

MINUTES

of an **Ordinary Council Meeting** held in the Meduletu Community Hall, Mondesa, Swakopmund on **Thursday, 26 January 2012 at 19:00.**

PRESENT:

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

ALSO PRESENT:

One (1) representative each from the Namibian Sun, The Namibian and Republikein. Also in attendance were forty seven (47) members of the public and one (1) staff member receiving a Long Service Award.

1. OPENING

Pastor Kenny Ude opened the meeting with scripture reading and a prayer.

2. **APPLICATIONS FOR LEAVE OF ABSENCE**

Councillor N N Salomon - Approved

3. **CONFIRMATION OF MINUTES**

(C/M 2012/01/26 - A 2/3/5)

3.1 **MINUTES OF A SPECIAL COUNCIL MEETING HELD ON 18 NOVEMBER 2011**

On proposal of Councillor L M Madi seconded by Councillor R N Andreas-Noabes it was:-

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 18 November 2011, be confirmed as correct.

3.2 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 24 NOVEMBER 2011**

On proposal of Alderman E //Khaoseb seconded by Councillor L M Madi it was:-

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 24 November 2011, 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 2011/05/31 - A 2/3/5)

QUOTED

COUNCIL ANNOUNCEMENTS FOR JANUARY 2012

The Honourable Governor of the Mighty Erongo Region, Fellow Councillors, Pastor Kenny Ude, The Chief Executive Officer, General Managers, Managers, Officials, Members of the Media, Members of the Community, Ladies and Gentlemen

Good evening, mwa-toke-lwapo, weendaah, mua-to-ke-rua, goeie naand, Guten Abend, it is a pleasure for me to be greeting you all in most of our indigenous languages. Language is an important aspect of the diversity we enjoy in Namibia.

I would like to welcome everyone present here today and would like to wish each and every resident a prosperous, progressive and booming 2012 and assure you of our ongoing commitment to service delivery and creating an environment in which you and your families can develop, thrive and prosper.

to my fellow Councillors and Administration I am hopeful that we have all had a deserved rest during the festive season and spent quality time with our families and loved ones. I hope we are all recharged and energized to serve the people who have put us in power.

Ladies and Gentlemen:

Although Council was in recess for December / January the office of the Mayor had the following commitments during December 2011 and January 2012:-

- I officially opened the 38th Christmas Fair which is moving from strength to strength
- I attended the Music Woche concert which was held at the Namib Primary School
- The Reiterverein Swakopmund had their official opening of the 55th ceremony at the Amphitheatre and they were received by the Chairperson of Management Committee, Councillor Nehemiah Ndara Salomon and the Chief Executive Officer, Mr Eckart Demasius

I saw the following people:

- Sebastian Timothy from the SOS Children was received by me and the Chief Executive Officer and he came in to talk about possible investors for the Community Centre that we are envisaging.
- The Swakopmund Youth with a Vision were received by me and Councillor Rosalia Andreas-Noabes, they came to introduce themselves and to inform us of their plans.

Ladies and Gentlemen

As I have mentioned in my opening that languages are important we would like to bring it under the attention of the residents, that, it does not matter what language you speak or from which background, you are all welcome to visit our offices with issues. Our offices are yours after all and our doors are always open for you. So, please if there are concerns or advice you would like to share with us, please feel free to contact us.

Ladies and Gentlemen

I am so proud to be from the Erongo Region and what excite me even more is that the top performer in the 2011 Namibia Senior Secondary Certificate ordinary level exams, Natasha Kameeta hails from my hometown, a small settlement in Otjimbingwe, here in our region.

I would like to commend the Erongo Region for making us proud by retaining their number one spot we wish students all the luck with their future studies, as education is the key to the future. Our own Namib High School has been recognized as the best government school nationally. We congratulate the Namib High School on their achievement.

I would like to call upon all the Grade tens and twelve of this year from Swakopmund to emulate the results of last year actually better them and show the other towns what Swakopmund is made off.

Ladies and Gentlemen

We would like to applaud the Traffic Department and the Namibian Police for the law and order that was maintained in our town during the festive season. Drunk and driving cases increased from 5 to 22 while speeding decreased drastically from 134 to 70.

I would like to call on all road users to adhere to the rules and regulations of the road. Please think about other road users when you get behind the wheel, for speeding kills and driving under the influence of alcohol can obscure your vision and thinking.

Our deepest condolences go out to the families and friends that lost their loved one due to car accidents and any other reason during the course of the festive season. May the Almighty Father comfort you and give you strength.

Ladies and Gentlemen

On a sad note, this year started off with bad news. It was with a deep sense of sorrow and regret that we have learnt about the tragic deaths of an employee, the mother of one of our Councillors and my grandmother.

Mr Cornelius Isaak, who passed away early in the month was employed in the Health Department. And our dearest Councillor Louise Madi lost her mother at the beginning of the year. While my grandmother passed away in December.

To the families and friends, I would like to express on behalf of the Swakopmund residents and the entire Municipal Council, our deepest sympathy with the loss of your loved ones. It is our Prayer that the God of comfort will heal your pain and restore your joy, it will be the little things you remember, the silent times, the laughter and the

fellowship and although it may seem hard right now, it will be the memories of these little things that will help push away the pain and bring the smiles back again. May each new day ease the burden of your sorrow and may you all experience the dawn of a better tomorrow.

5.2 **LONG SERVICE AWARDS**

(C/M 2012/01/26 - B 1/8)

Her Worship, the Mayor, also announced as follows:

QUOTED

Long Service Awards:

Tonight we have only one Long Service Award and I would like to call on Mrs Barbara Ramos Viegas to please step forward to receive her certificate for services rendered for the last 10 years.

On behalf of the Swakopmund Municipal Council, the residents of Swakopmund and indeed on my own behalf, thank you very much for your loyalty and may the Heavenly Father give you the health and strength to continue serving the people with pride and dignity.

I thank you for your kind attention.

*Alderwoman Rosina //Hoabes
MAYOR*

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 NOVEMBER 2011**

9.1 The feedback on the resolutions taken by Council on 24 November 2011 was noted.

10. **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY MANAGEMENT COMMITTEE DURING NOVEMBER 2011**

10.1 **MINUTES OF MANAGEMENT AND RECESS COMMITTEE MEETINGS HELD DURING NOVEMBER 2011, DECEMBER 2011 AND JANUARY 2012**

(C/M 2012/01/26 - A 2/3/5)

RESOLVED:

That the resolutions taken at Special Management Committee meetings held on 01, 18, 24, 25 November 2011, 19 January 2012, Recess Committee meetings held on 05, 22 December 2011, and an Ordinary Management Committee Meeting held on 12 January 2012 be noted.

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**

11.1 **ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 12 JANUARY 2012 AND RECESS COMMITTEE HELD ON 22 DECEMBER 2011 AND SPECIAL MANAGEMENT COMMITTEE HELD ON 19 JANUARY 2012**

11.1.1 **APPLICATION TO LEASE A SITE FOR THE PURPOSE OF COLLECTING AND RECYCLING OF EMPTY BOTTLES**

(C/M 2012/01/26 - H 5, G 4/1/1 (14))

RESOLVED:

- (a) That Messrs **LRV Waste Management & Cleaning Project** be informed of the following:
- *That their application for the lease of an area at the refuse dump cannot be considered as the area is already being managed by Messrs Envirofill; and*
 - *That they cannot be allocated at the current informal brick makers' area (located between the railway line and Mondesa) due to the possible hazards / dangers of having a heavy load vehicle travelling through the residential area of Meduletu to collect the bags of crushed glass from the current brick makers area.*
- (b) That Messrs **LRV Waste Management & Cleaning Project** be advised to participate in the public auction for industrial land once the newly created industrial area is serviced.
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11.1.2 **NEW INDOOR SPORTS CENTRE AND FACILITIES ON ERF 5371 (A PORTION OF ERF 2811), SWAKOPMUND**

(C/M 2012/01/26 - E 5371)

RESOLVED:

- (a) That the request by Messrs Swakopmund Indoor Sport Trust to construct the proposed Sport Centre on Erf 5371, Swakopmund be approved.
- (b) That Messrs Swakopmund Indoor Sport Trust be informed to comply with the rules and regulations of the Municipality of Swakopmund.
- (c) That a complete set of plans be submitted to the Engineering Services Department for approval prior to construction.
- (d) That Messrs Swakopmund Indoor Sport Trust be informed to submit their building plans to the Aesthetics Committee for approval as the development will be in excess of 800m².
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11.1.3 **REGISTRATION OF A HOME SHOP**

(C/M 2012/01/26 - M 1738)

RESOLVED:

That the application of Messrs Boitumhelo (Happiness) to operate a Home Shop on Erf 1738, Mondesa be approved, and that the consent use be subject to the following:

- (i) *That Council reserves the right, to cancel a consent use should there be any valid complaints.*
 - (ii) *That they must operate within the Town Planning Scheme Regulations, Health Regulations and Shebeen & Home Shop policy.*
 - (iii) *That no alcohol will be sold.*
 - (iv) *That the consent is not transferable should the property be sold.*
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11.1.4 **APPLICATION FOR PERMISSION TO OPERATE A PUBLIC GARAGE**
(C/M 2012/01/26 - E 3952)

RESOLVED:

- (a) That the following application for permission to operate a public garage on Erf 3952 unit 8 be approved:
 - *Erf 3952, Swakopmund Unit 8 (Einstein Street) - Ms F E Horn t/a Messrs Callie's Auto & Truck
(Notice No. 51/2011-12-02)*
 - (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:
 - (i) *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - (ii) *That they must operate within the Town Planning Scheme regulations.*
 - (iii) *That the consent is not transferable.*
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11.1.5 **APPLICATION FOR PERMISSION TO OPERATE A MEDCARE - DAY CLINIC**
(C/M 2012/01/26 - E 514)

RESOLVED:

- (a) That the following application for permission to operate a Medcare - Day Clinic be approved:
 - *Erf 514, Swakopmund (48 Daniel Tjongarero Avenue) - Binvin Investments One Hundred And Sixty Nine Propriet Ltd t/a Messrs Medcare - Day Clinic
(Notice No. 51/2011-12-02)*
 - (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:
 - (i) *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - (ii) *That they must operate within the Town Planning Scheme regulations.*
 - (iii) *That the consent is not transferable.*
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11.1.6 **APPLICATION FOR PERMISSION TO OPERATE A RESIDENT OCCUPATION (ADMINISTRATIVE OFFICE)**
(C/M 2012/01/26 - M 988)

RESOLVED:

- (a) That the following application for permission to operate an administrative office be approved:
 - *Erf 988, Mondesa - Mr T Kairua t/a Messrs Mokasie Investments cc (Administrative Office)
(Notice No. 51/2011-12-02)*
 - (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:
 - (i) *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - (ii) *That they must operate within the Town Planning Scheme regulations.*
 - (iii) *That the consent is not transferable.*
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11.1.7 **REZONING AND CONSOLIDATION OF VARIOUS ERVEN IN EXTENSION 15**

(C/M 2012/01/26 - E 5201, 5216, 5174 & 5175)

RESOLVED:

- (a) That the following be approved:
 - (i) *Consolidation of Erven 5201 to 5212 into Consolidated Erf "Y", Swakopmund, Extension 15.*
 - (ii) *Consolidation of Erven 5213 to 5216, 5174 and 5175 into Consolidated Erf "Z", Swakopmund, Extension 15.*
 - (iii) *Rezoning of Erven 5201 to 5216, 5174 and 5175 from "Single Residential" with a density of 1:600m² to "General Residential 2" with a density of 1:300m², Swakopmund, Extension 15.*
- (b) That the applicant be informed to include the approved rezoning in an Amendment Scheme that is to be approved by the Swakopmund Municipal Council as well as the Ministry of Regional and Local Government, Housing and Rural Development.
- (c) That the objectors be informed that irrespective of the clause consenting to the rezoning and consolidated of erven by the developer as per the sales agreement entered into between them and the developer, they have the right to object against Council's decision approving the rezonings in terms of Clause 8 of the Swakopmund Town Planning Scheme to the Minister, within 28 days of this notice against; provided that notice of such an appeal shall be given to the Ministry, as well as the Council within the said period.

11.1.8 **REZONING OF ERF 620, SWAKOPMUND, FROM "SINGLE RESIDENTIAL" WITH A DENSITY OF 1:600m² TO "GENERAL RESIDENTIAL 1" WITH A DENSITY OF 1:300m²**

(C/M 2012/01/26 - E 620)

RESOLVED:

- (a) That the rezoning of Erf 620, Swakopmund, from "Single Residential" with a density of 1:600m² to "General Residential 1" with a density of 1:300m² be approved.
- (b) That the approved rezoning be included in the next Amendment Scheme for final approval by the Ministry of Regional and Local Government, Housing and Rural Development, provided that the objection period of 28 days have lapsed and that no formal objection was submitted to the Ministry.
- (c) That Dr M Brand 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.

11.1.9 **WRITING OFF OF HP 1012 PRINTER**
(C/M 2012/01/26 - D 12/1, L 2)

RESOLVED:

- (a) That the HP 1012 printer of the PA to the General Manager: Finance's be written off from Council's Fixed Assets Register and be sold at the next Public Auction.
- (b) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset price for the printer.

11.1.10 **OBJECTIONS TO THE ALIENATION OF A PORTION OF ERF 2827, SWAKOPMUND TO MESSRS ERF TWO EIGHT TWO SEVEN SWAKOPMUND CC**
(C/M 2012/01/26 - E 2827)

During the discussion of this item Councillor J Kambueshe declared his interest in the matter and left the Hall. It was:-

RESOLVED:

- (a) That the interest declared by Councillor J Kambueshe and the fact that he left the Hall during the discussion of the item be noted.
- (b) That the objections received from Mr L Hecht, Messrs Swakopmund Residents Association and Messrs Weder, Kauta & Hoveka on behalf of W F Marais against the sale of a portion of the Remainder of Erf 2827, Swakopmund to Messrs Erf Two Eight Two Seven CC not be supported.
- (c) That in terms of Section 63 of the Local Authorities Act, Act 23 of 1992, as amended, the objections with Council's comments be referred to the Ministry of Regional and Local Government, Housing and Rural Development requesting approval to proceed with the sale transaction of a portion of the Remainder of Erf 2827, Swakopmund to Messrs Erf Two Eight Two Seven CC to establish an office building and a warehouse type of retail store.

11.1.11 **INTERIM VALUATION COURT 2012**
(C/M 2012/01/26 - D 22)

RESOLVED:

- (a) That Mr Frank Lohnert be appointed as Council's representative for the Interim Valuation Court for 2012.
- (b) That Mr A Schoeman be appointed as secundi, should the appointed valuer be unavailable due to unforeseen circumstances to attend the Interim Valuation Court for 2012.
- (c) That the Ministry of Regional and Local Government, Housing and Rural Development be requested to nominate a representative for the Interim Valuation Court 2012.
- (d) That the compensation for Council's representative at the Valuation Court be N\$300.00 per sitting, per day.

- (e) That the cost be defrayed from Vote 101010215900 (Assessment Rates: Valuation Court).
- (f) That in terms of Section 69 of the Local Authorities Act 23 of 1992, as amended, a notice be published in at least two newspapers on a date not later than 30 days before the date of the Valuation Court.
- (g) That requirements regarding the interim valuation as prescribed in the Local Authorities Act 23 of 1992, (as amended) be dealt with successfully.

11.1.12 **SUBDIVISION AND LAYOUT APPROVAL FOR BLOCK 9, SWAKOPMUND, FOR THE PURPOSE OF TOWNSHIP ESTABLISHMENT**

(C/M 2012/01/26 - G 3/3/5)

RESOLVED:

- (a) That the proposed subdivision of Block 9 into 142 Portions and Remainder (Street) for the purpose of Township Establishment be approved.
- (b) That the proposed layout as submitted, consisting of 135 “*Single Residential*” erven with a density of 1:600m², 4 “*General Residential 2*” erven with a density of 1:250m², 1 “*Institutional*” erf, 1 Public Open Space, 1 Local Authority erf and Street be approved.
- (c) That the Engineering Services Department attends to all the necessary statutory procedures for Ministerial approval.

11.1.13 **LEASE OF LAWN AREA IN FRONT OF HOUSE ALTONA UNIT 9 B**

(C/M 2012/01/26 - N 8/11, E 5376)

RESOLVED:

- (a) That, upon submission of the business registration at the Health Services Department, a lease agreement be entered into with Mr D de Wet, trading as Messrs Slowtown Coffee Roasters for the lease of 24m² of the lawn area in front of Erf 227, Swakopmund, for open air seating.
- (b) That a portion of the street front (measuring 24m²) adjacent to Erf 227, Swakopmund be leased to Mr D de Wet of Messrs Slowtown Coffee Roasters for 12 months commencing on 01 February 2012, with an option to renew, until the property is transferred to Messrs Woker Trust (Pty) Ltd.
- (c) That the lease amount be N\$21.03/m² per month x 24 m² = N\$504.72 + N\$75.71 (15% VAT) = N\$580.45, with an annual escalation of 10% starting 1 July 2012.
- (d) That the lease be subject to the standard conditions and to the following:
 - (i) *That a deposit equal to 2 months lease be paid in advance by the applicant.*
 - (ii) *That a notice of termination period of 30 (thirty) days 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 operate later than 22:00.*
- (e) That the lease agreement will lapse automatically on date of transfer of the street portion in the name of Messrs Woker Trust (Pty) Ltd.

- 11.1.14 **INTERIM LEASE OF ADDITIONAL 2.2 HA LAND FOR TELEMETRY STATION:
APPLICATION BY THE MINISTRY OF WORKS AND TRANSPORT**
(C/M 2012/01/26 - G 4/1/1 (12))

RESOLVED:

- (a) That the Ministry of Works & Transport be informed that in addition to the permission to occupy the additional 2.2 ha of land adjacent to Lease Area 1 and Lease Area 2, a diagram be compiled for the lease of the said land for the period until the finalization of the transfer to the said Ministry, at a monthly rental of N\$1 491.00 (to be escalated annually in July, starting July 2013).
- (b) That the Ministry of Regional, Local Government, Housing and Rural Development be informed of the proposed lease pending the finalization of the sale as the area is undivided townlands.

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- 11.1.15 **ALIENATION OF ERF 3486, SWAKOPMUND TO SWAPO OF NAMIBIA**
(C/M 2012/01/26 - E 3486)

During the discussion of this item Councillor P V Steinkopff and Councillor F Hamukwaya pointed out that they object to the low purchase price and requested that it should be recorded as such. It was:-

RESOLVED:

- (a) That the objection of Councillor P V Steinkopff and Councillor F Hamukwaya to the low purchase price be noted.
- (b) That point (b) of Council's resolution passed on 24 February 2011 be repealed and replaced with the following:

That Council attends to the rezoning of Erf 3486, Swakopmund from "Light Industrial" to "Office" in order not to contravene the provisions of the Town Planning Amendment Scheme.
- (c) That Council confirms the purchase price of Erf 3486, Swakopmund in the amount of N\$30 000.00 + 15% VAT (if applicable).
- (d) That the transaction be subject to the conditions as approved by Council on 27 May 2010 and 24 February 2011.

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- 11.1.16 **APPLICATION FOR CHANGE OF NAME FROM SEVENTH-DAY
ADVENTIST CHURCH TO SEDCOM NAMIBIA**
(C/M 2012/01/26 - E 2709, H 1/10/1)

RESOLVED:

That the name of the purchaser indicated as Messrs Seventh-Day Adventist Church as per point (a) of Council's resolution, Item 11.1.12 passed on 27 October 2011 be repealed and replaced with Messrs SEDCOM Namibia.

11.1.17 **DRAFT FIRST ADDENDUM TO THE DEED OF SALE:
CONSOLIDATED INTO ERF 673, TAMARISKIA - MESSRS EDDY ANGULA
TRUST**

(C/M 2012/01/26 - T 673)

RESOLVED:

- (a) That the attached First Addendum to the Deed of Sale be approved.
- (b) That it be recorded that the final lay-out as approved by Council on 27 October 2011 reflects a size of 45 305m² of saleable land, therefore the purchase price will be N\$34.52/m² x 45 305m² = N\$1 563 928.60.

11.1.18 **DETERMINATION OF SELLING PRICES FOR RESIDENTIAL ERVEN AT
EXTENSION 8 MONDESA (PDA), AS WELL AS THE METHOD OF SALE**

(C/M 2012/01/26 - H 5/7)

RESOLVED:

- (a) That (c), (e), (f) & (g) of Council Resolution, 11.1.14 dated 29 September 2011 be re-called.
- (b) That the additional 75 residential erven together with the 44 erven be offered to the public for sale after registration of prospective buyers taken place.

11.1.19 **REQUEST FOR SPONSOR FOR MR ZAKAAP**

(C/M 2012/01/26 - D 5)

RESOLVED:

- (a) That approval be granted to assist Mr A Zakaapi with N\$989.10 per month to purchase the special milk formula and nappies for a period of twelve (12) months to cater for his disabled child.
- (b) That Mr A Zakaapi (the father) 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\$11 869.20 for twelve months to purchase the nappies and the special milk formula be defrayed from the Mayoral Development Fund: 960120408709 where N\$39 215.16 is available.

11.1.20 **APPLICATION FOR OFFICE SPACE: MESSRS MOONLIGHTING
FILMMAKERS NAMIBIA**

(C/M 2012/01/26 - E 989)

RESOLVED:

- (a) That the lease of the main Municipal office located on Erf 989, Swakopmund to Messrs Moonlighting Filmmakers Namibia, subject to Council's standard lease agreement, and further subject to the following be condoned:
 - (i) A lease amount of N\$71.00 / m² x the floor area of 2 025m², amounting to N\$143 775.00 / month + 15% VAT;
 - (ii) That the lease period commences on 1 December 2011 until the date of transfer of the property to Messrs Luxury Investments One Hundred & One (Pty) Ltd; and
 - (iii) Upon date of transfer the lease agreement be ceded to Messrs Luxury Investments One Hundred & One (Pty) Ltd.
- (b) That written confirmation be obtained from Messrs Luxury Investments One Hundred & One (Pty) Ltd consenting to the proposed lease agreement.

11.1.21 **TAXI RANK: EVICTION OF MESSRS FRANK'S PROPERTY HOLDINGS
45 CC**

(C/M 2012/01/26 - M 4353)

During the discussion of this item Councillor J Kambueshe declared his interest in the matter and left the Hall. Councillor L M Madi proposed that resolution (c) below be referred back to Management Committee for further discussion. The proposal was unanimously accepted. It was:-

RESOLVED:

- (a) That the interest declared by Councillor J Kambueshe and the fact that he left the Hall during the discussion of the item be noted.
- (b) That the action taken regarding the successful finalization of the eviction of Messrs Franks Property Holdings CC from Erf 4353, Mondesa, in line with Council's resolution passed on 31 August 2011 be condoned.
- (c) That point (c) of Council's Resolution 11.1.5 passed on 31 August 2011, be repealed and that Council enters lease agreement with Messrs Ginger Spice Trading CC once the legal proceedings / action is finalized.

(c) That the lease be advertised in terms of Section 63 (2) of the Local Authorities Act, Act 23 of 1992, (as amended) once the eviction is finalised.

and be replaced with

- (c) That, due to the sensitive circumstances regarding the eviction of the previous lessee of the taxi rank located on Erf 4353, Mondesa which might attract frivolous / facetious objections and delay the commencement of the new lease agreement; approval be applied for from the Minister of Regional, Local Government, Housing and Rural Development in terms of Section 30 (1) (t) of the Local Authorities Act, Act 23 of 1992, as amended; in order to conclude a lease agreement with Messrs Ginger Spice Trading CC for a five year period.*
- (d) That point (c) above be resubmitted to the next Management Committee meeting for further discussion.

The meeting adjourned at 20H05

Minutes confirmed on: 29 February 2012

**Alderwoman R //Hoabes
CHAIRPERSON**

UT/-

**E U W Demasius
CHIEF EXECUTIVE OFFICER**