

MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Office Building, Swakopmund on **Wednesday, 28 November 2012** at **19:20**.

PRESENT:

| | | |
|-------------------------------|---|-------------------------------------|
| Councillor J Kambueshe | : | 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 F Hamukwaya | : | Member of Council |
| Alderman E //Khaoseb | : | Member of Council |
| Councillor P V Steinkopff | : | Member of Council |

OFFICIALS:

| | | |
|-------------------|---|--|
| Mr E U W Demasius | : | Chief Executive Officer |
| Mr M N Ipinge | : | GM: Community Development Services |
| Mr M P C Swarts | : | GM: Corporate Services & Human Resources |
| Mr H !Naruseb | : | GM: Finance |
| Mr C Lawrence | : | GM: Health Services |
| Mr M Amedick | : | Acting GM: Engineering Services |
| Mr M Cloete | : | Manager: Traffic Services |
| Mr A Plaatjie | : | Manager: Corporate Services |
| Ms M Bahr | : | Manager: Human Resources |
| Mr L Mutenda | : | Manager: Health Services |
| Mr U Tjiurutue | : | Corporate Officer: Administration |
| Ms A Gebhardt | : | Administration Officer: Administration |
| Ms I Ortner | : | PA to the Mayor |

ALSO PRESENT:

1 (one) representative each from the Namibian, the Republikein, the Allgemeine Zeitung, NAMPA and Namibian Broadcasting Corporation. Also in attendance were 2 (two) staff members receiving Long Service Awards and 20 (twenty) members of the public.

1. **OPENING**

Pastor M Rust opened the meeting with scripture reading and a prayer.

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

2.1 **APPLICATION OF LEAVE OF ABSENCE**

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

2.2 **DECLARATION OF INTEREST**

- 2.2.1 Declaration of Interest - Councillor J Kambueshe under item 11.1.12.

3. **CONFIRMATION OF MINUTES**
(C/M 2012/11/28 - A 2/3/5)

3.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 25 OCTOBER 2012**

On proposal of Councillor R N Andreas-Noabes seconded by Councillor F Hamukwaya, it was:-

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 25 October 2012, be confirmed as correct.

3.2 **MINUTES OF AN EXTRA-ORDINARY COUNCIL MEETING HELD ON 16 NOVEMBER 2012**

On proposal of Councillor R N Andreas-Noabes seconded by Councillor F Hamukwaya, it was:-

RESOLVED:

That the minutes of the Extra-Ordinary Council Meeting held on 16 November 2012, be confirmed as correct.

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

None.

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

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

(C/M 2012/11/28 - A 2/3/5)

QUOTED

COUNCIL ANNOUNCEMENTS FOR NOVEMBER 2012

Fellow Councillors, Pastor Michael Rust, Chief Executive Officer, Eckart Demasius, General Managers, Managers, Officials, Members of the Community, Members of the Media, Ladies and Gentlemen.

Good evening and welcome to our last Council meeting for the year 2012 and also note that this is my first meeting as the elected Mayor, it is a great experience and a challenging one, I have new responsible to acquaint myself, I urge the entire staff and fellow Councillors to stand together and work for better future of our town.

Ladies and Gentlemen Swakopmund used to be the cleanest town in the past but now we are challenged on that one, and I urge everyone to keep our environment clean. You will

hear people telling us about the horrific picture of our town and again I urge everybody to join hands and fight to keep our town clean.

Ladies and Gentleman

Over the past weekend we treated Elders to a luncheon, and a lot of them turn up and were very happy and I urge the communities if they have new ideas that can help to better this event are more than welcome to come and share with us. The event was rounded off with the distribution of parcels to our senior citizens.

I want to thank Rio Tinto and its drivers for availing their services and to fellow Concillors that were with us, Cllr Rosalia Andreas-Naobes and Cllr Steinkopff and to those that were not there I know you have been with us in faith, I want to say thank you again.

Ladies and Gentlemen; in due course we will have the Christmas message for our Light Beam and will call press conference to address all questions posed to the Mayor.

I the Mayor, I cannot become Einstein over night and that will not make me the best smart man, together and with proper advices of my fellow Councillors, we can do better.

Ladies and Gentlemen

During the month of November the following has benefited from the Mayoral Development fund.

| | |
|----------------------|---------------|
| Mr Zakaapi | N\$ 989.10 |
| Scientific Society | N\$ 2 000.00 |
| Madelaine Coetzee | N\$ 7 550.00 |
| Special & Paralympic | N\$ 13 375.00 |
| Total Amount spend | N\$ 23 914.10 |

5.2

LONG SERVICE AWARDS

(C/M 2012/11/28 - B 1/8)

Long Service Awards

Before I proceed with the long service awards, I want to use this opportunity to have a moment of silence for the Late Mr Amakali Festus who left us on Thursday, 22 November 2012; he was in Council services for 36 years, our sincere condolences' to his friends and family.

To the long service recipients, thank you for your commitment and dedication to the Municipality of Swakopmund. Together, you have put in 165 years of service. We are grateful for your dedicated service to Swakopmund and its residents. Your hard work and loyalty has contributed to the current status of Swakopmund as we are regarded as the leading Local Authority in Namibia.

May God bless you richly and may you continue to serve our community for more years in the future. I would like to call the following people forward to come and receive their certificates:

| | | |
|----------------------|---|----------|
| • Clive Lawrence | — | 15 Years |
| • Hermien van Ginkel | — | 15 Years |
| • Daniel du Plessis | — | 15 Years |
| • Emilia Sheya | — | 15 Years |
| • Grasio Paulus | — | 35 Years |
| • Lukas Nghituua | — | 35 Years |
| • Alfried Alveli | — | 35 Years |

May God Bless you.

I thank you

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 OCTOBER 2012**

- 9.1 The feedback on the resolutions taken by Council on 25 October 2012 was noted.

10. **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY MANAGEMENT COMMITTEE DURING OCTOBER AND NOVEMBER 2012**

10.1 **MINUTES OF MANAGEMENT COMMITTEE MEETINGS HELD DURING OCTOBER AND NOVEMBER 2012**

(C/M 2012/11/28 - A 2/3/5)

RESOLVED:

That the resolutions taken at Special Management Committee meetings held on 25 October 2012, 02, 15, 16 November 2012 an Ordinary Management Committee meeting held on 15 November 2012 be noted.

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**

11.1 **ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 15 NOVEMBER 2012**

11.1.1 **SCIENTIFIC SOCIETY OF SWAKOPMUND: INCREASED RENTAL TARIFF**

(C/M 2012/11/28 - E 1/5)

RESOLVED:

- (a) That Messrs Scientific Society of Swakopmund be informed that Council considered their motivation for a lower tariff, but resolved to apply the standard rental tariff for outside seating; all future renewals and new applications will be considered at the standard rental tariff.
- (b) That Messrs Scientific Society of Swakopmund be requested to confirm in writing whether they accept Council's conditions as approved on 27 September 2012 in order to advertise Council's intention to lease the pavement area to them in terms of the Local Authorities Act, Act 23 of 1992, as amended.

11.1.2 **PROJECT SHINE 2013**

(C/M 2012/11/28 - G 1/1)

RESOLVED:

- (a) That the General Manager: Health Services be mandated to proceed with the arrangements to host Project Shine 2013.
- (b) That an amount of N\$25 000.00 be transferred from the Pollution Control Fund to Vote 103541000100 and be used in addition to the funds deposited by other main sponsors of Project Shine 2013, to cover the monthly payments to participants in the clean up project for 2013.
- (c) That the General Manager: Finance be authorized to make all requested payments related to the project and in accordance with the Municipal Financial Regulations.

11.1.3 **PROPOSAL: DEVELOPMENT AND UPGRADING OF BUSINESS STALLS ON ERF 4352, MONDESA**

(C/M 2012/11/28 - M 4352, H 2/13)

RESOLVED:

- (a) That the proposal for the development and upgrading of the Business Stalls on Erf 4352, by Messrs Downing Designs be accepted.
- (b) That Option 1 be accepted, subject to the exclusion of the following:
 - (i) *Amphitheatre*
 - (ii) *Kiddies Park*
 - (iii) *Daycare Center*
- (c) That Messrs Downing Designs be requested to submit a revised detailed cost breakdown for the entire project.
- (d) That once the cost breakdown is received, it be submitted to the Management Committee.

11.1.4 **CONSTRUCTION PHASES FOR THE MULTI-PURPOSE CENTRE**

(C/M 2012/11/28 - M 4348)

RESOLVED:

That the Multi-Purpose Centre be constructed in the following sequence:

- Phase 1: SME Business & Restaurant Kitchen*
- Phase 2: E-Library and After School Projects*
- Phase 3: Restaurant*
- Phase 4: Community Hall; Store & Public ablutions*
- Phase 5: Squash Court and Boxing Gym / Table Tennis*

11.1.5 **SALE OF PRE-PAID WATER IN THE DRC INFORMAL SETTLEMENT**

(C/M 2012/11/28 - N 10/2/4, H 5/4)

RESOLVED:

That Mr S K Romanus be appointed as a vendor of pre-paid water sales for the DRC Informal Settlement for a trial period of 6 (six) months, subject to the same conditions as approved for Mr E Kampembe.

11.1.6 **AMENDMENT OF PORTION SIZE: SUBDIVISION OF THE REMAINDER OF ERF 1803, MONDESA INTO PORTION A AND THE REMAINDER**
(C/M 2012/11/28 - M 1803)

RESOLVED:

That point (a) of the Council resolution dated 25 February 2010 under item 11.1.3 be repealed and replaced with the following:

- (a) That the alienation of a portion of Erf 1803, Mondesa ($\pm 467.03\text{m}^2$) to Mr P Jonas at the purchase price of $467.03\text{m}^2 \times \text{N\$}120.00 = \text{N\$}56\,043.60 + 15\% \text{ VAT (if applicable)}$, subject to the conditions approved by Council on 29 October 2009 and 25 February 2010, be approved.
- (b) That Mr P Jonas pays a shortfall of the purchase price in the amount of $\text{N\$}7\,863.60 + 15\% \text{ VAT (N\$}1\,179.54) = \text{N\$}9\,043.14$.
- (c) That the proposed Portion A of Erf 1803, Mondesa ("*Public Open Space*") offered to Mr P Jonas be zoned as "*Local Business*" in terms of the Town Planning Ordinance 18 of 1954 as amended.
- (d) That the existing Deed of Sale be cancelled and a new Deed of Sale be entered into between the Council and Mr P Jonas.
- (e) That Mr P Jonas appoints an Environmental Consultant to attend to the Environmental Impact Assessment in terms of the Environmental Management Act, Act 7 of 2007 as amended.
- (f) That all costs relating to the transfer of this portion, (including but not limited to transfer duty, conveyancer's costs, compilation of Agreement of Sale, as well as any legal or other costs that may arise from this application), be for the applicant's account.

11.1.7 **APPROVAL OF MINOR AMENDMENTS TO THE LAYOUT PLAN FOR PORTION 114, SWAKOPMUND, FOR TOWNSHIP ESTABLISHMENT**
(C/M 2012/11/28 - G 3/9)

RESOLVED:

That the adjustments to the layout plan of Portion 114, Swakopmund as submitted by Messrs Plan Africa Consulting to Townships Board and approved by Townships Board be approved.

11.1.8 **APPLICATION FOR NEED AND DESIRABILITY FOR THE SUBDIVISION OF ERF 607, MONDESA**

(C/M 2012/11/28 - M 607)

RESOLVED:

That Council's resolution of 27 October 2012 under item 11.1.25 be repealed and replaced with the following:

- (a) That the Need and Desirability to subdivide Erf 607, Mondesa, into 22 portions and Remainder (Street) be approved.
- (b) That the subdivision of Erf 607, Mondesa, into 22 portions and Remainder (Street) be approved.
- (c) That the proposed zoning of Portion 1 be "*Institutional*", Portions 2-19 be "*Single Residential*" with a density of 1:300, Portions 20-22 be "*General Residential 1*" with a density of 1:250m² and the Remainder be reserved for "*Street*".
- (d) That a Town Planning Consultant be appointed to submit the proposed layout to the Ministry of Regional and Local Government, Housing and Rural Development for Need and desirability for Township Establishment and to Townships Boards for final approval of the proposed layout.
- (e) That the cost be defrayed from the Professional Services Vote 103010212300 where N\$97 000.00 is available.

11.1.9

SUBDIVISION OF ERF 503, TAMARISKIA INTO PROPOSED PORTIONS A, B AND THE REMAINDER; THE FORMAL CLOSURE OF PROPOSED PORTION A AND PORTION B AS PUBLIC OPEN SPACE; RESERVATION OF PORTION A AS "*PUBLIC PARKING*" AND THE REZONING OF PROPOSED PORTION B FROM "*PUBLIC OPEN SPACE*" TO "*INSTITUTIONAL*"

(C/M 2012/11/28 - T 503)

RESOLVED:

That Council's resolution of 27 September 2012 under item 11.1.10 be repealed and replaced with the following:

- (a) That the subdivision of Erf 503, Tamariskia into proposed Portion A, Portion B and the remainder of Erf 503, Tamariskia, be approved.
- (b) That the permanent closure of Portion A and Portion B of Erf 503, Tamariskia in terms of section 50 of the Local Authorities, Act 23 of 1992, as amended be approved.
- (c) That proposed Portion B of Erf 503, Tamariskia, be rezoned from "*Public Open Space*" to "*Institutional*".
- (d) That the reservation of proposed Portion A for "*Public Parking*" purposes be approved.
- (e) That Council complies with the new Environmental Management Act with regard to the Environmental Clearance Certificate needed for submission to the Ministry of Regional and Local Government, Housing and Rural Development.

- (f) That a Town Planning Consultant be appointed to submit the subdivision application to Townships Board and the cost be defrayed from the Professional Services Vote 103010212300 where N\$93 000.00 is available.

11.1.10 **SUBDIVISION OF ERF 604, MONDESA INTO PROPOSED PORTION A AND PORTION B AND THE REMAINDER; REZONING OF ERF 605 AND PROPOSED PORTION A AND PROPOSED PORTION B FROM “UNDETERMINED” TO “INSTITUTIONAL”; CONSOLIDATION OF ERVEN 605, 602 AND PROPOSED PORTION A INTO PROPOSED CONSOLIDATED ERF “X” AND THE CONSOLIDATION OF ERVEN 603 AND PROPOSED PORTION B INTO PROPOSED CONSOLIDATED ERF “Y”**

(C/M 2012/11/28 - M 605, M 604)

RESOLVED:

That Council’s resolution of 26 April 2012 under item 11.1.25 be repealed and replaced with the following:

- (a) That the subdivision of Erf 604, Mondesa into proposed Portion A, Portion B and remainder of Erf 604 be approved.
- (b) That the intention to rezone proposed Portion A of Erf 604, Mondesa from “*Undetermined*” to “*Institutional*” be approved.
- (c) That the intention to rezone proposed Portion B of Erf 604, Mondesa from “*Undetermined*” to “*Institutional*” be approved.
- (d) That the intention to rezone Erf 605, Mondesa from “*Undetermined*” to “*Institutional*” be approved.
- (e) That the consolidation of Erf 602, 605 and proposed Portion A, Mondesa into proposed consolidated Erf “X” be approved.
- (f) That the consolidation of Erf 603 and proposed Portion B, Mondesa into proposed consolidated Erf “Y” be approved.
- (g) That the Engineering Services Department attends to the rezoning of the above mentioned erven with immediate effect.

11.1.11 **FEEDBACK AND AMENDMENT TO DEVELOPMENT PLAN: STRAND HOTEL DEVELOPMENT**

(C/M 2012/11/28 - E 4743)

RESOLVED:

- (a) That the letters received from Messrs Ohlthaver & List Group of Companies dated 21 August 2012 and 17 October 2012 regarding the revised concept for development of the hotel be noted.
- (b) That Messrs Ohlthaver & List Group of Companies be requested to submit a proper lay-out plan indicating the amendments to the initial development, for consideration by Council.
- (c) That Messrs Kinghorn Associates be requested to compile a further addendum to the Memorandum of Agreement.

- (d) That Messrs Ohlthaver & List Group of Companies be requested to submit bi-monthly reports on the progress of the construction project.
- (e) That the Engineering Services Department takes note and implement the penalty charges in the amount of N\$10 000.00 per day should the project not be completed within 82 weeks from 1 August 2012.
- (f) That the penalty be levied on a separate sundry account.

11.1.12 FEEDBACK: TRANSFER OF ERF 4326 (A PORTION OF ERF 63, MONDESA), MONDESA IN THE NAME OF MESSRS MONDESA PROPERTY INVESTMENT CC

(C/M 2012/11/28 - M 4326)

During the discussion of this item Councillor J Kambueshe declared his interest in the matter and recused himself from the discussion. Councillor F Hamukwaya proposed that Councillor P V Steinkopff chair the meeting but the proposal was not accepted by Councillor P V Steinkopff as he indicated that he wish to contribute to the item. Councillor P V Steinkopff then proposed that Alderman E //Khoeseb chair the meeting. The proposal was accepted by the nominee and seconded by Councillor F Hamukwaya. Councillor P V Steinkopff expressed dissatisfaction with the way this item was dealt with seeing that the project had not commenced yet and after 6 years, the purchase price has not been paid, representing a loss for Council and good investment again for the purchaser. He indicated that he does not support the resolution taken by Council on this item. It was:-

RESOLVED:

- (a) That the interest declared by Councillor J Kambueshe and the fact that he left the chambers be noted.
- (b) That it be recorded that Councillor P V Steinkopff does not support the resolution taken by Council on this item.
- (c) That Messrs Mondesa Property Investments CC be informed to submit the building plans for the development of a shopping centre on Erf 4326, Mondesa for approval.
- (d) That Council remains with its decision of 25 February 2010 i.e.:

That Council approves the alienation of a portion of Erf 63 Mondesa, measuring 17 452.74m² to Messrs Mondesa Property Investment CC for the development of a shopping centre subject to the conditions as approved by Council on 29 October 2009 under item 11.1.3.
- (e) That Mr J Kambueshe of Messrs Mondesa Property Investment CC be given until 31 March 2013 to secure the purchase price plus 15% VAT, failing which the transaction be cancelled without any further notice.

11.1.13 AMENDMENT TO THE LAYOUT AND SALEABLE LAND FOR BLOCK 14 OF PORTION 114, SWAKOPMUND- MESSRS NAMGRO IMPEX

(C/M 2012/11/28 - G 3/9/14)

RESOLVED:

That the amended purchase price of **N\$4 472 866.00 (72 143m² x N\$62.00/m²)** for Portion 114, Swakopmund in line with the new amended layout plan submitted by the Engineering Services Department be approved.

11.1.14 **REQUEST FOR TEMPORARY BTS STATION AT THE PEBBLE BEACH AREA**

(C/M 2012/11/28 - G 4/2/2/2)

RESOLVED:

(a) That Council leases the site located in the Pebble Beach area to Messrs MTC for a two month period, commencing on 01 December 2012 and terminating on 31 January 2013; subject to the following standard conditions:

- (i) *That the portion of land is leased on the explicit condition that the lessee indemnifies Council against any claim for damages resulting from its occupation by the lessee; and*
- (ii) *That all costs be for the account of the lessee.*
- (iii) *That Messrs MTC installs their own electrical meter so that any expense and cost generated be allocated to Messrs MTC.*
- (iv) *That Messrs MTC provides the GPS co-ordinates of the approved sites to the Engineering Services Department in order to indicate such on lay-out plans.*
- (v) *That Council's intention to lease the area be advertised in terms of the Local Authorities Act, Act 23 of 1992, as amended.*

(b) That the temporary lease tariff be $\text{N\$19.02 / m}^2 \text{ per month} \times 9\text{m}^2 = \text{N\$172.80} + \text{N\$25.92 (15\% VAT)} = \text{N\$198.72}.$

(c) That Messrs AGA Technical Services (Pty) Ltd provides Power of Attorney that they act on behalf of Messrs MTC.

11.1.15 **APPLICATION TO TRANSFER ERF 2771, SWAKOPMUND TO NAMPOWER (PTY) LTD**

(C/M 2012/11/28 - E 2771)

RESOLVED:

(a) That point (a) (a) (ii) of Council resolution of 28 September 2012, item 11.1.4 be repealed and replaced with the following:

That consent be granted to Messrs NamPower (Pty) Ltd to construct a separate 11kV Switchgear Room to accommodate Erongo Red's outgoing feeders on Erf 2771, Swakopmund while ministerial approval for the sale of the erf is awaited.

(b) That Council sells Erf 2771, Swakopmund to Messrs NamPower (Pty) Ltd at a market related price.

(c) That Messrs NamPower (Pty) Ltd provides Council with a letter of exemption from the Ministry of Environmental and Tourism i.e. Environmental Clearance Certificate(s) for existing infrastructure / activities which were constructed before the Environmental Management Act, Act 7 of 2007, implemented.

11.1.16 **FEEDBACK: PUBLIC AUCTION OF 3 AUGUST 2012 FOR THE SALE OF 120 SINGLE RESIDENTIAL ERVEN**

(C/M 2012/11/28- G 3/3/2/15, G 3/9/7)

RESOLVED:

- (a) That Council extends the due date for payment of the purchase price until 17 January 2013 to all purchasers who have signed the Deed of Sale.
 - (b) That those purchasers who failed to return the signed Deeds of Sale 02 November 2012 be informed that the transaction is cancelled and their deposit is forfeited.
 - (c) That the levying of interest on transactions where the purchasers have returned signed deeds of sale be suspended until 17 January 2013.
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11.1.17 **LIFE SAVING AT THE MOLE BEACH**
(C/M 2012/11/28 - N 7/2/4/1)

RESOLVED:

- (a) That Messrs Sea Rescue Institute of Namibia be appointed to provide life saving services during the upcoming festive season at a cost of N\$15 000.00.
 - (b) That Messrs Sea Rescue Institute of Namibia be requested to offer life saving training to the Swakopmund Fire Brigade.
 - (c) That the cost be defrayed from the Life Savers Vote 104010102700 where N\$15 000. 00 is available.
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11.1.18 **INTERNAL AUDIT SERVICE: 2011 - 2013**
(C/M 2012/11/28- D 10/1)

RESOLVED:

That the proposed Internal Audit Plan 2011/12 - 2013/14 (on file) for the second year with the proposed cost estimate of N\$344 560.00 be budgeted for in the new financial year.

11.1.19 **INTERNAL AUDIT REPORT: HOUSING SERVICE**
(C/M 2012/11/28 - D 10/1)

RESOLVED:

- (a) That the findings made on approval of a housing loan in excess of what the beneficiary qualifies for be noted and that when applicants are issued with erven, the re-submitted proof of income be reviewed by the Build Together Committee to determine whether the applicants still qualify for the same amount.
- (b) That the findings made on overdue accounts not administered in line with Council's Credit Policy be noted and that the General Manager: Finance compiles a list of overdue accounts close to and more than N\$5 000.00 every month and sign off the list of account holders to be handed over to the attorneys.
- (c) That the findings made on incomplete checks performed on the monthly statements sent to housing loan account holders be noted and the General Manager: Finance requests the Service Provider to

submit a report of the statements issued to loan account holders every month to be reviewed that all statements are printed and mailed.

- (d) That the General Manager: Finance investigates if any complaints are received from loan account holders that did not receive their statements and such be reported to Management Committee.
- (e) That all the findings made by the internal auditor be noted and that the recommendations be implemented by the relevant departments.

11.1.20 **INTERNAL AUDIT REPORT: PLANNING & BUILDING CONTROL**
(C/M 2012/11/28 - D 10/1)

RESOLVED:

- (a) That the findings with regard to inadequate communication and controls between the Corporate Services and Human Resources Department and Finance Department be noted and that adequate communication and controls should be implemented between Corporate and Finance Department.
- (b) That re-zoning applications and updated valuation role should be timely communicated between the relevant departments.
- (c) That Management implements a register (manual or electronic) on all re-zoning applications and should be updated and used by the Finance Department to check on a weekly or monthly basis that all applications have been processed.
- (d) That the findings with regard to building/application fees incorrectly calculated be noted and that the Senior Building Inspector should review the "Engineering Form" for accuracy and completeness (including the stamp and receipt number from Finance Department) before final approval of the "Engineering Form" and the updated form be finalized and implemented by June 2013.
- (e) That the General Manager: Engineering Services makes selected checks on the calculation of building plan fees and the results thereof be reported to the Audit & Risk Management Committee.
- (f) That the "Engineering Form" be adequately filed and kept in a secure storage space.
- (g) That the findings with regard to no formal and documented procedures with respect to planning and building control processes be noted and that Engineering Services Department assigns an official the responsibility of developing procedures for the Municipality's planning and building control process to be submitted to Council for approval and successful implementation and adherence by the relevant staff members by June 2013.
- (h) That the General Manager: Engineering Services be responsible for overseeing the project in (g) above and that it is successfully completed and assumes accountability.
- (i) That the compiled procedures for the planning and building control process be submitted to Management Committee for approval and once approved the applicable processes be communicated to all planning and building control staff members for adherence and implementation.

- (j) That the findings with regard to building material delivery notes not filed be noted and that all delivery notes be signed by the Site Supervisor, adequately retained and given to the Works Section at least once a week with every new project.
- (k) That the Works Section takes responsibility to attach the signed delivery note to the order and approved invoices before submitting to Finance Department for payment, whereupon Finance Department should ensure that all the documents are received before any payment is made.
- (l) That the finding that building plan approval checklist not adequately completed or filed be noted, being a high risk observation and that the Senior Building Inspector ensures that all the items are ticked (initialled) by the relevant official before signing the sheet and no approval must be granted before the checklist is 100% completed.
- (m) That a revised checklist form be created by the Chief Building Inspector within the next two months to be implemented January 2013.
- (n) That the finding that building plan approval time is not within the set target of 3 weeks, be noted, being a high risk observation, and that consideration be given to approve building plans within 4 - 6 weeks and that a register be kept to track the approval process and such be implemented within the next 3 months.
- (o) That the Enquiry Office at the Building Inspectorate Office be open to the public as from 07:30 in the morning and only be closed the same time as the Cashiers Offices are closed to the public in order for the officials to finalize and update their administration and the public be informed accordingly.
- (p) That all the findings made by the internal auditor be noted and that the recommendations be implemented by the relevant departments.

11.1.21 **INTERNAL AUDIT REPORT: ERVEN SALES & RENTALS**

(C/M 2012/11/28 - D 10/1)

RESOLVED:

- (a) That the findings made that rental is not levied timely and accurately by the Finance Department be noted and the General Manager: Finance ensures that the leases are timely and accurately captured on the Venus System and be reviewed on a monthly basis.
- (b) That the findings made that documents for the sale or lease of erven are not filed on the appropriate erven files be noted and that the General Manager: Corporate Services and Human Resources ensures that all correspondence and supporting documentation for the sale or lease of property be filed by the Archivist in the appropriate erven files and a checklist be implemented and be inserted in the cover page of the file which should be verified by the Property Officers ensuring all relevant documentation on the sale and lease of erven has been filed.
- (c) That the findings made that no copies of newspaper advertisements placed on the erven files be noted and that the Audit & Risk Management Committee notes that a "Notice Register", kept at Archives is in place where all notices placed are filed.
- (d) That all the findings made by the internal auditor be noted and that the recommendations be implemented by the relevant departments.

11.1.22 **INTERNAL AUDIT REPORT: EXPENDITURE & STORES**
(C/M 2012/11/28 - D 10/1)

RESOLVED:

- (a) That the findings made on the Venus System, which allows the staff members of the Municipal Stores to change the quantity or values on orders without authorisation from the relevant General Manager be noted.
 - (b) That the limitation of the Venus System be addressed with the service provider to investigate other control measures as staff members are not to be allowed to make changes to orders.
 - (c) That a submission be compiled by the General Manager: Finance on the findings of the investigation made with the Service Provider finding a solution to implement control measures in this regard.
 - (d) That the findings made that there is no form of control in place to ensure that invoices that are to be certified are received from the General Managers of the relevant department are sent to Stores be noted and that the General Manager: Finance, on a weekly basis sent out an outstanding order report to all departments and that outstanding invoices be followed up by the Stores Controller on a weekly basis.
 - (e) That the findings made that no evidence exists of goods delivered by Stores are received by the departments be noted and that the General Manager: Finance implements a register where the approved requisitions are listed and the staff member receiving the commodities sign for the receipt thereof.
 - (f) That the findings made that policies and procedures are not comprehensive for the ordering, receiving and inventory management be noted and that the General Manager: Finance develops policies and procedures for the ordering and receiving process to be submitted to Management Committee for approval and once approved be communicated to all staff members dealing with ordering and receiving.
 - (g) That the finding that re-order levels are not reviewed annually be noted and that annual reviews be performed by the General Manager: Finance when the annual stock taking is done to ensure that it is adequate and addresses Council's needs.
 - (h) That all the findings made by the internal auditor be noted and that the recommendations be implemented by the relevant departments.
-

11.1.23 **INTERNAL AUDIT REPORT: HALLS & SPORTS GROUNDS**
(C/M 2012/11/28 - D 10/1)

RESOLVED:

- (a) That the findings made that halls and sports grounds rented out are not recorded on the bookings spreadsheet and inconsistent income balances between the monthly income report and the Venus report be noted.
- (b) That the matter in (a) above be investigated by the General Manger: Community Development Services together with the General Manager: Finance and be discussed with the Venus Service Provider and or Innkeeper Service Provider to create a system where bookings of halls and sports grounds to be rented out can be recorded for proper control and reporting.
- (c) That the findings made on incorrect tariffs charged for rented items be noted and that the General Manager: Community Development Services revisit the policy and tariffs/price list and to propose a price list per item and not per batch.
- (d) That the findings made that there are no standard operating procedures for Halls, Sports Grounds and open spaces be noted and that the General Manager : Community Development Services should develop Standard Operating Procedures for Halls, Sports Grounds and Open Spaces processes to be submitted to Management Committee for approval and implementation.
- (e) That the findings made that not all cheques for the refunding of deposits on lease of halls and sports grounds are recorded in the cheque register in accordance with the in-house finance procedure are noted and that the General Manager : Finance should oversee that all cheque collections are recorded in the cheque register to ensure that clients acknowledge receipt of the cheque when signing for it.
- (f) That all the findings made by the internal auditor be noted and that the recommendations be implemented by the relevant departments.

11.1.24 **INTERNAL AUDIT REPORT: TRAFFIC**
(C/M 2012/11/28 - D 10/1)

RESOLVED:

- (a) That the findings made on inadequate review of Traffic Officer's vehicle log forms be noted and that the Senior Traffic Officers should adequately complete and review the vehicle log forms before being signed off as evidence of review.
- (b) That the findings made that the current process does not make provision for the timely, independent confirmation/verification of the overtime worked and claimed by the Traffic Officers be noted and that adequate control system be implemented to monitor actual overtime hours worked by the Traffic Officers.
- (c) That the findings made on face value books not found be noted and that the Manager: Traffic should ensure that Traffic Officers should adhere to the process of signing of the face value books and that the Manager: Traffic performs spot checks to ensure that all face value books are accounted for and maintain the register of face value books adequately.
- (d) That the findings made on the Traffic Section's Record Room not properly organized be noted and a staff member at the Traffic Section

be assigned to be kept responsible for the Record Room to be organized for the retrieval of the books and documentation.

- (e) That the findings made on the inability of the Traffic System to generate certain information captured from the face value books be noted and that the Manager: Traffic investigates and liaise with the service provider to repair and upgrade the Traffic System in place to be used effectively.
- (f) That all the findings made by the internal auditor be noted and that the recommendations be implemented by the relevant departments.

11.1.25 PROGRAMME FOR ORDINARY MONTHLY MANAGEMENT COMMITTEE- AND COUNCIL MEETINGS FOR THE YEAR 2013

(C/M 2012/11/28 - A 2/3/1/1, A 2/3/1/4)

RESOLVED:

- (a) That the programme (on file) for the Ordinary Management Committee- and Council meetings for the period January until November 2013 be approved.
- (b) That the election of office bearers of Council be arranged to take place on Friday, 15 November 2013.
- (c) That the General Manager: Corporate Services and Human Resources arranges with the district magistrate to chair and facilitate the election of officer bearers at the meeting scheduled for 15 November 2013.

11.1.26 DIGITAL BILLBOARD ADVERTISING SIGNS AT THE TOWN ENTRANCES OF SWAKOPMUND

(C/M 2012/11/28 - N 8/1/3)

During the discussion of this item Councillor A N Bessinger seconded by Councillor R N Andreas-Noabes proposed that recommendation (f) be deleted and be replaced with (f) as stipulated below. It was:-

RESOLVED:

- (a) That the application of Messrs Kahlel Alive Advertising to erect digital billboards at the entrances of Swakopmund be approved, subject to approval by the Roads Authority.
- (b) That a detailed application for advertising at the town entrance be submitted to Council for approval.
- (c) That the digital billboard be erected at the cost of Messrs Kahlel Alive Advertising.
- (d) That the exact position to be determined by the Manager: Traffic Services and Acting General Manager: Engineering Services.
- (e) That Messrs Kahlel Alive Advertising be responsible for the maintenance of the digital billboards.
- (f) That the General Manager: Corporate Services and Human Resources determines applicable rental for the lease of the proposed area.

11.1.27 APPLICATION FOR THE RELAXATION OF BUILDING HEIGHT

(C/M 2012/11/28 - E 1774)

RESOLVED:

That the application for the relaxation of building height from 8.00m to 10.00m on Erf 1774, Swakopmund be approved.

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- 11.1.28 **APPLICATION FOR SPECIAL CONSENT TO ERECT TOWN HOUSES ON THE GROUND FLOOR OF ERF 5784, (EXTENSION 18) SWAKOPMUND**
(C/M 2012/11/28 - E 5784)

RESOLVED:

- (a) That consent to erect town houses on the ground floor on Erf 5784, (Extension 18) Swakopmund be approved.
- (b) That building plans be submitted to the Engineering Services Department for final approval by the Building Inspectorate before any construction is allowed.

-
- 11.1.29 **SPECIAL CONSENT TO ERECT BUILDINGS FOR RESIDENTIAL PURPOSES (BLOCK OF FLATS) WHILE THE REZONING IS IN PROCESS**
(C/M 2012/11/28 - M 1845)

RESOLVED:

- (a) That Messrs Ritta Khiba be granted special consent to commence with construction on Erf 1845, Mondesa while the rezoning is in process.
- (b) That a minimum of 12 month and maximum of 24 months time limit be Offered to Messrs Ritta Khiba to erect buildings for residential purposes (block flats) on Erf 1845, Mondesa.

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- 11.1.30 **APPLICATION FOR CONSENT TO OPERATE A “NOXIOUS” INDUSTRY AND CONSTRUCTION OF A “CARETAKERS UNIT” ON ERF 3955, SWAKOPMUND**
(C/M 2012/11/28 - E 3955)

RESOLVED:

- (a) That the application for consent to operate a “*Noxious Industry*” from Erf 3955, Swakopmund be approved.
- (b) That the application to construct a care takers unit on Erf 3955, Swakopmund be approved.
- (c) The Mr G R Brettschneider be informed of his right to object (in terms of Clause 8 of the Swakopmund Town Planning Amendment 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 Council within the said period.

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- 11.1.31 **APPLICATION FOR PERMISSION TO OPERATE A TOURIST ESTABLISHMENT**
(C/M 2012/11/28 - G 2 (14))

RESOLVED:

That the application of Mr Z Ruch t/a Messrs Gecko Ridge for permission to operate a tourist establishment on Plot 120, Swakopmund 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 Council reserves the right, to cancel a consent use should there be valid objections.*
- *That they must operate within the Town Planning Scheme Regulations.*

11.1.32 **APPLICATION FOR PERMISSION TO OPERATE A PLACE OF INSTRUCTION**

(C/M 2012/11/28 - E 536)

RESOLVED:

- (a) That the application of Messrs Private School Swakopmund Foundation for permission to operate a place of instruction on Erf 536, 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 street parking will be tolerated.*

11.1.33 **APPLICATION FOR PERMISSION TO OPERATE A PUBLIC GARAGE**

(C/M 2012/11/28 - E 3995)

RESOLVED:

- (a) That the following application for permission to operate a public garage on Erf 3995, Unit 8, Swakopmund be approved:
 - *Erf 3995, Swakopmund, Unit 8 (Einstein Street) - Mr J Nel t/a Messrs Pupkewitz Motor Holdings (Pty) Ltd - Motor Vehicle Workshop (Notice No. 47/2012-10-23)*
- (b) That Mr J Nel t/a Messrs Pupkewitz Motor Holdings (Pty) Ltd 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.*

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

(C/M 2012/11/28 - M 2819, E 1214, RM 74, T 496)

RESOLVED:

- (a) That the following applications for permission to operate Administrative Offices be approved:
- *Erf 2819, Mondesa - Mr E Shitima t/a Messrs Ensico Building Construction CC - Administrative Office (Notice No. 47/2012-10-23)*
 - *Erf 1214, Kramersdorf (78 Anton Lubowski Avenue) - Mr F J Bester t/a Messrs Desert Tours - Administrative Office (Tourism & related activities) (Notice No. 47/2012-10-23)*
 - *Erf 74, Rossmund - Mr N Birdsey t/a Messrs C Kit Engineers Namibia (Pty) Ltd - Administrative Office (Engineering & Design) (Notice No. 47/2012-10-23)*
 - *Erf 496, Tamariskia (53 Kwarts Avenue) - Mr P Nande t/a Messrs Mano Nera Engineering & Sales - Administrative Office (Mining equipment trading) (Notice No. 47/2012-10-23)*
- (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 sales from the premises are allowed.*
 - *That no storage of equipment to be done on site.*
 - *That no on street parking will be tolerated.*

11.1.35 **LEASE PROPOSAL FOR UNIMPROVED PORTIONS OF LAND FOR LIGHT INDUSTRIAL INCUBATION SITE**
(C/M 2012/11/28 - H 5)

RESOLVED:

- (a) That the “Invitation for Lease Proposals” (on file) document be approved with reference to the proposed activities, improvements to be erected and provision of services.
- (b) That the site cancelled by Ms L M Xaweb be included in the invitation for lease proposal documents in line with the Council resolution passed on 29 March 2012.
- (c) That the notice for the invitation for lease proposal be posted to the various applicants on file who expressed their interest to obtain a site at the area.
- (d) That the applicants take note of the available services and that any additional services will be installed at their cost.

11.1.36 **APPOINTMENT OF DIRECTORS: ERONGO RED**
(C/M 2012/11/28 - A 4/3/1/16)

RESOLVED:

- (a) That Council takes note and accepts that Mr W Ewald has declined the appointment on the Erongo RED Board of Directors due to increased work commitment.
- (b) That no additional member or replacement for Mr W Ewald to represent Council on the Board of Directors of Erongo RED be appointed at this time.

11.1.37 **REQUEST FOR SPONSORSHIP BY MR A ZAKAAPI**
(C/M 2012/11/28 - D 5)

RESOLVED:

- (a) That Council assists Mr A Zakaapi's son with N\$1 099.00 per month to purchase the special milk formula and nappies for the year 2013.
- (b) That Mr A Zakaapi furnishes the Office of the Mayor with an invoice on a monthly basis.
- (c) That a cheque be made out monthly to the Cottage Family Practice upon receipt of invoice.
- (d) That the amount of N\$13 188.00 for twelve months to purchase the nappies and the special milk formula be defrayed from the Mayoral Development Fund Vote 960120408709 where N\$90 288.95 is available.

11.1.38 **SELLING OFF OF EXCESS ANNUAL LEAVE DAYS**
(C/M 2012/11/28 - B 1/8)

RESOLVED:

- (a) That permission be granted for staff members to sell excess annual leave days in excess of 24 working days for all staff members, provided that they already took their prescribed annual vacation leave of 15 consecutive working days or 2 times 10 working days during their previous leave cycle.
- (b) That the resolution taken by the Senior Management Team on 12 May 2009 be repealed.
- (c) That General Managers ensure that their respective departments maintain an Annual Leave Plan for their staff members.
- (d) That the Conditions of Employment be updated accordingly.

11.1.39 **REPORT: COMMEMORATION OF THE MUNICIPAL HIV/AIDS AWARENESS DAY**
(C/M 2012/11/28 - B 1/5/2, B 1/12)

RESOLVED:

- (a) That the MAC facilitates the nomination and election and training of Peer Educators.
 - (b) That the MAC identifies a suitably qualified and experienced service provider to train both the Peer Educators and the MAC members.
 - (c) That the Training Room be utilized for the Municipal HIV/AIDS training sessions.
 - (d) That funding for the proposed training sessions be defrayed from the HIV/AIDS Fund Vote 963032105009 where N\$482 776.84 is available.
 - (e) That in future, the commemoration of the Municipal HIV/AIDS Awareness Day be held in line with the International commemoration of World AIDS Day.
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11.1.40 **SUBMISSION OF THE FURTHER AFFIRMATIVE ACTION REPORT**
(C/M 2012/11/28 - B 1/10)

RESOLVED:

That the Affirmative Action Report 2012 (on file) with the attachments be forwarded to the Employment Equity Commissioner.

11.1.41 **INVITATION FROM OMARURU MUNICIPALITY FOR GALA DINNER**
(C/M 2012/11/28 - A 2/3/1/4)

RESOLVED:

- (a) That the action taken by Councillors at the weekly Mayoral meeting to purchase a table at the Omaruru Gala Dinner be condoned.
 - (b) That the payment of the normal out of town allowance to Councillor U Kaapehi be condoned.
 - (c) That the amount of N\$5 000.00 for the Omaruru Gala Dinner and the normal subsistence and travelling be defrayed from the Council's Conference Expenses Vote 100510206500 where N\$40 600.00 is available.
 - (d) That the Chief Executive Officer submits a Subsistence and Travelling Policy and Guideline Procedure to Management Committee.
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11.1.42 **INVITATION FROM WALVIS BAY MUNICIPALITY FOR MAYOR'S ANNUAL FUNDRAISING DINNER**
(C/M 2012/11/28 - A 2/3/1/4)

RESOLVED:

- (a) That the amount of N\$20 000.00 paid to Walvis Bay Municipality towards the Gala Dinner held on 26 October 2012 and attended by the Mayor, Councillor R N Andreas-Noabes, Councillor A N Bessinger and Councillor U Kaapehi be condoned.
 - (b) That the cost be defrayed from the Council's Conference Expenses Vote 100510206500 where N\$35 600.00 is available.
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11.1.43 **REQUEST FOR FINANCIAL ASSISTANCE: ENDOWMENT FUND FOR ESTABLISHING UNIVERSITY CAMPUS**

(C/M 2012/11/28 - A 1/3/20)

RESOLVED:

- (a) That the action of the Mayor, Chairperson of the Management Committee and Acting Chief Executive Officer to contribute an amount of N\$10 000.00 towards the Endowment Fund for the establishment of the University Campus be condoned.
 - (b) That the funds be defrayed from the Surplus Fund Vote 960130531006 where N\$34 071 524.90 is available.
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11.1.44 **ELECTION OF THE NEW DECENTRALISED BUILD TOGETHER COMMITTEE**

(C/M 2012/11/28 - H 5/3)

RESOLVED:

- (a) That Ms Anna Garises from Messrs SFN and Victory Woman be nominated to serve on the Decentralised Build Together Committee.
 - (b) That the name of the nominee in (a) be forwarded to the Ministry of Regional and Local Government, Housing and Rural Development for appointment by the Minister.
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11.1.45 **DEVELOPMENT OF A MATERIAL RECOVERY FACILITY (MRF) AND THE MANAGEMENT OF THE LANDFILL SITE IN SWAKOPMUND**

(C/M 2012/11/28 - G 1/1)

RESOLVED:

- (a) That the General Manager: Health Services enters into negotiations with Messrs Rent-A-Drum in collaboration with the Finnish program to develop and manage the planned Material Recovery Facility at the Landfill Site, for approval by Council.
- (b) That the Council Resolution taken on 28 January 2010 be repealed:

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

11.1.46 **APPLICATION FOR PERMISSION TO OPERATE A PLACE OF INSTRUCTION – SCHOOL OF EXCELLENCE**
(C/M 2012/11/28 - E 1328)

RESOLVED:

- (a) That the following application for permission to operate a “Place of Instruction” be approved:
 - Erf 1328, Swakopmund, (10 Kolonnen Street) - Ms H Meyer t/a Swakopmund School of Excellence CC
 - (b) That Mr A van der Westhuizen 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.
 - (c) That the Town Planning Section attends to the policy for the regulation of Consent Uses on Single Residential and General Residential erven in order to better regulate these uses.
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11.1.47 **MESSRS SEA RESCUE INSTITUTE OF NAMIBIA**

- ADVERTISING COST
- CHANGE OF INDEFINITE PERIOD
- COMPILATION OF LEASE AGREEMENT

(C/M 2012/11/28 - N 7/2/4/1)

RESOLVED:

- (a) That Council takes note that Messrs Sea Rescue Institute of Namibia (SRIN) will be relocated to the Waterfront once the on-going construction is finalised.
- (b) That Messrs Sea Rescue Institute of Namibia (SRIN) confirms in writing whether they intend entering into a definite lease agreement on / before Thursday, 28 February 2013.
- (c) That the advertising cost be paid upon notification.
- (d) That Council considers the cancellation of the indefinite lease agreement after the festive season, should no response be received from Messrs Sea Rescue Institute of Namibia (SRIN) as per point (b) above.

11.1.48 **LEASE OF A PORTION OF LAND LOCATED ON ERF 2747, SWAKOPMUND:**

- ***PROPOSED RENTAL AMOUNT PER MONTH***
- ***ACCESS THROUGH PAINTBALL AREA; EXACT SIZE & LAY OUT***
(C/M 2012/11/28 - E 2747)

RESOLVED:

- (a) That point (b) of Council's resolution passed on 30 August 2012 under item 11.1.5 be repealed and be replaced with the following:

(b) *That the lease of a portion of land situated on Erf 2747, Swakopmund for a period of five (5) years to Messrs Kazak African Experience Cultural Tourism be permitted to proceed while the process in (a) above is completed, subject to (f) below.*
- (b) That the lease conditions approved by Council on 26 July 2012 under item 11.1.3 remain in place, except that point (d) (i) be amended to read that a deposit of one (1) month's rental be levied; instead of two (2) month's rental to be inline with Council's resolution passed on 28 April 2011.

11.1.49 **REZONING OF ERVEN RE/444, 466 AND 773 SWAKOPMUND FROM "PARASTATAL" TO "GENERAL BUSINESS" WITH A BULK OF 2.0 AND SIMULTANEOUS CONSOLIDATION OF ERVEN RE / 444, 466 AND 773 INTO CONSOLIDATED ERF Y; CONSENT TO COMMENCE WITH CONSTRUCTION ON COSOLIDATED ERF Y**

(C/M 2012/11/28 - E Re/444, E 466, E 773)

During the discussion of this item Councillor A N Bessinger unanimously seconded proposed that (e), (f) and (g) be added to the recommendation and that proposed recommendation (e) be deleted. It was:-

RESOLVED:

- (a) That Council approves the rezoning of Erven Re/444, 466 and 773, Swakopmund, from “Parastatal” to “General Business” with a bulk of 2.0.
 - (b) That Council approves the consolidation of Erven Re/444, 466 and 773 Swakopmund into proposed consolidated Erf Y.
 - (c) That the application for consent to start with construction on proposed consolidated Erf Y while the rezoning is in progress not be supported.
 - (d) That the approved rezoning applications be included in the next Amendment Scheme for approval by the Honourable Ministry of Regional and Local Government, Housing and Rural Development.
 - (e) That Mr J Klein of the Salt Company and the site developer be requested to meet and attempt to resolve the matter amicably.
 - (f) That should the initiative in (e) above fail, Mr J Klein of the Salt Company 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.
 - (g) That Mr H Grüttemeyer, owner of Erf 3566, Swakopmund 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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11.1.50 **REZONING OF ERF 3777, SWAKOPMUND FROM “UNDETERMINED” TO “GENERAL BUSINESS” WITH A BULK OF 2.0; CONSENT TO COMMENCE WITH CONSTRUCTION ON ERF 3777 WHILE THE REZONING IS IN PROCESS; SIMULTANEOUS CONSOLIDATION OF ERVEN 3656 AND 3777 SWAKOPMUND INTO CONSOLIDATED ERF X**

(C/M 2012/11/28 - E 3777, E 3656)

RESOLVED:

- (a) That Council approves the rezoning of Erf 3777 Swakopmund from “*Undetermined*” to “*General Business*” with a bulk of 2.0.
 - (b) That Council approves the consolidation of Erf 3777 with Erf 3656 Swakopmund into proposed consolidated Erf X on condition that the rezoning of Erf 3777 is approved by the Ministry of Regional and Local Government, Housing and Rural Development.
 - (c) That Council does not approve the consent to start with construction on Erf 3777 Swakopmund while the rezoning is in progress.
 - (d) That the approved rezoning applications be included in the next Amendment Scheme for approval by the Honourable Ministry of Regional and Local Government, Housing and Rural Development.
 - (e) That Messrs D Harmse, D Posthuma, K F J Eisenberg be informed of their 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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The meeting adjourned at 20H45

Minutes confirmed on: 31 January 2012

Councillor J kambueshe
CHAIRPERSON

E U W Demasius
CHIEF EXECUTIVE OFFICER

AG/-