

MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Office Building, Swakopmund on **Thursday, 27 September 2012 at 19:00.**

PRESENT:

Alderwoman R //Hoabes	:	Chairperson of Council
Councillor J Kambueshe	:	Deputy Mayor
Councillor N N Salomon	:	Chairperson of Management Committee
Councillor R N Andreas-Noabes	:	Alternate Chairperson of MC
Councillor A N Bessinger	:	Member of Management Committee
Councillor U Kaapehi	:	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 H !Naruseb	:	GM: Finance
Mr A Plaatjie	:	Acting GM: Corporate Services & Human Resources
Mr L Mutenda	:	Acting GM: Health Services
Mr M Amedick	:	Acting GM: Engineering Services
Mr V S Kaulinge	:	Manager: Community Development Services
Ms S Bruwer	:	Corporate Officer: Properties
Mr U Tjiurutue	:	Corporate Officer: Administration
Ms I Ortner	:	PA to the Mayor

ALSO PRESENT:

1 (one) representative each from the Namibian and Republikein. Also in attendance were 19 (Nineteen) members of the public.

1. **OPENING**

Pastor Kenny Ude opened the meeting with a prayer.

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

2.1 **APPLICATION OF LEAVE OF ABSENCE**

Councillor F Hamukwaya : Member of Council
Alderman E //Khaoseb : Member of Council
Councillor L M Madi : Member of Management Committee

2.2 **DECLARATION OF INTEREST**

2.2.1 None.

3. **CONFIRMATION OF MINUTES**

(C/M 2012/09/27 - A 2/3/5)

3.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 30 AUGUST 2012**

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

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 30 August 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 HER WORSHIP THE MAYOR AND CHAIRPERSON OF COUNCIL**

(C/M 2012/09/27 - A 2/3/5)

QUOTED

COUNCIL ANNOUNCEMENTS FOR SEPTEMBER 2012

Fellow Councillors, Pastor Kenny Ude, Chief Executive Officer, General Managers, Managers, Officials, Members of the Community, Members of the Media, Ladies and Gentlemen

Good evening,

I am delighted to welcome you to the Council Meeting of September.

The Office of the Mayor had the following activities to attend.

- I attended the Namibia National Mayor's Forum Annual General meeting held in Windhoek.*
- I attend the Christening Ceremony of the NamPort New Tug Vessel which is named Ongoshi.*
- I participated in the tree planting exercise on Arbor Day at the Mondesa Play Ground.*
- I delivered welcoming remark at the Launching of the Regional Centre of Excellence.*
- Honourable Peter Steinkopff delivered Welcoming Remarks at the Launch of the Swakopmund Indoor Sport Trust Centre*
- I opened the Mining and Technical Exhibition held at SFC sport Field.*
- I attended the briefing with the Minister of Environment and Tourism in view of ATTA Summit to be held Switzerland.*

- Honourable Nehemiah Ndara Salomon delivered welcoming remark at the Annual World Dressing Challenge held at the Okakambe Centre.
- I attended various in-house meetings with fellow Councillors.

Ladies and Gentlemen:

As you might be aware, last year during the month November, Council initiated the sales of erven for lower income members of our community; however this exercise was not completed as envisaged. This evening it is a great pleasure for me to announce that this exercise was successfully completed on the 14th of September. I want to use this opportunity to extend a word of appreciation to all Councillors, Officials as well as the members of the community who were involved in this process. Your commitment and efforts in this exercise is highly commendable.

Ladies and Gentlemen:

Tonight I have the following announcements;

- The traffic circle on the B2 Road is near completion and will be official opened early next week; you are all invited to witness another milestone in terms of road infrastructure development.
- The Annual Mayoral Soccer Cup is slated for 29 & 30 September and a total of 38 local teams will participate. The tournament will be held at the Mondesa Sport Field, the winning team will walk away with N\$ 2 500.00 plus the trophy.
- The Annual Mayoral Gala Dinner will be held on the 6th of October at the Swakopmund Hotel and Entertainment Centre, the aim of this dinner is to raised funds for the Mayoral Development Fund that is use to assist the needs of our local community.

5.2 **LONG SERVICE AWARDS**

(C/M 2012/09/27 - B 1/8)

Long Service Awards

Council enjoys excellent employer–employee relations and we will continue to build on that good foundation, the fact that Mr Johannes Shipingana remained with Council for 32 years with us is a good testimony.

We congratulate him and wish him all the best of healthy years.

Alderwoman Rosina //Hoabes
MAYOR

6. **PETITIONS**

None.

7. **MOTIONS OF MEMBERS**

7.1 **MOTION 01/2012: REVIEW OF THE ERONGO RED BOARD OF DIRECTORS REPRESENTATION BY COUNCILLOR A N BESSINGER**

(C/M 2012/09/27 - A 4/3/1/16/1)

The Chairperson of Council tabled Motion 01/2012 regarding the review of the Erongo RED Board of Directors representation, which was moved by Councillor A N Bessinger. Councillor A N Bessinger informed Council that the motion is self-explanatory and seeks to infuse the Erongo RED Board of Directors with technocrats. It was:-

RESOLVED:

That Motion 01/2012 moved by Councillor A N Bessinger regarding the review of the Erongo RED Board of Directors representation be adopted and be referred to the next Management Committee for further consideration.

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 AUGUST 2012**

9.1 The feedback on the resolutions taken by Council on 30 August 2012 was noted.

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

10.1 **MINUTES OF MANAGEMENT COMMITTEE MEETINGS HELD DURING SEPTEMBER 2012**

(C/M 2012/09/27 - A 2/3/5)

RESOLVED:

That the resolutions taken at a Special Management Committee meetings held on 04 September 2012 an Ordinary Management Committee meeting held on 18 September 2012 be noted.

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**

11.1 **ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 18 SEPTEMBER 2012**

11.1.1 **NOMINATIONS: ESTABLISHMENT OF A NAMING / RE-NAMING STREETS, PUBLIC PLACES, NATURAL AREAS AND COUNCIL-OWNED BUILDINGS, FACILITIES AND ARTEFACTS ADVISORY COMMITTEE**

(C/M 2012/09/27 - N 8/1/2, N 7/3/6/1)

During the discussion of this item, Councillor N N Salomon moved that this item be referred back. It was:-

RESOLVED:

That this item be referred back and that it be resubmitted to the next Management Committee for further consideration.

11.1.2 **INVITATION FOR BUSINESS PROPOSALS: RENTAL / OPERATION OF MUNICIPAL CAFETERIA**

(C/M 2012/09/27 - E 1/1)

RESOLVED:

(a) That the proposal of Messrs E P C Events & Catering to operate the Municipal Cafeteria be approved, subject to the following:

- (i) *Rental is fixed at N\$750.00 per month (including water), escalating with 10% annually on 1 July.*
- (ii) *The lessee must provide a two (2) week rotating menu consisting of a selection of healthy meals for breakfast, lunch and snacks. Also a standard platter for Management Committee meetings, ad hoc orders for training and for special delegations or meeting.*
- (iii) *Operating hours should be from 07:00 - 16:00 during working days.*
- (iv) *Trading hours should be from 07:00 - 07:30 (for staff only) and 13:00 - 14:00 during working days.*
- (v) *Furniture to be provided by Council.*

- (vi) *Fridge to be provided by the lessee.*
- (vii) *The Cafeteria is 295.66m² (including the under roof public seating area) but excluding the outside seating area.*
- (viii) *Lessee shall be responsible for the repair and maintenance of equipment except wear and tear.*
- (ix) *All Municipal regulations and or by-laws in force within the Municipal area will be applicable.*
- (x) *The lease will be valid for a period of 12 months.*
- (xi) *The cafeteria will be open to the public during trading hours mentioned in (iv) above.*

- (b) That a separate electricity meter be installed by the Engineering Services Department at a cost of ±N\$2 000.00.

11.1.3 **APPLICATION FOR EXTENSION OF LEASE AGREEMENT OF MESSRS NAMWATER LTD - CONSTRUCTION SITE AT FARM 163**
(C/M 2012/09/27 - G 4/1/1(19))

RESOLVED:

- (a) That the lease agreement entered into with Messrs NamWater Ltd be extended with a further two (2) year lease period, subject to the same conditions as the existing lease agreement.
- (b) That the lease be increased accordingly with 10% on 01 July.
- (c) That approval be obtained from the Ministry of Regional and Local Government, Housing and Rural Development in terms of section 30 (1) (t) of the Local Authorities Act, Act 23 of 1992, as amended, to renew the lease for a further two (2) year period (the area being Townlands).

11.1.4 **APPLICATION TO REGISTER ERF 2771, SWAKOPMUND IN NAMPOWER'S NAME**
(C/M 2012/09/27 - E 2771)

RESOLVED:

- (a) That the sale of Erf 2771, Swakopmund to Messrs NamPower (Pty) Ltd be approved, subject to the following conditions:
 - (a) **IN PRINCIPLE APPROVAL BY COUNCIL**
 - (i) *That the applicant takes note that no rights will accrue to him / her unless all the conditions are complied with in full and all the relevant authorities have given the necessary permission, if applicable.*
 - (ii) *That the probable market valuation assuming the applicable zoning be obtained from Council's appointed municipal valuer and an additional valuer, for consideration and approval by Council.*
 - (b) **STATUTORY PROVISIONS**
 - (i) *That Ministerial approval be applied for, for the sale of Erf 2771, Swakopmund to Messrs NamPower (Pty) Ltd in terms of section 30 (1) (t) of the Local Authorities Act, Act 23 of 1992 as amended.*
 - (ii) *No development be permitted to commence until the statutory disciplines have been completed.*

(c) AGREEMENT OF SALE AND TRANSFER

- (i) That the agreement of sale be concluded and signed within 12 months from Ministerial approval being granted.*
- (ii) That the agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser / developer within 21 days of being requested to do so.*
- (iii) That all costs relating to the transfer of this erf, (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.*

(d) PAYMENT OF PURCHASE PRICE

The purchase price and 15% VAT (if applicable) to be secured by means of a bank guarantee payable on date of transfer.

(e) GENERAL

- (i) As per (a) (i) above, Messrs NamPower (Pty) Ltd takes note of the requirements of the Environmental Management Act, Act 7 of 2007.*
- (ii) That all developments be in line with the Town Planning Amendment Scheme.*
- (iii) That the applicant indemnifies Council against any claims resulting from blasting.*

- (b) That Messrs NamPower (Pty) Ltd be requested to indicate whether they intend to purchase the Tamarisk Station; and that upon finalization of both transfers the Power Supply Agreement signed on 7 May 2002 be terminated.**

11.1.5 ANNUAL INCREASE IN BULK WATER TARIFFS

(C/M 2012/09/27 - D 2/1/1, N 10/1)

RESOLVED:

- (a) That the basic water tariff applicable to all consumers be amended as from 1 October 2012 as follows:**

Tariff	Swakopmund Rate		Smallholdings Rate	
	Current N\$6.00 per m ³	Price as from 1 Oct. 2012	Current N\$6.95 per m ³	Price as from 1 Oct. 2012
Basic: Including 8m ³ water	48.00	55.20	55.60	64.00
Plus meter rent 20mm/dia	5.90	5.90	5.90	5.90
New Rate	53.90	61.10	61.50	69.90

- (b) That the basic rate of N\$22.00 including 8m³ water consumption plus N\$3.00 rent for meter rent (20mm/dia) applicable to senior citizens be maintained.**

11.1.6 **APPLICATION BY MESSRS R & R KARTING FOR EXTENSION OF LEASE AGREEMENT WITH AN OPTION TO PURCHASE**

(C/M 2012/09/27 - G 4/1/1 (1))

RESOLVED:

- (a) That the lease period of Messrs R & R Karting be extended to 5 years; for a portion of land measuring $\pm 30\,000\text{m}^2$, located on Swakopmund Town and Townlands No. 41, east of the airport, for the following activities:
- Go-cart track and racing;
 - Traffic safety park for kids; and
 - Laser game facility
- (b) That the lease be subject to the following terms and conditions:
- (i) *For a lease period of 5 years with an option to renew and which period is terminable by either party by giving / receiving 3 months' written notice;*
 - (ii) *That the rental amount shall be of $\text{N\$}0.081/\text{m}^2 + 15\% \text{ VAT}$ ($30\,000\text{m}^2 \times \text{N\$}0.081 = \text{N\$}2\,430.00$) + (15% VAT) $\text{N\$}365.50 = \text{N\$}2\,794.50$ escalating at 10% per annum, annually on 01 July;*
 - (iii) *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;*
 - (iv) *That Council be indemnified against any claims from the public;*
 - (v) *That Council has unrestricted right of access to the area;*
 - (vi) *That the site only be used for activities such as go-karts, a safety traffic park and a laser game facility;*
 - (vii) *That Messrs R & R Karting erects an acceptable perimeter fence (such as used tyres) and information signs to warn the public; and*
 - (viii) *That upon termination of the lease, Messrs R & R Karting be obliged to restore the lease area to its previous condition, failing which Council will restore the lease area to its previous condition for the account of the Messrs R & R Karting.*
- (c) That Messrs R & R Karting be informed that the resolution passed on 06 November 2008 to purchase the currently lease portion of land, has lapsed and that points (b) and (c) of Council's resolution passed on 6 November 2008 be repealed, as the offer to purchase was not taken up by Messrs R & R Karting as per point (a) of the said resolution.
- (d) That Messrs R & R Karting be informed that it is against Council's policy to reserve land for sale, therefore the option to purchase cannot be included in the lease agreement.
- (e) That Ministerial approval be obtained for the extension of the lease period in terms of section 30 (1) (t) of the Local Authority Act, Act 23 of 1992 as the lease portion is located on undivided Townlands.
- (f) That Messrs R & R Karting be informed of the requirements of the Environmental Management Act, Act 7 of 2007 that must be complied with.
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11.1.7 **RENEWAL OF LEASE AGREEMENT: OPEN AIR CAFÉ - MUSEUM**
(C/M 2012/09/27 - E 1/5)

RESOLVED:

- (a) That a portion of the sidewalk adjacent of the Museum (5m on the western boundary and 3m on the northern boundary) measuring $\pm 135.50\text{m}^2$ be leased to Messrs Scientific Society for a further three (3) year period commencing on 01 October 2012, the identified area is as follows:
 - ① *For an encroachment of five (5) metres wide onto the pedestrian walkway on the western boundary of the Museum to accommodate tables throughout the year and;*
 - ② *Granted for an encroachment of three (3) metres wide onto the walkway of the northern boundary of the Museum to accommodate the maximum tables.*
- (b) That the lease amount be $\text{N\$}23.13/\text{m}^2$ per month $\times 135.50 \text{ m}^2 = \text{N\$}3 134.11 + \text{N\$}470.11$ (15% VAT) = $\text{N\$}3 604.22$, with an annual escalation of 10% starting 1 July 2013.
- (c) That the lease be subject to the standard conditions and the following:
 - (i) *That a deposit equal to 1 months lease be paid in advance by the applicant.*
 - (ii) *That a notice of termination period of three (3) months for both parties be applicable.*
 - (iii) *That the demarcated area be barricaded by way of a non-permanent fixture, such as rope.*
 - (iv) *That the lessee not operates later than 22:00.*
- (d) That the lease renewal be advertised in terms of the Local Authorities Act, (Act 23 of 1992) as amended.
- (e) 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.
- (f) 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.

11.1.8 **REQUEST FOR EXTENSION OF THE LEASE PERIOD AND TO PURCHASE THE PORTION OF LAND OF THE REFILLING STATION LOCATED CLOSE TO THE DRC INFORMAL SETTLEMENT**
(C/M 2012/09/27 - H 5/7, H 5/4)

RESOLVED:

- (a) That the application of Mr M Dennis t/a Domestic Solutions to extend the lease period to a five (5) year lease period be approved, i.e. until 31 October 2017, subject to the same conditions as contained in the existing lease agreement.
- (b) That the lease period of three (3) years per Council's Resolution passed on 24 March 2011 be repealed and be amended to read "five (5) years".
- (c) That the application of Mr M Dennis t/a Domestic Solutions to purchase the currently lease portion of land once the area is formalised and surveyed, not be considered.
- (d) That Mr M Dennis t/a Domestic Solutions be informed that it is against Council's policy to reserve land for sale, therefore the option to purchase cannot be included in the lease agreement.
- (e) That Ministerial approval be obtained for the extension of the lease period in terms of section 30 (1) (t) of the Local Authority Act, Act 23 of 1992 as the lease portion is located on undivided Townlands.

11.1.9 **CLOSURE OF A PORTION OF ERF 923, SWAKOPMUND AS "STREET"**

C/M 2012/09/27 - E 4750)

RESOLVED:

- (a) That point (c) of Council's resolution passed on 31 May 2011 be amended to read:

(c) That Messrs Fruit & Veg City Namibia Pty Ltd applies for the rezoning of Erf 923, Swakopmund from "Street" to "Parking".

- (b) That the permanent closure of a portion of Erf 923, Swakopmund as street in terms of section 50 of the Local Authorities Act, Act 23 of 1992, as amended be approved.
- (c) That the applicant be responsible for the relocation/transfer of Municipal services crossing this particular portion.

11.1.10 **CLOSURE OF TWO PORTIONS OF ERF 503, TAMARISKIA AS "PUBLIC OPEN SPACE"**

(C/M 2012/09/27 - T 503)

RESOLVED:

- (a) That the permanent closure of Portion 8 of Erf 503, Tamariskia in terms of section 50 of the Local Authorities Act, Act 23 of 1992, as amended be approved.
- (b) That Council complies with the requirements of the Environmental Management Act, Act 7 of 2007 when attending to the rezoning of:
- (i) rezoning of a portion measuring 2 515m² to "institutional"*
 - (ii) rezoning of Portion 8 to "parking"*

11.1.11 **DOUBLE ALLOCATION OF ERVEN: DESERT BUNDU AND MIDDLE LOW INCOME GROUP**

(C/M 2012/09/27 - M 3651, M 3687, M 3688)

RESOLVED:

- (a) That point (a) of Council's resolution passed under item 11.1.5 on 31 March 2009 be amended by deleting the name "*Desert Bundu*":

That Messrs Desert Bundu and Eumbo Letu be allocated three (3) erven each for the construction of show houses.

- (b) That the allocation of the following erven as per Council's Resolution of 29 March 2012 under item 11.1.1 be confirmed and be condoned:
- *Erven 3651 and 3688, Mondesa to the Middle Low Income Group Closed Bid held on 14 September 2012; and*
 - *Erf 3687, Mondesa to the Build Together Scheme.*
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11.1.12 **TENDER NO 117/2010: PROVISION OF BULK SERVICES FOR BLOCK DEVELOPMENTS NORTH OF SWAKOPMUND – PHASE 2: EXTENSION OF TIME VS PENALTIES**

(C/M 2012/09/27 - G 3/9)

RESOLVED:

That the mitigating circumstances as contained in the report of Messrs Windhoek Consulting Engineers (WCE) be accepted and that the full amount of penalties be shared equally between Council and Messrs Salz-Gossow.

11.1.13 **REQUEST FOR ADDITIONAL FUNDS: FORMULATION OF ARCHIVES POLICIES AND PROCEDURES**

(C/M 2012/09/27 - A 1/3/3)

RESOLVED:

That permission be granted to the General Manager: Finance to transfer the amount of N\$72 077.00 from the Capital Development Fund to the File Plan Development Vote 102031517300 to cover the shortfall.

11.1.14 **APPLICATION BY MESSRS WOERMANN BROCK PROPERTIES (PTY) LTD TO PURCHASE A PORTION OF MANDUME YA NDEMUFAYO STREET TO ACCESS ERF 2759, SWAKOPMUND**

(C/M 2012/09/27 - E 2759)

RESOLVED:

- (a) That a portion of Mandume Ya Ndemufayo Street measuring ±20 ⇨ 30m² be sold to Messrs Woermann Brock Properties (Pty) Ltd at a purchase price of N\$474.00/m² and consolidate it with their Erf 2579, Swakopmund to have access via Mandume Ya Ndemufayo street.
- (b) That the exact size and layout of the portion applied for be provided by the Engineering Services Department.
- (c) That a servitude be registered in favour of Council by and at the cost of Messrs Woermann Brock Properties (Pty) Ltd *if any* municipal services cross the street portion.
- (d) That the additional street portion be used for egress and access to Erf 2579, Swakopmund, on condition that:
 - (i) *No heavy vehicle will be allowed to make turning manoeuvres in Mandume Ya Ndemufayo Street when offloading.*
 - (ii) *No permanent structure may be erected on the street portion.*
- (e) That the sale further be subject to the following conditions:
 - 1. **IN PRINCIPLE APPROVAL BY COUNCIL**
 - (i) *That the applicant takes note that no rights will accrue to the him / her unless all the conditions are complied with in full and all the relevant authorities have given the necessary permission, if applicable.*
 - (iii) *That a detailed development plan be provided before any statutory procedures are started with.*
 - 2. **STATUTORY PROVISIONS**

- (i) *That Council's approval in terms of Section 50 (2) of the Local Authorities Act, 1992 as amended, be given for the permanent closure of the portion as "Street".*
- (ii) *That the requirements regarding the alienation of immovable property as prescribed in the Local Authorities Act 23 of 1992, (as amended), and the Townships Ordinance 11 of 1963 respectively, be dealt with successfully.*
- (iii) *Should there be objections against the proposed development, the 12 month period within which the transaction must be completed in terms of the Local Authorities Act 23 of 1992, as amended, will commence upon receipt of the Minister's favourable response.*
- (iv) *That it is the responsibility of the applicant to appoint a town planner at his/her cost to attend to the street closure, subdivision and consolidation.*
- (v) *No development be permitted to commence until the statutory disciplines have been completed.*

3. AGREEMENT OF SALE AND TRANSFER

- (i) *That the agreement of sale be concluded and signed within 12 months after the Council resolution approving the allocation is received by the applicant, failing which the resolution will lapse.*
- (ii) *That the agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser / developer within 21 days of being requested to do so.*
- (iii) *That all costs relating to the transfer of this erf, (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.*

4. PAYMENT OF PURCHASE PRICE AND VAT

- (i) *The purchase price and 15% VAT to be secured by means of a bank guarantee payable on date of transfer.*

5. STATUTORY DISCIPLINES

- (i) *That the applicant be responsible for all statutory disciplines (if any) to be completed within 12 months from date of sale.*
- (iii) *That all costs related to this transaction (street closure, subdivision-, consolidation-, rezoning etc., if any) be borne by the applicant.*

6. GENERAL

- (i) *Applicant is not permitted to cede, assign or alienate their right or interest in the property or alienate the property to a 3rd party in any way before all the relevant conditions contained in the agreement of sale are fulfilled.*
- (ii) *That the applicant takes note that Council does not reserve land and should the transaction not be concluded within the one year period from closing date for objections / ministerial approval in the case of objections received, the transaction be cancelled without the need for Council to inform the applicant.*

7. INDEMNITY

- (i) *That the applicant indemnifies Council against any claims resulting from blasting.*
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11.1.15 **APPLICATION TO PURCHASE A STREET PORTION ADJACENT TO ERF 4089, MONDESA**

(C/M 2012/09/27 - M 4089)

During the discussion of this item, Councillor U Kaapehi seconded by Councillor J Kambueshe moved that this item be referred back. It was:-

RESOLVED:

That this item be referred back and that it be resubmitted to the next Management Committee for further consideration with regard to a comparison with the transaction of Ms N Kameho of Erf 1953, Mondesa, inter alia.

11.1.16 **CONSENT FOR THE ERECTION OF A SECOND DWELLING ON ERF 48, ROSSMUND**

(C/M 2012/09/27 - RM 48)

During the discussion of this item, Councillor J Kambueshe informed Council that he is a resident of Rossmund Golf Course but he does not serve of the Home Owners Association. Councillor J Kambueshe indicated that he will not be part of any decision taken by Council on this item. Councillor U Kaapehi moved without secondment that the item be referred back. Councillor A N Bessinger seconded by Councillor N N Salomon moved that the applicant must approach the Home Owners Association on the matter. It was:-

RESOLVED:

- (a) **That the request for consent to erect a second dwelling on Erf 48, Rossmund not be approved.**
- (b) **That the applicant be informed to approach the Home Owners Association for the consideration of the application.**

11.1.17 **REZONING OF ERF 1613, SWAKOPMUND, FROM "INSTITUTIONAL" TO "GENERAL BUSINESS"**

(C/M 2012/09/27 - E 1613)

RESOLVED:

- (a) **That the rezoning of Erf 1613, Swakopmund from "*Institutional*" to "*General Business*" be approved.**
- (b) **That the approved rezoning of Erf 1613, Swakopmund, be included in the next Amendment Scheme for final approval by the Ministry of Regional and Local Government, Housing and Rural Development.**

11.1.18 WRITING OFF: MAYORAL VEHICLE

(C/M 2012/09/27 - L 5)

RESOLVED:

- (a) That the writing off of the Mayoral vehicle be condoned and it be sold at the next public auction.

<i>Reg. No.</i>	<i>Make</i>	<i>Model</i>
<i>N 9959 S</i>	<i>Renault Laguna</i>	<i>2002</i>

- (b) That the Chairperson of Management Committee, Chief Executive Office and the General Manager: Finance determines the upset price.

11.1.19 OLD AND REDUNDANT EQUIPMENT: COMMUNITY DEVELOPMENT SERVICES, REST CAMP

(C/M 2012/09/27 - N 7/3/1/2)

RESOLVED:

- (a) That the writing off of the following old and redundant equipment and material be condoned and the items sold at the next public auction.

<i>Quantity</i>	<i>Description</i>
<i>118</i>	<i>Chairs</i>
<i>22</i>	<i>Poles</i>
<i>9</i>	<i>Wires</i>
<i>25</i>	<i>Semi Sofas</i>
<i>26</i>	<i>Dining Chairs</i>
<i>6</i>	<i>Sofas</i>
<i>4</i>	<i>Lounge Chairs</i>
<i>2</i>	<i>Sleeping Couches</i>
<i>20</i>	<i>Coffee Table</i>
<i>4</i>	<i>Pillow Cases</i>
<i>28</i>	<i>Fridges</i>
<i>4</i>	<i>Geysers</i>

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

11.1.20 INVITATION FROM THE COASTAL ENVIRONMENTAL SCHOLARSHIP FUND TO PARTICIPATE IN A FUNDRAISING GALA DINNER

(C/M 2012/09/27 - D 5)

RESOLVED:

That the donation in the amount of N\$6 500.00 towards the Coastal Environmental Scholarship Fundraising Gala Dinner held on 19 September 2012 in Walvis Bay be condoned.

11.1.21 **INCREASE IN AUTHORISATION LEVELS FOR THE REHABILITATION OF STREETS IN SWAKOPMUND**

(C/M 2012/09/27 - A 2/3/6)

RESOLVED:

- (a) That the authority level towards the labour portion for the rehabilitation of tarred roads be delegated as follows:

<i>Authorisation Level</i>	<i>Current (N\$)</i>	<i>Approved (N\$)</i>
<i>Formal Quotation</i>	<i>5 000.00</i>	<i>Unlimited In consultation with the Chief Executive Officer</i>

- (b) That the labour content be exempted from the N\$50 000.00 ceiling for the following streets only:

	<i>STREETS TO BE RE-SEALED</i>	<i>FROM</i>	<i>TO</i>
1	<i>Mandume Ya Ndemufayo Street</i>	<i>Nelson Mandela Avenue (robot, old Mondesa Offices)</i>	<i>Vrede Rede Avenue</i>
2	<i>Independence Street</i>	<i>Mandume Ya Ndemufayo Street</i>	<i>Vrede Rede Avenue</i>
3	<i>Independence Street</i>	<i>Vrede Rede Avenue</i>	<i>Mandume Ya Ndemufayo</i>
4	<i>August Nangolo Street</i>	<i>Mandume Ya Ndemufayo Street</i>	<i>Augustinius Garoeb Street</i>
5	<i>Rakotoka Street</i>	<i>Moses Garoeb Street (Intersection close to the new Municipal Office)</i>	<i>Nelson Mandela Avenue (Intersection at Harry's Garage)</i>
1	<i>Hidipo Hamutenya Street</i>	<i>Moses Garoeb Street (Old prison intersection)</i>	<i>Mandume Ya Ndemufayo (Intersection behind Hotel and Entertainment Centre)</i>
2	<i>Mandume Ya Ndemufayo Street</i>	<i>Moses Garoeb Street (Intersection Fruit&Veg)</i>	<i>Tobias Hainyeko Street (Intersection SPAR)</i>
3	<i>Moses Garoeb Street</i>	<i>Mandume Ya Ndemufayo Street (Intersection Fruit&Veg)</i>	<i>Nathanael Maxuilili Street</i>
4	<i>Ocks Laan</i>	<i>Franziska van Neel Street</i>	<i>Rakotoka Street</i>
5	<i>Tobias Hainyeko Street</i>	<i>Moses Garoeb Street (Intersection close to the new Municipal Office)</i>	<i>Daniel Tjongarero Street (Old Municipal Offices)</i>
6	<i>Daniel Kamho</i>	<i>Circle Vrede Rede Avenue and Daniel Kamho</i>	<i>Sewage Works (where interlocks start)</i>
7	<i>Aldridge Street</i>	<i>Vrede Rede Avenue (Vineta W&Brock Supermarket intersection)</i>	<i>DR Schwietering Street</i>

- (c) That the purchasing level for bitumen for the resealing of streets be increased to N\$150 000.00 only.
- (d) That the above authority levels be submitted to the Tender Board to revise its authority levels delegated to the Chairperson of the Tender Board.

11.1.22 **FUNDING AND PLACING OF A NAME PLAQUE AT THE AMPHITHEATRE**

(C/M 2012/09/27 - N 7/3/6/1)

During the discussion of this item, Councillor N N Salomon moved that this item be referred back. It was:-

RESOLVED:

That this item be referred back and that it be resubmitted to the next Management Committee for further consideration.

11.1.23 **ROTATION OF LEGAL PRACTITIONERS**

(C/M 2012/09/27 - A 2/1/5)

RESOLVED:

(a) That Council considers the following in order to ensure a more equal dispensation of legal work:

① *That the rotation period of the geographical areas be effective from 1 January until 31 December annually; therefore, as from 1 January 2013 Messrs Conradie & Damaseb will be responsible for all work EAST of Daniël Kamho Avenue and Nathaniël Maxiulili Street; and*

② *that point (b) of Council's resolution dated 31 October 2006 be repealed, i.e.:*

(b) That instructions to transfer property be based on the date of alienation of the erven i.e. the auction date.

and be replaced with

(b) That instructions to transfer property resulting from an auction be rotated, i.e. irrespective of the geographical area, the two legal practitioners be given turns to attend to the transfers.

(b) That with reference to point (a) ② above, Messrs Conradie & Damaseb Attorneys be given the instruction to transfer the 100 erven to be sold on the closed bids scheduled for Fridays, 07 and 14 September 2012, as well as the transfer of the 30 erven to National Housing Enterprise.

(c) That the rotation of legal practitioners be reviewed towards the end of 2013.

11.1.24 **UPDATED REQUIREMENTS FOR POSITIONS**
(C/M 2012/09/27 - B 1/1)

During the discussion of this item, Councillor U Kaapehi requested the item be referred back and that the Union be consulted. Councillor U Kaapehi indicated that he will not be part of any decision taken by Council on this item. Councillor A N Bessinger advised that the national standards be added to the requirements for positions in terms of the National Qualification Authority's guidelines. It was:-

RESOLVED:

- (a) That where a Grade 10 / 12 certificate is a requirement for a position it should be specified to read as follows in future:

"Grade 12 (pass mark of 20 points) / Grade 10 (pass mark of 23 points)"

- (b) That the following table be used during short listing for guideline purposes:

POINTS (Per Subject)	IGCSE	HIGCSE	STD 10: HG	SG	LG
10		1	A		
9		2	B		
8	A & A*2	3	C	A	
7	B	4	D	B	
6	C		E	C	
5	D			D	A
4	E			E	B
3	F			F	C
2	G				D
1					E & F

- (c) That the requirements to be appointed in a Grade 12 / STD 10 position be Grade 12/STD 10 Certificate with:

- *Should have got at least an E symbol for English IGCSE/Ordinary Level or a 4 on English HIGCSE / Higher Level.*
- *Should at least have 20 points over 5 subjects which must include English*

- (d) That requirement to be appointed in Grade 10 / STD 8 positions are Grade 10 / STD 8 Certificate with 23 points over 6 subjects and a D symbol in English / STD 8.

- (e) That the national standards be added to the requirements for positions in terms of the National Qualification Authority guidelines.

The meeting adjourned at **19:58**.

Minutes confirmed on: **25 October 2012**

Alderwoman R //Hoabes
CHAIRPERSON

E U W Demasius
CHIEF EXECUTIVE OFFICER

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