

MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Office Building, Swakopmund on **Thursday, 26 September 2013** at **19:05**.

PRESENT:

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

OFFICIALS:

Mr D Duvenhage	:	Acting Chief Executive Officer
Mr M N Ipinge	:	GM: Community Development Services
Mr H !Naruseb	:	GM: Finance
Mr V S Kaulinge	:	Manager: Community Development Services
Mr M Amedick	:	Manager: Planning
Mr I !Gonteb	:	Manager: Finance
Mr M Bahr	:	Manager: Human Resources
Ms S Bruwer	:	Corporate Officer: Properties
Ms I Ortner	:	PA to the Mayor
Mr U Tjiurutue	:	Corporate Officer: Administration

ALSO PRESENT:

One (1) representative each from the Namibian, Allgemeine Zeitung, New Era and the Namibian Broadcasting Corporation attended the meeting. Also in attendance were 12 (twelve) members of the public, 4 (four) staff members received Long Service Awards and members of the Junior Town Council.

1. **OPENING**

Pastor Diergaardt opened the meeting with scripture reading and a prayer.

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

2.1 Application for leave of absence

Councillor L M Tihabanello-Madi	-	Approved
Alderwoman R //Hoabes	-	Approved

2.2 Declaration of interest - None

3. **CONFIRMATION OF MINUTES**
(C/M 2013/09/26 - A 2/3/5)

3.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 05 SEPTEMBER 2013**

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

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 05 September 2013, be confirmed as correct subject to the correction that it be recorded that Councillor A N Bessinger did not attend the Council meeting of 05 September 2013 as reflected in the minutes.

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

None.

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

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

(C/M 2013/09/26 - A 2/3/5)

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

5.2 **LONG SERVICE AWARDS**
(C/M 2013/09/26 - B 1/8)

None.

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 SEPTEMBER 2013**

- 9.1 The feedback on the resolutions taken by Council on 05 September 2013 was noted.

10. **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY MANAGEMENT COMMITTEE DURING JULY 2013**

10.1 **MINUTES OF MANAGEMENT COMMITTEE MEETING HELD DURING SEPTEMBER 2013**

(C/M 2013/09/26 - A 2/3/5)

RESOLVED:

That the resolutions taken at an Ordinary Management Committee Meeting held on 12 September 2013 and the Special Management Committee held on 17 September 2013 be noted.

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**

11.1 **ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 12 SEPTEMBER 2013 AND THE SPECIAL MANAGEMENT COMMITTEE HELD ON 17 SEPTEMBER 2013**

11.1.1 **REQUEST BY MESSRS MASADI PROPERTY HOLDINGS 23 (PTY) LTD FOR EXEMPTION FOR PAYMENT OF BASIC SERVICES CHARGES**

(C/M 2013/09/26 - G 3/9/11)

RESOLVED

- (a) That the project plan submitted by Messrs Masadi Property Holdings 23 (Pty) Ltd be noted.
 - (b) That the request from Messrs Masadi Property Holdings 23 (Pty) Ltd for the exemption of payment of the basic services charges from 01 September 2013 to 31 August 2014 not be approved.
 - (c) That the payment of basic services charges by Messrs Masadi Property Holdings 23 (Pty) Ltd from 01 September 2013 to 31 August 2014 for the total amount of N\$188 937.84 be deferred to 31 August 2014 and that no interest will be levied.
 - (d) That Messrs Masadi Property Holdings 23 (Pty) Ltd be granted an extension of time i.e. until 31 August 2014 to complete the installation of internal services as per attached project plan submitted as Annexure "A".
 - (e) That, in future, a penalty clause be considered to ensure that developers are charged with an agreed penalty for breaching terms and conditions of the agreement.
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11.1.2 **REQUEST BY MESSRS ROSSMUND GOLF COURSE CC FOR EXEMPTION OF PAYMENT OF BASIC SERVICES CHARGES FOR ERVEN 115 TO 164, ROSSMUND**

(C/M 2013/09/26 - E 31, 33, RM, N 7/3/4/1)

RESOLVED

- (a) That Messrs Rossmund Golf Course be granted an extension of time i.e. until 16 February 2015 to complete the installation of internal services for erven created from the subdivision of Erf 177, Rossmund.
- (b) That permission be granted to Messrs Rossmund Golf Course CC to construct services and electricity over Erf 177 (previously known as Portion 116), Rossmund, at their own risk.
- (c) That Council proceeds with the transfer of Erf 177, Rossmund in the name of Messrs Rossmund Golf Course CC; and the purchase price be calculated based on the layout plan approved by Council on 31 May 2012.
- (d) That the above amendments be reflected in an addendum to the original deed of sale for the account of the developer.
- (e) That Messrs Rossmund Golf Course CC be exempted until 31 July 2014 from paying basic services charges in respect of Erven 115 to 169, Rossmund, but that no exemption be granted for paying of rates and taxes.

11.1.3 **APPLICATION TO PURCHASE A PORTION OF THE STREET BETWEEN ERVEN 170 AND 214, TAMARISKIA**

(C/M 2013/09/26 - T 214)

RESOLVED

That Council repeal its resolutions of 29 April 2010, item 11.1.20 and 30 September 2010, item 11.1.27 for selling the street portion to Mr S E Wells as indicated as per attached layout plan (Annexure "B") and replace it with the following:

- (a) That the sale of a portion of the street measuring $\pm 217\text{m}^2$ to Mr T P Kooper (owner of Erf 214, Tamariskia) at a purchase price of N\$59.94/m² be approved.
- (b) That the proposed portion be subdivided from the street and be consolidated with Erf 214, Tamariskia.
- (c) That in terms of Section 50 (2) of the Local Authorities Act, 1992 as amended, the proposed portion be closed permanently at the cost of the applicant.
- (d) That the requirements regarding the alienation of immovable property as prescribed in the Local Authorities Act, Act 23 of 1992, (as amended), and the Townships Ordinance 11 of 1963 respectively, be dealt with successfully.
- (e) That the applicant be informed that all costs relating to the transaction are for his account, such as (but not limited to) the advertising of the street closure, advertising of the proposed alienation for objections, the appointment of a Town Planner to

attend to the subdivision and consolidation and Environmental Impact Assessment (if required), the appointment of the land surveyor and the payment of the transfer.

- (f) That the development must comply with the provisions of the Town Planning Scheme.
- (g) That any relocation / upgrading of municipal services will be for the account of the applicant.
- (h) That the applicant takes note that no rights will accrue to the applicant unless all the above mentioned conditions are complied with in full and all the relevant authorities have given the necessary permission, if applicable.

11.1.4 **DETERMINATION OF THE PURCHASE PRICE FOR OPEN SPACE BETWEEN ERVEN 1894 AND 1919, SWAKOPMUND**
(C/M 2013/09/26 - E 1894, E 1919, N 8/10/2)

RESOLVED

- (a) That the sale of the closed Manta Street to the owner of Erf 1894, Swakopmund (Dr Quincy Gurirab) at a purchase price of N\$622.75 x 872m² = N\$543 000.00 and subject to the conditions approved by Council on 31 January 2013, be approved.
- (b) That Dr Q Gurirab confirms in writing acceptance of the purchase price.

11.1.5 **REQUEST BY MESSRS M SHIKONGO INVESTMENT GROUP CC FOR EXEMPTION FOR PAYMENT OF RATES AND TAXES**
C/M 2013/09/26 - G 3/9/10)

RESOLVED

That the application of Messrs Sisa Namandje & Co. Incorporated on behalf of Messrs M Shikongo's Investments Group CC requesting for exemption from paying rates and taxes for Extension 19 not be approved as the erven appear in the interim valuation roll of 2013 and the developer does not qualify in terms of Section 75 of the Local Authorities Act (Act 23 of 1992) for an exemption.

11.1.6 **PRO-ED AKADEMIE - CORRECT NAME FOR TRANSFER PURPOSES**
(C/M 2013/09/26 - G 3/9/12)

RESOLVED

That Council's resolution passed on 31 July 2013 under item 11.1.10 be amended as follows:

- (i) That wherever the name of the entity is stated as Pro-Ed Academy, it be replaced with Pro-Ed Academy Parents Association; and
- (ii) That the property description of the land referred to in point (a) as Portion 112 (a Portion of Portion B) of Swakopmund Town and Townlands No 41, be replaced with Extension 21.

11.1.7 HANDLING OF COUNCIL'S CURRENT ACCOUNT

(C/M 2013/09/26 - D 1)

RESOLVED

- (a) That the proposal for the handling of Council's current account for the next three year be awarded to First National Bank, effective from October 2013.
- (b) That new informal proposals for the handling of Councils current account be invited during September 2016.
- (c) That both the Build Together current account, Tourism current account and the Tourism Key Deposit account also be handled by First National Bank.
- (d) That the General Manager: Finance be mandated to enter into negotiations with First National Bank to negotiate for competitive rates in few areas where other commercial banks have submitted more favorable offers and that such results be submitted to Council for information.
- (e) That, in order to ensure that the transfer of current account banking services from Bank Windhoek to First National Bank proceeds smoothly, permission is granted to the General Manager: Finance to operate the First National Bank and Bank Windhoek accounts simultaneously until 30 June 2014 and that the First National Bank account be used exclusively thereafter.
- (f) That the matter be submitted to Tender Board for information.

11.1.8 REQUEST FOR EXEMPTION FROM PAYING RENTAL FEES FOR MUNICIPAL FACILITIES AND EQUIPMENT DURING THE 2013 SAIMSA GAMES

(C/M 2013/09/26 - J 10/1)

RESOLVED:

- (a) That the exemption of the cost of N\$177 442.00 for the rental of Municipal sport and recreation facilities and equipment be condoned as presented by the Swakopmund Municipal Social and Sport Club in the tables below:

#	Facility	Daily Rental Fee (N\$)	Total Rental Fee (N\$) (for 10 days)
	<i>Mondesa Sport Field</i>	1 587.00	15 870.00
	<i>Tamariskia Sport Field</i>	1 430.10	14 301.00
	<i>Vineta North Sport Field</i>	1 586.00	15 860.00
	<i>Vineta Central Sport Field</i>	3 341.60	33 416.00
	<i>Swakopmund Town Hall</i>	714.00	7 140.00
	<i>Meduletu Community Hall</i>	363.00	3 630.00
	<i>Mole Beach Area</i>	500.00	5 000.00
Total Rental Cost			95 217.00

#	Equipment	Daily Rental Fee (N\$)	# of Units	Total Rental Fee (N\$) (for 10 days)
	<i>Chairs</i>	8.00	600	48 000.00
	<i>Podium</i>	61.00	1	61.00
	<i>Stage Blocks</i>	85.00	6	5 100.00
	<i>Mobile Pavilions</i>	85.00	30	25 500.00

	<i>Transportation of All Equipment</i>	594.00	6	3 564.00
<i>Total Rental Cost</i>				82 225.00
<i>Grand Total</i>				177 442.00

- (b) That it be noted that the donated items by the Local Organising Committee will add significant value to Municipal facilities and the communities of Swakopmund.

11.1.9 **MESSRS ROCKET INVESTMENTS CC REQUEST TO SUBLET THE SECURITY BOOTH AND THE MUSEUM AT THE JETTY ENTRANCE**
(C/M 2013/09/26 - N 7/2/2)

RESOLVED

- (a) That permission be granted to Messrs Rocket Investments CC to sublet the security booth and the Museum at the jetty to Messrs Swakop Ballooning CC.
- (b) That Messrs Rocket Investments CC indemnify Council from any claims of any nature that may arise from subleasing the property referred in (a) above to Messrs Swakop Ballooning CC.

11.1.10 **APPLICATION TO LEASE TWO PARKING BAYS ON ERF 266, SWAKOPMUND**
(C/M 2013/09/26 - E 266)

RESOLVED

- (a) That the application of Messrs Stadtmitte (Pty) Ltd to lease two parking bays on Erf 266A, not be approved since two parking bays are already reserved for Messrs Kazak African Experience Cultural Tourism (KAECT) and the other parking bays are used as public parking.
- (b) That the Engineering Services Department attends to the execution of Council's resolution passed on 24 November 2011, under item 11.1.18; whereafter the application of Messrs D F Malherbe & Partners be reconsidered for the possible allocation on Erf 118, Swakopmund.

11.1.11 **APPLICATION FOR REMOVAL OF RESTRICTIVE CONDITIONS CONTAINED WITHIN THE DEED OF TRANSFER FOR ERF 471 SWAKOPMUND**
(C/M 2013/09/26 - E 471)

RESOLVED

- (a) That the application for the cancellation and removal of restrictive conditions as contained in the deed of transfer (T2729/1997) be approved:

The said erf shall be used for residential purposes only, and not more than one dwelling house with the necessary outbuildings and appurtenances shall be erected thereon.

- (b) That the new conditions as stipulated below so that the erf can be used in accordance with the Swakopmund Town Planning Amendment Scheme be approved:

IN FAVOUR OF THE LOCAL AUTHORITY

- (a) *The erf shall only be used or occupied for the purposes which are in accordance with and the use or occupation of the erf shall at all times be subject to the provisions of the Swakopmund Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954) as amended.*
- (b) *The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least four times the municipal value of the erf.*

11.1.12 APPLICATION BY MESSRS WOERMANN BROCK & CO (PTY) LTD TO PURCHASE A PORTION OF LAND IN DRC
(C/M 2013/09/26 - H 5/8)

RESOLVED

- (a) That Messrs Woermann Brock and Co (Pty) Ltd be informed that:
- (i) *The minimum requirement by Council to sell land is that a Surveyor-General approved diagram must be in place;*
- (ii) *Therefore their application will be placed on file for consideration after an approved general plan is registered.*
- (b) That once the area is serviced and Council has decided on the method of sale, Messrs Woermann Brock and Co (Pty) Ltd can compete with other commercial entities.

11.1.13 WRITING OFF OF REDUNDANT EQUIPMENT AT THE HEALTH SERVICES DEPARTMENT
(C/M 2013/09/26 - L 2)

RESOLVED:

- (a) That writing off of the following redundant equipment and vehicles be condoned and that the items be sold at the next public auction:

	<i>Item</i>	<i>Serial No</i>
1	HP Deskjet 5150 Colour Printer	(MY41E4J1HH)
1	Projector Screen	(C421VM7VR05959)
1	CPU	(33818743)
1	Sanyo Car Tape Player	(002158)
1	1. HP Scanjet 3690 Scanner	(CN44PS64W6)
1	Motorola Battery	(HNN9628B)
1	Kenwood Handheld Radio	(10400358)
1	Battery Pack	(GP0311)
1	Kenwood Handheld Radio	(40500586)
1	Kenwood Battery Pack	(0805F)
1	Kenwood Handheld Radio	(30400161)
1	Kenwood Battery Pack	(1004F)

No	Reg No	Make	Year Model	Fleet No	Engine No
1.	N1923S	Hino Truck	2002	CL0190	J08 CF 22203
2.	N5079S	Nissan Truck	2001	CL0149	FE 6214195 C.

- (b) That the Chief Executive Officer and the Chairperson of the Management Committee determines the upset prices for the redundant equipment.

11.1.14 OLD AND REDUNDANT ITEMS / EQUIPMENT: ENGINEERING SERVICES DEPARTMENT - WORKS SECTION

(C/M 2013/09/26 - N 10/1, L 5, L 2)

RESOLVED:

- (a) That writing off of the following redundant equipment and vehicles be condoned and that the items be sold at the next public auction:

Vehicles:

<i>Fleet No.</i>	<i>Reg. No.</i>	<i>Make</i>	<i>Model</i>
<i>PG0086</i>	<i>N1197S</i>	<i>Busaf Tipper Trailer</i>	<i>1980</i>

Materials / Equipment:

<i>Description</i>
<i>Welding Machine - Miller</i>
<i>Saw - Rapidor Manchester</i>
<i>Micro vue - 35R</i>
<i>Big Grinder - RYOBI</i>
<i>Jump Starter - Model - AT974</i>

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

11.1.15 REQUEST FOR PERMISSION FOR SWAKOPMUND MUNICIPALITY TO PARTICIPATE IN THE 2013 SAIMSA GAMES

(C/M 2013/09/26 - J 10/1)

RESOLVED:

- (a) That the invitation letter (Annexure 'A') on file be noted and that the permission granted to the Municipal Sport and Social Club to enter teams in the 2013 SAIMSA Games be condoned.
- (b) That it be noted that the Swakopmund Municipality will compete in volleyball, 10km fun run, 21km marathon, lawn bowls, darts, pool, golf, soccer, netball and fishing.
- (c) That permission be granted to members of the Swakopmund Municipal Sport and Social Club as per the list (Annexure 'B' on file), which is subject to change as well as the nominated Councillors to attend the SAIMSA Games to be held in Swakopmund from 23 - 27 September 2013.
- (d) That special leave, equalling five (5) working days, be granted to the staff members in (b) to represent Council at the SAIMSA Games from 23 - 27 September 2013.
- (e) That the release of N\$100 000.00 budgeted for the Municipal Sport and Social Club, annually, to cover the costs related to the participation of the Swakopmund Municipality's teams in the 2013 SAIMSA Games be condoned.

- (f) That the Chairperson of the Swakopmund Municipal Sport & Social Club be held accountable for the expenditure incurred from the amount in (d) and that a financial report be tabled at the Council meeting at the end of October 2013.
- (g) That a full report, on the participation of the municipal teams, be tabled to Council at the end of October 2013.

11.1.16 **APPLICATION TO USE THE MEDULETU COMMUNITY HALL FREE OF CHARGE FOR STUDY PURPOSES**
(C/M 2013/09/26 - H 2/12)

RESOLVED:

- (a) That the permission granted to the Ministry of Labour and Social Welfare to use the Meduletu Community Hall from 16 September 2013 to 30 November 2013 free of charge be condoned.
- (b) That the cost of N\$8 200.50 be defrayed from the Council Publicity Vote 100510212700 where N\$28 337.50 is available.
- (c) That the Ministry of Labour and Social Welfare be responsible for keeping the hall clean at all times.
- (d) That the applicant be requested to assist in sourcing for tables in consideration of the fact that our community halls are not sufficiently stocked with enough tables.

11.1.17 **REQUEST FOR ADDITIONAL FUNDING FOR LOGISTICAL ARRANGEMENTS THE 2013 SAIMSA GAMES**
(C/M 2013/09/26 - J 10/1)

RESOLVED:

- (a) That the allocation of N\$196 262.20 to the Local Organising Committee for the expected expenditure of the SAIMSA Games be condoned and that funds be transferred to the SAIMSA Games account.
- (b) That it be recorded that 41 Municipalities have confirmed their participation in the SAIMSA games.
- (c) That additional income generated by the Local Organizing Committee will be transferred to Council.
- (d) That it be recorded that Councillor P V Steinkopff is not part of the resolution.

11.1.18 **AFFIRMATIVE ACTION COMPLIANCE CERTIFICATE**
(C/M 2013/09/26 - B 1/10)

RESOLVED

That the Affirmative Action Compliance Certificate submitted by the General Manager: Corporate Services and Human Resources be noted.

11.1.19 **AMICAALL NAMIBIA**

- ① **REQUEST FOR CO-FUNDING OF THE ANNUAL PARTNERS CONFERENCE 2013**
 ③ **INVITATION TO ANNUAL PARTNERS CONFERENCE 2013**
 ③ **ANNUAL CONTRIBUTION TOWARD AMICAALL**

(C/M 2013/09/26 - B 1/12, A 2/3/2/1)

RESOLVED

- (a) That the repeal of the resolution taken at the Management Committee meeting held on 15 August 2013 under items 9.2 and 9.6, be condoned.

9.2 *That the invitation by Messrs AMICAALL - Namibia for Council to delegate representatives to attend the Annual Partners Orientation Conference 2013 scheduled to take place from 10-13 September 2013 in Swakopmund not be supported.*

9.6 *That the invitation by Messrs AMICAALL - Namibia for Council for the funding of the Conference scheduled to take place from 10-13 September 2013 in Swakopmund not be supported.*

- (b) That Council co-fund the gala dinner in accordance with the quotation submitted by Messrs AMICAAL to the value of N\$84 600.00 (Excl. Vat) in partial payment of the cost depicted on the quotation from Messrs Virgin Solutions Trading Enterprise CC, 2012 / 012, being the lowest quotation provided, to cover the costs of the Gala Dinner at the Annual Partners Conference 2013 set for 10-13 September 2013.
- (c) That the General Manager: Finance sources the funding of this contribution and provides a vote from where the payment can be defrayed.
- (d) That Messrs AMICAALL Namibia waives the unpaid membership fees for the past two years, being 2012 and 2013 including the membership for the following year, 2014, being (3 x N\$25 000.00 = N\$75 000.00.)
- (e) That the permission granted to the Mayor, Councillors, Manager: Health Services and the Health and Safety Officer to attend the AMICAAL Namibia Annual Partners Conference 2013 hosted in Swakopmund from 10-13 September 2013 be condoned.
- (f) That special leave be granted to the staff members during this period.

11.1.20 **REQUEST FOR ADDITIONAL FUNDS TO PURCHASE 4 (FOUR) PATROL VEHICLES**

(C/M 2013/09/26 - L 5)

RESOLVED

That permission be granted to the General Manager: Finance to transfer an amount of N\$20 000.00 from the Renewal Fund (Traffic Section) where an amount of N\$329 050.00 is available to Vote 202031518800, in order to facilitate the purchasing of the four patrol vehicles for the new Traffic Officers.

The meeting adjourned **19:57**

Minutes confirmed on: **31 October 2013**

Councillor J Kambueshe
CHAIRPERSON

AG/-

Mr D Duvenhage
ACTING CHIEF EXECUTIVE OFFICER