a “*Resident Occupation*” - Administrative office from Erf 1358, Unit 19, Swakopmund, be approved.
- (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-site parking of clients will be tolerated.*
- (d) That Mr N E Tolke be informed of his right to object (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister, within 28 days of this notice against Council’s decision, provided that written notice of such an appeal shall be given to the Ministry, as well as the Council within the said period.
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11.1.15 **APPLICATION FOR PERMISSION TO OPERATE RESIDENT
OCCUPATIONS (ADMINISTRATIVE OFFICES)**

(C/M 2013/06/27 - E 4635, T 364, M 2279, E 5424)

RESOLVED:

(a) That the following applications for permission to operate administrative offices be approved:

- *Erf 4635, Ext. 9 Swakopmund (c/o Agapanthus & 2 Rhododendron Street) - Ms P Engelbrecht t/a Messrs Design Architect - Administrative Office (Freelance Architectural Services) (Notice No. 21/2013-05-24)*
- *Erf 364, Tamariskia (c/o Franziska van Neel Street) - Mr I Shikongo, P Mundjangi, HN Abraham & Ms MN Mwatile t/a Messrs Phim Investments CC - Administrative Office (Notice No. 21/2013-05-24)*
- *Erf 2279, Mondesa (Kovambo Nuyoma Street) - Mr V Mufita, A Makili, H Nandjigwa & PS Mufita t/a Messrs VAP Investment CC - Administrative Office (Notice No. 21/2013-05-24)*
- *Erf 5424, Ext. 16 Swakopmund - Ms N van Staden & Ms A Nel t/a Messrs Nellie van Staden Properties Windhoek Pty (Ltd) - Estate Agent Office (Notice No. 21/2013-05-24)*

(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 to be done on site.*
- *That no on street parking will be tolerated.*

11.1.16 **REZONING OF ERF 2710, MONDESA EXTENSION 5 FROM “SINGLE RESIDENTIAL” WITH A DENSITY OF 1:300 TO “GENERAL RESIDENTIAL” WITH A DENSITY OF 1:100; CONSENT TO ERECT 3 ADDITIONAL DWELLING UNITS ON THE ERF WHILE THE REZONING IS IN PROGRESS**

(C/M 2013/06/27 - M 2710)

RESOLVED:

That the rezoning of Erf 2710, Mondesa Extension 5, from “Residential” with a density of 1: 300 to “General Residential” with a density of 1:100 not be approved.

11.1.17 **APPLICATION FOR PERMISSION TO OPERATE A RESIDENTIAL GUESTHOUSE**

(C/M 2013/06/27 - VS 15)

RESOLVED:

That the application of Mr S J Nel t/a Messrs Shallow Water Mining (Pty) Ltd Guesthouse to operate a Residential Guesthouse on Erf 15, Vogelstrand be approved subject to the following:

- *That final approval only be granted once permission from the Namibian Tourism Board has been received.*
- *That they register with the Health Services Department and the standard health regulations will apply.*
- *That the applicant adheres to Council's Accommodation Establishment policy at all times.*
- *That Council reserves the right, to cancel a consent use should there be valid objections.*
- *That the applicant provides a minimum of 2 plus 1.5 per room parking bays.*
- *That the consent is not transferable.*
- *That they must operate within the Town Planning Amendment Scheme Regulations.*
- *That no on street parking will be tolerated.*
- *That only 40% of the total floor area of the dwelling is allowed to be used for the residential guesthouse.*

11.1.18 **APPLICATION TO USE THE BEACH FRONT AREA AT THE MOLE AND REQUEST FOR EXEMPTION FROM PAYING MUNICIPAL USER FEES FOR JUNIOR TOWN COUNCIL**

(C/M 2013/06/27 - N 7/2/1)

RESOLVED:

- (a) That the initiative by the Junior Town Council to utilize the beach front area at the Mole in order to host a fund raising event on 29 June 2013 be supported.
- (b) That the cost of N\$4 429.33, as displayed in the table below be defrayed from Publicity Vote 500510212700 where sufficient funds are available.

No.	Item Description	Rental Fee (N\$)	Deposit Fee (N\$)	Total Cost (N\$)
1	Beach Front - open area	100.00	357.50	457.50
2	Mobile Pavilions x 6	462.00	594.00	1056.00
3	Chairs x 20	154.00	See item No. 2 for deposit	154.00
4	Transport Costs	1 998.20	-	1 998.20
5	Refuse Bins x 10	172.50	411.13	583.63
Grand Total				4 429.33

- (c) That Council be indemnified against any claims that may arise from using the area (indemnity form to be attached, signed and returned to the Municipality).
- (d) That the area be restored to its original condition after the event and to the satisfaction of the Health Services Department.
- (e) That sound be restricted to the immediate surroundings. On receipt of any complaints due to noise or misbehaviour, the use of the area will be cancelled immediately.
- (f) That the Health Services Department arranges for refuse bins and the removal thereof afterwards.

11.1.19 **CAREER PATH FOR NEW GRADUATED INCUMBENTS**
(C/M 2013/06/27 - B 1/4/11, B 1/1, B 1/11)

RESOLVED:

(a) That the career path/placement programme for newly graduated Engineering students be as follows:

- *At entry into service with a National Diploma without any work experience, a newly graduated student will be appointed in the relevant job related field in an "In-Training Level 1" capacity on Paterson Band C 1 for a year during which year the graduate obtains the necessary variety of experience in that particular field.*
- *After completion of a year at Level 1, the graduate is promoted to Level 2 In-Training for another year Paterson Band C 2; Band C3 etc. After completion of the 2 or 3 years in-service training depending on the years' experience required for the relevant position, the graduate is appointed in his/her job related field and start with the registration process if applicable.*
- *The same process is applicable at the entry into service with a B Degree, but the newly graduated student will be appointed on Paterson Band C 2 and not C 1; and Band C3 etc. later apply for registration.*
- *At entry an Engineer qualified and registered with a related degree and 10 years' experience will be at Level 6 on a Paterson Band C 4 maximum.*

(b) That the career path/placement programme for newly graduated Health Practitioner be as follows:

- *At entry into service with a Diploma in Environmental Health Science without any work experience, a newly graduated student will be appointed in the relevant job related field in an "In-Training Level 1" capacity on Paterson Band C 1.*
- *At entry a conditionally Registered EHP who still needs to meet some requirements for registration will be at Level 2 on Paterson Band C 2.*
- *At entry an EHP qualified and registered with 1 - 2 years' experience will be at Level 3 on a Paterson Band C 3 minimum.*
- *At entry with a related degree an EHP qualified and registered with 3 - 5 years' experience will be at Level 4 on a Paterson Band C 4 minimum.*
- *At entry an EHP qualified and registered with a related degree and 5 - 10 years' experience will be at Level 5 on a Paterson Band C 4 Middle.*
- *At entry an EHP qualified and registered with a related degree and 10 years' experience will be at Level 6 on a Paterson Band C 4 maximum.*

(c) TOWN PLANNER

- *Entry into service with a BA Planning Level 7 (480 NQF Credits)*
- *Minimum period of Experiential Training after qualification for Town Planning is:*
- *Candidate has performed at least 2 years of Town/Regional planning work after having obtained such qualifications, which in the opinion of Council is of sufficient variety and of a satisfactory nature and standard.*
- *Town Planner-in-Training: Level 1: Paterson C2: A Newly graduated incumbent without experience; needs to gain 1 year general experience in Town and Regional planning.*

- *Town Planner-in-Training: Level 2: Paterson C3: With internship taken needs to gain 1 year general experience in Town and Regional planning.*
- *After completion of 2 years experiential training, the incumbent can register as a Town Planner.*

(d) That this career path / placement programme be incorporated into the Bursary Policy.

11.1.20 **TAMARISKIA COMMITTEE - VARIOUS LETTERS**

- ① **BASIS OF OBJECTION (NOTICE 26/2013)**
 ② **OBJECTION AGAINST THE SALE OF ERVEN 5159 AND 5160**
 ③ **REQUEST FOR A MEETING WITH THE MUNICIPAL COUNCIL**
 (C/M 2013/06/27 - I 1/1/5, G 3/9/1, G 3/9/2, G 3/9/7, G 4/1, E 5159, E 5160, A 3/3/1)

RESOLVED:

- (a) That the objection received against Notice 26/2013 be rejected and that the matter be forwarded to the Honourable Minister for a decision as per Section 63 (3) (b) of the Local Authorities Act, Act 23 of 1992, as amended.
- (b) That the Corporate Services and Human Resources Department proceeds with the sale of Erven 5159 and 5160, Swakopmund as advertised, but that the bidders be informed of the anticipated delay due to the objection received.

11.1.21 **NEW INDUSTRIAL AREA: EXTENSION 10**

(C/M 2013/06/27 - G 4/1/3)

RESOLVED:

- (a) That the sale of the 76 erven in the new industrial area of Extension 10 by closed bid auction be approved as follows:
- (i) *29 General Business zoned erven on 30 August 2013.*
 - (ii) *41 Light Industrial and 6 General Industrial zoned erven on 4 October 2013.*
- (b) That the following conditions be added to the conditions of sale for this particular sale:
- (i) *The property is sold voetstoots or as is with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the lay-out or situation or subterranean composition of the property or any improvements thereon. The Council also does not warrant that the services installed at the property are suitable for the use intended by the Purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage and water connections are suitable for the intended use of the property.*
 - (ii) *That the purchaser must construct structural improvements worth at least 4 times the municipal valuation of the property. Structural improvements, for purposes of this condition, shall not include the construction of boundary walls or any changes to the subterranean composition of the property.*
 - (iii) *That the said improvements must be completed within 24 months from date of transfer. Transfer of the property shall be given to and taken by the purchaser within 90 days of the award of the bid to the purchaser in writing. No extension of the date of transfer of the property shall be considered. If the Purchaser cannot meet the deadline for the transfer of the property, the award of the bid shall fall away and become null and void, without the need to give any further notice to the Purchaser.*
 - (iv) *That the property may not be alienated within 24 months unless a completion certificate has been issued in respect of the structural improvements, referred*

to in 1 above, prior to the expiry of the said 24 month period. This restraint of alienation is to be registered against the title deed of the property.

- (v) That the property shall revert to Council if no completion certificate is issued on the expiry of the 24 months period.
 - (vi) That if a property must revert to Council in terms of (v) above, the compensation payable to the purchaser shall be fixed at the original purchase price plus the value of any improvements.
 - (vii) That Council's sworn valuator shall determine the value of any incomplete improvements on the property. The purchaser shall be liable for the cost of the said sworn valuator.
 - (viii) That in the event that the purchaser of a property is a close corporation, a company or a trust, then, the members interest in the close corporation or shareholding in the company or interest in the trust, as the case may be, may not be changed without the prior written approval of Council.
 - (ix) That Council shall not tolerate under any circumstances any process whereby the purchaser of the property will be allowed to nominate a third party as the eventual purchaser of the property. To be more specific, the Council shall not tolerate any agent bidding on behalf of a principal or any nominee acting on behalf of a legal entity still to be incorporated.
 - (x) That such caveats be registered against the title deed of the property to prevent any contravention of these conditions.
 - (xi) Connected parties defined as per the Income and VAT Act can only bid for one property.
- (c) That the income be shared with Erongo RED pro rata according to their contribution.
- (d) That erven 4800, 4807, 4817 and 4818 be reserved for motor vehicle dealership.
- (e) That the upset prices of the erven be as follows:

Erf No.	Size m ²	Development cost N\$	@100% Mark-Up N\$	Zoning
4792	1027	82,160.00	164,320.00	Light Industrial
4793	1127	90,160.00	180,320.00	Light Industrial
4794	1130	90,400.00	180,800.00	Light Industrial
4795	1040	83,200.00	166,400.00	Light Industrial
4796	1040	83,200.00	166,400.00	Light Industrial
4797	1040	83,200.00	166,400.00	Light Industrial
4798	1040	83,200.00	166,400.00	Light Industrial
4800	7167	573,360.00	1,146,720.00	Light Industrial
4801	2006	160,480.00	320,960.00	General Business
4802	1777	142,160.00	284,320.00	General Business
4803	1646	131,680.00	263,360.00	General Business
4804	1527	122,160.00	244,320.00	General Business
4805	1431	114,480.00	228,960.00	General Business
4806	1398	111,840.00	223,680.00	General Business
4807	8249	659,920.00	1,319,840.00	General Business
4808	1278	102,240.00	204,480.00	Light Industrial
4809	1040	83,200.00	166,400.00	Light Industrial
4810	1040	83,200.00	166,400.00	Light Industrial
4811	1052	84,160.00	168,320.00	Light Industrial
4812	3400	272,000.00	544,000.00	Light Industrial
4813	2930	234,400.00	468,800.00	Light Industrial
4814	2461	196,880.00	393,760.00	Light Industrial
4815	1970	157,600.00	315,200.00	Light Industrial
4816	2871	229,680.00	459,360.00	Light Industrial

4817	9721	777,680.00	1,555,360.00	General Business
4818	6276	502,080.00	1,004,160.00	General Business
4819	4406	352,480.00	704,960.00	General Business
4820	2150	172,000.00	344,000.00	General Business
4821	2150	172,000.00	344,000.00	General Business
4822	2151	172,080.00	344,160.00	General Business
4823	2138	171,040.00	342,080.00	General Business
4824	2052	164,160.00	328,320.00	General Business
4825	2338	187,040.00	374,080.00	General Business
4826	2761	220,880.00	441,760.00	General Business
4827	2641	211,280.00	422,560.00	General Business
4829	1220	97,600.00	195,200.00	Light Industrial
4830	1498	119,840.00	239,680.00	Light Industrial
4831	1180	94,400.00	188,800.00	Light Industrial
4832	1040	83,200.00	166,400.00	Light Industrial
4833	1040	83,200.00	166,400.00	Light Industrial
4834	1004	80,320.00	160,640.00	Light Industrial
4835	1135	90,800.00	181,600.00	Light Industrial
4836	1040	83,200.00	166,400.00	Light Industrial
4837	1575	126,000.00	252,000.00	Light Industrial
4838	1055	84,400.00	168,800.00	Light Industrial
4839	1030	82,400.00	164,800.00	Light Industrial
4840	1038	83,040.00	166,080.00	Light Industrial
4841	1046	83,680.00	167,360.00	Light Industrial
4842	1034	82,720.00	165,440.00	Light Industrial
4843	1678	134,240.00	268,480.00	Light Industrial
4844	1042	83,360.00	166,720.00	Light Industrial
4845	1042	83,360.00	166,720.00	Light Industrial
4846	1041	83,280.00	166,560.00	Light Industrial
4847	2233	178,640.00	357,280.00	Light Industrial
4848	1040	83,200.00	166,400.00	Light Industrial
4849	1040	83,200.00	166,400.00	Light Industrial
4850	1040	83,200.00	166,400.00	Light Industrial
4851	1130	90,400.00	180,800.00	Light Industrial
4852	9557	764,560.00	1,529,120.00	General Business
4853	1020	81,600.00	163,200.00	General Business
4854	1040	83,200.00	166,400.00	General Business
4855	1040	83,200.00	166,400.00	General Business
4856	1040	83,200.00	166,400.00	General Business
4857	1040	83,200.00	166,400.00	General Business
4858	1108	88,640.00	177,280.00	General Business
4859	1006	80,480.00	160,960.00	General Business
4860	18939	1,515,120.00	3,030,240.00	Light Industrial
4861	1416	113,280.00	226,560.00	General Business
4862	1411	112,880.00	225,760.00	General Business
4863	1507	120,560.00	241,120.00	General Business
4875	47764	3,821,120.00	7,642,240.00	General Industrial
4876	13049	1,043,920.00	2,087,840.00	General Industrial

4877	13054	1,044,320.00	2,088,640.00	General Industrial
4878	13055	1,044,400.00	2,088,800.00	General Industrial
4879	13033	1,042,640.00	2,085,280.00	General Industrial
4880	16801	1,344,080.00	2,688,160.00	General Industrial
4881	11400	912,000.00	1,824,000.00	Light Industrial

11.1.22 **APPLICATION FOR LAND: METAL AND ALLIED NAMIBIAN WORKERS UNION**

(C/M 2013/06/27 - H 5/8)

RESOLVED:

That the application of Messrs Metal and Allied Namibia Workers Union be placed on record together with various other similar applications.

11.1.23 **FEEDBACK: CANCELLATION OF THE TRANSACTION FOR THE SALE OF ERF 4326 (A PORTION OF ERF 63, MONDESA), MONDESA: MESSRS MONDESA PROPERTY INVESTMENT CC**

(C/M 2013/06/27 - M 4326)

RESOLVED:

That this item be withdrawn from the Agenda and be resubmitted to the next Management Committee meeting.

The meeting adjourned 20H20

Minutes confirmed on: **05 September 2013**

Councillor J Kambueshe
CHAIRPERSON

AG/-

E U W Demasius
CHIEF EXECUTIVE OFFICER