

MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Tuesday, 01 September at 19:00.**

PRESENT:

Councillor N N Salomon	:	Mayor
Councillor R N Andreas-Noabes	:	Alternate Chairperson of MC
Alderman E //Khoaseb	:	Additional Member of MC
Councillor F Hamukwaya	:	Member of Council
Councillor U Kaapehi	:	Member of Council
Councillor P V Steinkopff	:	Member of Council

OFFICIALS:

Mr E U W Demasius	:	Chief Executive Officer
Mr D Duvenhage	:	GM: Engineering Services
Mr H !Naruseb	:	GM: Finance
Mr C Lawrence	:	GM: Health Services
Mr A Plaatjie	:	Acting General Manager: Corporate Services
Mr V S Kaulinge	:	Acting GM: Community Development Services
Mr K Katjita	:	Acting Manager: Human Resources
Mr M Cloete	:	Manager: Traffic Services
Ms S Bruwer	:	Corporate Officer: Properties
Ms I Ortnier	:	Personal Assistant to the Mayor
Mr U Tjiurutue	:	Corporate Officer: Administration
Ms A Kahuika	:	Administrative Officer: Administration

ALSO PRESENT:

Twenty Five (25) members of the public attended the meeting. Also present was the Swakopmund Constituency Councillor, Honourable Juuso Kambueshe as well as two (2) representatives from the media.

1. OPENING BY PRAYER

Councillor P V Steinkopff opened the meeting with scripture reading and a prayer.

2. **ADOPTION OF THE AGENDA OF THE MEETING OF COUNCIL**

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

RESOLVED:

That the agenda be adopted as presented.

3. **APPLICATIONS FOR LEAVE OF ABSENCE BY MEMBERS OF COUNCIL**

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

RESOLVED:

That the application for leave of absence of the following members of Council be accepted:

- *Alderman R //Hoabes* : *Chairperson of Management Committee*
 - *Councillor E Shitana* : *Member of Management Committee*
-

4. **CONFIRMATION OF MINUTES**

(C/M 2015/09/01 - A 2/3/5)

4.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 30 JULY 2015**

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

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 30 July 2015, be confirmed subject to correction on the following items:

- 11.1.1 (a)
 - 11.1.18 (a)
 - 11.1.20 (c)
-

5. **INTERVIEWS WITH DEPUTATIONS OR PERSONS SUMMONED OR REQUESTED TO ATTEND THE MEETING OF COUNCIL**

5.1 Long Service Awards.

Long Service Awards

Ladies and Gentlemen

Today we will acknowledge individuals who have contributed to the quality service delivered by this Municipality. In so doing, we encourage them to continue their outstanding efforts and thank them for their valued contributions to making Swakopmund a great town.

- *Daniel Nendongo* - 15 years
- *Sakarias Shipanga* - 40 years

On behalf of the residents of Swakopmund whom you have served with so much loyalty over the years, I wish to thank and wish you a good health to continue the good work and may God Bless you all.

6. **OFFICIAL ANNOUNCEMENTS, STATEMENTS AND COMMUNICATIONS**
(C/M 2015/09/01 - A 2/3/5)

QUOTED

COUNCIL ANNOUNCEMENTS FOR AUGUST 2015

Hon. Swakopmund Constituency Councillor Juuso Kambushe, Fellow Councillors, Acting Chief Executive Officer, General Managers, Managers, Officials, Members of the Community, Members of the Media, Ladies and Gentlemen

Good evening to you all,

I greet and thank you all for coming today.

Swakopmund Municipality, as with any other municipality will always be evaluated by our ability to meet the growing needs of our residents through quality services, promoting economic development, fiscal discipline, accountable governance and by how effectively we facilitate the growth of our town. I want to remind us all present here today that we are here to serve the community and to serve them to the best of our abilities, skills and potential to improve the circumstances of our communities. Ladies and Gentlemen, we are currently in the fourth month of the new financial year and it is a privilege to report on the implementation of the new projects.

Blocks 21 & 22 in Matutura

This project covers the installation of infrastructure services for approximately 252 Erven. The services consist of secondary distribution in the blocks and tertiary final Erf connection at the Erf boundary for:

- Water born sewer network*
- Purified water network*
- Purified effluent network (only to public open spaces)*
- Paved interlock roads*
- Electrical distribution*

The contractor has completed 34% of the work and to date have installed more than halve of the sewer network and is busy installing part of the water network. The project is earmarked to be completed by March 2016

Blocks 1, 2 & 3 in Mondesa

This project covers the installation of infrastructure services for approximately 400 erven. The services consist of secondary distribution in the blocks and tertiary final erf connection at the erf boundary for:

- Water born sewer network*
- Purified water network*
- Purified effluent network (only to public open spaces)*
- Gravel roads*
- Electrical distribution*

The contractor has completed 100% of the civil work, which includes the water, sewer and road infrastructure. The electrical contractor is currently busy with the internal electrical work and earmarked for completion by end of September. However, the bulk electrical supply to the development will only be completed by January 2016.

Ladies and Gentlemen

Launch of Material Recovery Facility – Recycle Project

During the month of July the Recycling Project was introduced. The new Material Recovery Facility building adjacent to the landfill site will be officially opened on Friday, 04 September 2015.

Orange wheelie bins have been distributed around town. However, I request the community to be corporative to make this exercise a success, and to our partners the media to continue to publish this project to educate the community.

Ladies and Gentlemen; our beautiful town continues to be a trend-setter as far as local governance and developmental issues are concerned. With increasing frequency, we host

delegations from other towns and countries on familiarization tours. His Excellency Dr. Hage G. Geingob, and his delegation of Ministers visited us recently, where they were briefed on the economic development of our town. The Mayors of numerous other Municipalities, Regional Councillors and Traditional Leaders were present. His Excellency in his speech urged the nation to respect one another, respect the investors in the country not to harass them or make them feel guilty as investors and never take the peace that we have in the country for granted. He further request the nation to be patient as everything takes time to process to be solved or improved. Lastly he asks the nation to join hands in fighting poverty in society.

I thank you and may God Bless

Councillor Nehemiah Ndara Salomon
MAYOR

7. **PETITIONS**

None.

8. **MOTIONS OF MEMBERS**

None.

9. **ANSWERS TO QUESTIONS OF MEMBERS OF WHICH NOTICE WAS GIVEN**

None.

10. **REPORT OF THE MANAGEMENT COMMITTEE REFERRED TO IN SECTION 26(1)(E) OF THE ACT**

10.1 **MINUTES OF MANAGEMENT COMMITTEE MEETINGS HELD DURING AUGUST 2015**

(C/M 2015/09/01 - A 2/3/5)

RESOLVED:

That the resolutions taken at the Ordinary Management Committee Meeting held on 13 August 2015 be noted.

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**

11.1 **ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON 13 AUGUST 2015**

11.1.1 **INTERDICTION AND EVICTION OF AFFIRMATIVE REPOSITION GROUP**

(C/M 2015/09/01 - H 5)

RESOLVED:

That the following resolution taken by the Management Committee on 24 July 2015, be condoned.

That the interdiction of and / or eviction of the Affirmative Relocation Land Activist Group / Movement from unlawfully and unprocedurally occupying any or specific land(s) falling under the jurisdiction of the Local Authority before, during and after the date indicated by the Affirmative Relocation Land Activist Group / Movement, be authorised.

11.1.2 ALLOCATION OF 19 HOUSES AT EXTENSION 9, MONDESA
(C/M 2015/09/01 - H 5/5, H 5/3)

RESOLVED:

- (a) That the 19 applicants from the Master Waiting List below be invited to present proof of their financial capacity after which they may be considered for allocation of houses at Extension 9, Mondesa:

MHDP NO.	REF NR. ON ORIGINAL LIST	NAMES & SURNAMES	ID NO.	APPL. DATE	SALARY
1	DRC 47	Vaino Ipinge	71080200444	01/01/2000	3,089.97
2	DRC 1102	Engelhard Haragaeb	78031500282	04/01/2000	Out of Town
3	DRC 1110	Samuel Conrad Namaseb	72051700540	25/01/2000	Unemployed
4	DRC 31	Adreas Liyala Shaapopi	78092200270	02/02/2000	2,790.00
5	DRC 190	Primus Ludwig Aitembu Kalola	73103000480	02/02/2000	Out of Town
6	DRC 225	Jostofine Howoses	7102010000591	02/02/2000	2,200.00
9	DRC 110	Noa Johannes	75101600547	03/02/2000	Out of Town
10	DRC 112	Julius Wapota	55061600339	03/02/2000	2,500.00
11	DRC 115	Filemon Nikanor	6808081102088	03/02/2000	900.00
12	DRC 117	Ambrosius Andowa	70100700012	03/02/2000	3,119.47
14	DRC 129	Joseph Haihambo	70062600753	03/02/2000	Out of Town
15	DRC 141	Paulus Shayuka	55091001611	03/02/2000	Out of Town
16	DRC 210	Naemi Amupadhi	581012110124	03/02/2000	Out of Town
17	DRC 649	Josua Nehemia	40051500752	03/02/2000	Out of Town
18	DRC 1008	Shivute Cleopas	74010200456	03/02/2000	Out of Town
19	DRC 1097	Gerson Hoeseb	66081800024	03/02/2000	2,695.83
20	DRC 140	Hiskia Efraim	67060900993	04/02/2000	3,500.00
21	DRC 145	Ngenokesho Atilifa	6309201104020	04/02/2000	6,172.00
22	DRC 146	Maria Simeon	66100401029	04/02/2000	Unemployed

- (b) That the applicants from numbers 23-103 also be invited to present proof of their financial capacity for possible allocation in the future.
- (c) That the beneficiaries from the DRC Informal Settlement who have been allocated houses be instructed to return the vacant plots to the Municipality and ensure that the plots are clean of all debris.

11.1.3 REQUEST TO WAIVE PRE-EMPTIVE RIGHT: ERF 2766, MONDESA
(C/M 2015/09/01 - M 2766)

RESOLVED:

That Council waives the pre-emptive right registered in its favour over Erf 2766, Mondesa and allows Mr & Mrs Izaaks to sell the property to a third party, as an exception, due to the late registration by NHE.

11.1.4 **COMPLIANCE CERTIFICATION - AMENDMENT TO STANDARD BUILDING REGULATIONS**

(C/M 2015/09/01 - A 2/2/2)

RESOLVED:

- (a) That Council approves and submits to the Honourable Minister of Urban and Rural Development for approval and proclamation in the Government Gazette, the following Amendment to the Building Regulations (Standard Building Regulations published by Government Notice R. 1830 of 23 October 1970) in terms of section 14bis (1) of the Standards Act, 1962 (Act 33 of 1962) by replacing Regulation 2 “**RESPONSIBILITY**” in its entirety with the following:

2. RESPONSIBILITY

- (1) *Neither the granting of approval by the Local Authority to erect a building or other structure, nor any inspection made by the Local Authority prior to, or during, or after the erection of a building or other structure, nor anything lawfully done by such Local Authority or any employee thereof in the execution of its or his duties, or the exercise of its or his powers under these regulations shall relieve the owner of such building or other structure or any other person concerned in the erection thereof of full responsibility for ensuring that such building or other structure is in accordance with these regulations and all other laws applicable thereto.*
- (2) *Subject to the provisions of sub-regulation (1) the owner of any building or structure must, against payment of a tariff of N\$300.00, or such tariff as Gazetted from time to time, apply in writing and obtain a Building Compliance Certificate from Council, before -*
 - (a) *Any transfer of an immovable property is effected under section 78 of the Local Authorities Act, 1992, (Act No. 23 of 1992) and before a certificate is issued under that section;*
 - (b) *A development scheme is approved, or registered, or a transfer of a sectional title deed for a sectional title unit, as defined under the Sectional Titles Act, 1971 (Act No. 66 of 1971), is effected;*
 - (c) *Any name change, or any transfer of rights in such building, structure or immovable property in the Registrar of Deeds Office under the Deeds Registries Act, 1937 (Act No. 47 of 1937) or under the Sectional Titles Act, 1971 (Act No. 66 of 1971), is effected, or;*
 - (d) *A member share in a close corporation as defined in the Close Corporations Act, 1988 (Act No. 26 of 1988) or a majority shareholding in a company registered under the Companies Act, 2004 (Act No. 28 of 2004) is sold and endorsed in the office of the Ministry dealing with trade and industry.*
- (3) *Upon receipt of an application and payment of the due fees under sub-regulation (2), the authorised inspector must inspect, or arrange to be inspected, within 5 (five) working days, the immovable property and inspect or determine, or arrange to be inspected or determined whether:*
 - (a) *Any building or structure erected, to identify whether the building or structure was constructed and remains compliant with the provisions of the Local Authorities Act, 1992, (Act No. 23 of 1992), the Swakopmund Town Planning Amendment Scheme and the Standard Building Regulations (this Regulation);*
 - (b) *Whether the use of the building or structure, or the land on which the structure or building is erected, complies with the provisions of the Local Authorities Act, 1992, (Act No. 23 of 1992) and the Swakopmund Town Planning Amendment Scheme;*
 - (c) *Whether the establishment, subdivision or consolidation conditions imposed in terms of the Swakopmund Town Planning Amendment Scheme, if any, have been complied with, and are still being complied with, and;*

- (d) *The construction, installation of, and continued use of the electrical reticulation on the property and within the structures on the property were executed in compliance with the requirements of, and determined to be still be compliant, by the electricity service provider, with the Electricity Supply Regulations in accordance with the Electricity Act 2007, Act 4 of 2007.*
 - (4) *On completion of the inspection as identified in sub-regulation (3):*
 - (i) *If compliance is determined, the authorised inspector must issue a Compliance Certificate, which certificate shall have a validity period of 90 days from date of issue, or;*
 - (ii) *If compliance is not determined, the inspector must instruct the owner of the building, or structure, or immovable property to rectify the non-compliance under the relevant provisions of the Local Authorities Act, 1992, (Act No. 23 of 1992), the Swakopmund Town Planning Amendment Scheme, the Standard Building Regulations (this Regulation) and the Electricity Supply Regulations in accordance with the Electricity Act 2007, Act 4 of 2007.*
 - (5) *Any contraventions of the relevant provisions of the Local Authorities Act, 1992, (Act No. 23 of 1992), the Swakopmund Town Planning Amendment Scheme, the Standard Building Regulations (this Regulation) and the Electricity Supply Regulations in accordance with the Electricity Act 2007, Act 4 of 2007 identified during the inspection carried out in terms of sub-regulation (3) shall be identified by the authorised inspector to the owner of the property and shall place an obligation on the owner to undertake corrective action subject to the requirements of regulation 26 of this Regulation, or such corrective requirements as identified in the Local Authorities Act, 1992, (Act No. 23 of 1992), the Swakopmund Town Planning Amendment Scheme, and the Electricity Supply Regulations in accordance with the Electricity Act 2007, Act 4 of 2007.*
 - (6) *Each repeat inspection required to be carried out due to non-compliance deviations or contraventions identified during the inspection as per sub-regulation (2) shall be subject to renewed application for inspection and payment of the required tariff as identified in sub-regulation (2).*
 - (7) *Any person who contravenes sub-regulation (2) (a), (b), (c) or (d) or fails to adhere to an instruction under sub-regulation (4) commits an offence and shall be liable to a fine as identified in regulation 31 of this Regulation and / or such fines as determined by Council and / or such fines as identified in the Local Authorities Act, 1992, (Act No. 23 of 1992), the Swakopmund Town Planning Amendment Scheme, and the Electricity Supply Regulations in accordance with the Electricity Act 2007, Act 4 of 2007.*
- (b) **That the Engineering Services Department makes provision for the appropriate introduction of the regulation to the administration, Building Inspectorate and liaises with the Finance Department to introduce a system for payment of the applicable rates.**
 - (c) **That the regulation be published in the Municipal Newsletter and approved media with pertinent information to inform the public of the programme of introduction of the regulation.**
 - (d) **That the Corporate Services and Human Resources Department submits the Amendment to the Building Regulations to the Honourable Minister of Urban and Rural Development.**
 - (e) **That it be recorded that the amendment might require an increase staff compliment for the Building Inspectorate Section in the future.**
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11.1.5 APPLICATION FOR CLOSURE OF A PORTION OF A STREET IN GARNET AVENUE IN TAMARISKIA

C/M 2015/09/01 - T 214)

RESOLVED:

- (a) That the closure of a portion of Garnet Street measuring 217m² for consolidation with Erf 214, Tamariskia, be approved.
- (b) That the applicant be responsible for the subdivision of Garnet Street into Portion A and the Remainder.
- (c) That the applicant be responsible for the consolidation of Portion A with Erf 214, Tamariskia.
- (d) That Mr Matroos be informed of his right to appeal (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister, within 28 days (in respect of resolution (a) above) 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.

11.1.6 MULTI-PURPOSE CENTRE, MONDESA - ADDITIONAL FUNDS

(C/M 2015/09/01 - M 4348 / T41/2014)

RESOLVED:

- (a) That Council takes note that the change of the design premise which led to the additional costs was issued by Messrs Lithon Project Consultants, Council's electrical engineering consultant on the project. Thus the additional cost of N\$600 000.00 is to the account of the Client, the Municipality of Swakopmund.
- (b) That Council repeals point (d) of the resolution taken on 25 June 2015, thus no longer requiring Erongo RED to carry 50% of the additional costs.
- (c) That it be noted that the first phase will be completed during November 2015.

11.1.7 ERF 5824, EXTENSION 18, SWAKOPMUND: APPLICATION BY SHOFAR CHRISTIAN CHURCH FOR INSTITUTIONAL

(C/M 2015/09/01 - H 1/10/1, E 5824, E 5845)

RESOLVED:

- (a) That Council offers Erf 5824, Extension 18, Swakopmund measuring 5 309m² to Messrs Shofar Christian Church (Namibia) at a purchase price of N\$982 165.00.
- (b) That Council repeals point (c) of item 11.1.8 of the Council resolution passed on 26 February 2015 to subdivide Erf 5824, Ext 18, Swakopmund.
- (c) That the sale be subject to Council's standard conditions of sale to churches and the provisions of section 63 of the Local Authorities Act, Act 23 of 1992, as amended.
- (d) That the Engineering Services Department withdraws the subdivision of Erf 5824, Swakopmund from the quotation allocated to Messrs Riita Khiba Planning Consultants CC.

11.1.8 SALE OF ERF 4880, SWAKOPMUND

(C/M 2015/09/01 - E 4880)

RESOLVED:

- (a) That Erf 4880, Swakopmund zoned '*General Industrial*' measuring 16 801m² be offered for sale by means of a Closed Bid Sale.
- (b) That the upset price be set at N\$2 956 976.00 (excluding 10% VAT) being a 10% increase of the upset price set in October 2013.
- (c) That the same terms and conditions that were applicable to the Closed Bid Sale of 4 October 2013 apply.

11.1.9 SALE OF ERF 2547, SWAKOPMUND

(C/M 2015/09/01 - E 2547)

RESOLVED:

- (a) That Erf 2547, Swakopmund measuring 1889m² and zoned "*General Residential 2*" be sold by Closed Bid Sale at an upset price of N\$1 430 000.00.
- (b) That Council's standard conditions of sale for Closed Bids apply.

11.1.10 EXEMPTION FROM PAYMENT OF ASSESSMENT RATES: NOT RECEIVED

(C/M 2015/09/01 - E 2649 & D 3/2)

RESOLVED:

- (a) That Ms Tania Hendricks of the Swakopmund Methodist Church be informed that Council did not receive the application in time as the e-mail address used is that of Council's account billing agent and to in future ensure that the application is submitted to the relevant department for consideration.
- (b) That exemption from payment of Assessment Rates in terms of Section 75 of the Local Authorities Act, Act 23 of 1992 (as amended), not be granted in respect of the following property:

<i>Organisation / Body</i>	<i>Erf Number</i>	<i>Purpose For Which Erf Is Reserved</i>
Swakopmund Methodist Church	2649, Swk	Church Services and place of worship

11.1.11 APPLICATION FOR NEW HANGAR LEASE

(C/M 2015/09/01 - N 9/1)

RESOLVED:

That Council approves the allocation of a vacant hangar plot at the Swakopmund Aerodrome to Mr Hans Moeller and that the standard lease terms shall apply.

11.1.12 APPLICATION FOR NEW HANGAR LEASE

(C/M 2015/09/01 - N 9/1)

RESOLVED:

That Council approves the allocation of a vacant hangar plot at the Swakopmund Aerodrome to Ms Mara van Wyk (trading as van Wyk Aircraft Hire) and that the standard lease terms shall apply.

11.1.13 FEEDBACK: CLOSED BID SALE OF 31 JULY 2015 FOR THE SALE OF SINGLE RESIDENTIAL PROPERTIES - ERF 1901 IN EXTENSION 1 AND ERVEN 2329, 2507 AND 2623 IN EXTENSION 8

(C/M 2015/09/01 - E 1901, E 2329, E 2507, E 2623)

RESOLVED:

- (a) That Council takes note of the outcome of the Closed Bid Sale of 31 July 2015 of Erf 1901 in Extension 1 and Erven 2329, 2507 and 2623 in Extension 8, Swakopmund held on 31 July 2015.
- (b) That Erf 1901, 2329 and 2623 zoned 'Single Residential' be made available to the public to buy by Private Treaty at the upset prices on a first-come-first-serve basis, namely:

<i>Erf No</i>	<i>m²</i>	<i>Price</i>
1901	1065	N\$ 706 666.67
2329	1763	N\$ 995 000.00
2623	1333	N\$ 800 000.00

- (c) That the sale of the erven in (b) be advertised in terms of the provisions of the Local Authorities Act.

- (d) That the following conditions be applicable:

1. *That the erven be sold on the basis of one erf per person and that married persons be regarded as one entity irrespective of the regime governing their marital relationship.*
2. *That purchasers be required to visit the Property Section in person and hand deliver the following documents in order to constitute a valid offer to purchase an erf:*
 - (i) *A copy of the ID of a natural person or a copy of registration documents in the case of a legal person/entity.*
 - (ii) *If the purchaser is a legal entity, a member of the entity must visit the offices of the Property Section in person with a Power of Attorney authorizing him to act on behalf of the entity*
 - (iii) *If applicable, a copy of the spouse's ID and marriage certificate and antenuptial agreement,*
 - (iv) *A letter of undertaking from a registered bank for the full purchase price in favour of Council alternatively proof of payment of the full purchase price to Council's bank account,*
3. *That a purchaser be required to pay N\$7 000.00 deposit on the signing of the Offer to Purchase which amount is to be refunded to the purchaser on request on the date of registration alternatively to be deducted from the total purchase price. In the event of a cancellation of a sale, the deposit will be forfeited to Council.*
4. *That the property must be transferred into the name of the purchaser or full payment received in Council's bank account within 120 days from the signing of the Deed of Sale by Council failing which the transaction will be cancelled and the property again be made available for sale on the same terms and conditions.*
5. *That should the property not have been transferred or the full purchase price been paid into Council's bank account within 120 days but a written guarantee by a registered bank is in possession of Council's conveyancers to secure the full purchase price, the transaction not be cancelled but interest at the prevailing interest rate of Council's bank as on the date of sale be made applicable to the transaction from the date of sale until the date of registration of the property in the purchaser's name.*
6. *That Council's standard conditions of sale be applicable.*

11.1.14 **7th PROGRESS REPORT OF MESSRS SEA GULL'S CRY CC**
(C/M 2015/09/01 - N 7/2/9)

RESOLVED:

- (a) That Council takes note of the 7th progress report for the period ending 30 June 2015 submitted by Messrs Seagull's Cry CC.
- (b) That Messrs Seagull's Cry submits the 8th progress report for the period ending 1 July 2015 to 31 December 2015 by 31 January 2016.

11.1.15 **REQUEST FOR EXTENSION OF SERVICES PROVISION BY MESSRS SWAKOP RIVER ECO CONSORTIUM (PTY) LTD**
(C/M 2015/09/01 - G 4/1/1 (20))

RESOLVED:

- (a) That Council takes note of and condones Messrs Swakop River Eco Consortium (Pty) Ltd's breach of the contractual terms for the sale of Portion 3 of the Swakopmund Town and Townlands No. 41 by not meeting the deadline of 16 February 2013 to complete the installation of services and finalize the development project.
- (b) That Council grants Messrs Swakop River Eco Consortium (Pty) Ltd an extension of time of 18 months from the date of this Council resolution for the completion of the installation of services and the finalization of the development project.
- (c) That Messrs Swakop River Eco Consortium (Pty) Ltd be requested to provide their project implementation time line for the installation of services and for the completion of the entire project.
- (d) That the General Manager: Engineering Services to liaise with the developer for a combined service provision to the area.

11.1.16 **OBJECTION AGAINST THE LEASE OF ERF 4895, SWAKOPMUND TO SWAKOP URANIUM (PTY) LTD**
(C/M 2015/09/01 - E 4895)

RESOLVED:

- (a) That the objection received from Mr J Shihela of Affirmative Repositioning not be considered as it was received after the cut-off time within which objections had to be lodged.
- (b) That Council rejects the objections received from Mr Petrus Natangwe Amwaalwa and submits same together with Council's motivation to the Honourable Minister of Urban and Rural Development as required in terms of Section 63 of the Local Authorities Act, Act 23 of 1992, as amended.
- (c) That permission be sought from the Honourable Minister of Urban and Rural Development to proceed with the lease of Erf 4895, Swakopmund measuring 5615 m² subject to the conditions contained in item 11.1.21 of the Council resolution of 27 May 2015.

11.1.17 **OBJECTION AGAINST THE LEASE OF ERF 4884, SWAKOPMUND TO NAMIBIA CONSTRUCTION (PTY) LTD**
(C/M 2015/09/01 - E 4884)

RESOLVED:

- (a) That Council ratifies the following Management Committee decision of 12 May 2015 under item 7.9:

- (a) That Messrs Namibia Construction (Pty) Ltd be informed that Council will not enter into a new 12 month lease agreement for Erf 4884, Swakopmund on the expiry of the current lease term on 30 June 2015.
- (b) That the lessee be offered a new lease agreement for Erf 4884, Swakopmund to carry on its operations of 'brick making and the casting of precast items and ready mix concrete mixing' for a 3 month term as from 1 July 2015 until 30 September 2015 on the same terms and condition as the current lease.
- (c) That the lease tariff for the new lease agreement be established at N\$33 275.00 (excluding 15% VAT) per month plus a 10% escalation in July each year as from July 2016.
- (d) That on the effluxion of the lease period in (b), Messrs Namibia Construction (Pty) Ltd be permitted to lease Erf 4884, Swakopmund for a further 3 month lease period on the same terms and conditions subject to (e) below.
- (e) That the lease be terminated on 30 days' notice as soon as confirmation is received from the Ministry that the erf has been rezoned in order to ensure vacant possession for the purchaser.
- (f) That the lease be advertised in terms of Section 63(1) of the Local Authorities Act at the cost of the lessee.
- (g) That all costs relating to the lease be for the account of the lessee.

- (b) That Council rejects the objections received from Mr Mias Coetzee of Refuse Solutions and submits same together with Council's motivation to the Honourable Minister of Urban and Rural Development as required in terms of Section 63 of the Local Authorities Act, Act 23 of 1992, as amended.
- (c) That permission be sought from the Honourable Minister of Urban and Rural Development to proceed with the lease of Erf 4884, Swakopmund measuring 13 770m², subject to the conditions contained in this resolution.

11.1.18 **RENEWAL OF LEASE AGREEMENT: MESSRS DESERT EXPLORERS ADVENTURE CENTRE CC - ERF 1318, SWAKOPMUND**
(C/M 2015/09/01 - E 1318)

RESOLVED:

- (a) That the application of Messrs Desert Explorers Adventure Centre CC to renew the lease agreement for a further 3 years for the lease of the following two portions of Erf 1318, Swakopmund, be approved, subject to the acceptance of (e) and (f) below:
- (i) A portion of land measuring ±62.00m² onto which their containers encroach and
- (ii) A portion of land measuring ±247m²
- (b) That the lease period commences on 01 September 2015 until 31 August 2018.
- (c) That the following terms and conditions be applicable and any additional conditions that Council may deem fit:
- (i) That the lease period be 3 years at a rental amount of N\$14.54/m² x 62m² = N\$901.48 + (15% VAT) N\$135.22 = N\$1036.70, with 10% annual escalation on 1st July 2016, and annually thereafter.

- (ii) *That the specific use of the portion measuring approximately 247m² be set-off against the cost in the amount of N\$139 871.20 for the renovation / upgrading of the portion by the lessee*
 - (iii) *That the lessee provides audited statements reflecting the costs incurred in (ii) above.*
 - (iv) *That the lease be terminable by either party giving or receiving three (3) months written notice.*
 - (v) *That Council reserves the right to cancel the lease if valid objections from the public are received.*
 - (vi) *That the lessee shall indemnify and keep Council indemnified during the full period of the agreement against possible claims, which may arise from the use of the leased area.*
 - (vii) *That no subletting be allowed.*
 - (viii) *That a deposit equal to one month's rental be levied.*
- (d) That the lease as set-out in (a) to (c) above be advertised in terms of the Local Authorities Act, Act 23 of 1992, as amended at the cost of the lessee.
- (e) That the lessee be permitted to continue using the existing access over Erf 1318, Swakopmund for the duration of the lease, subject to (f) below.
- (f) That the lessee agrees that they will use the Windhoek Street access as soon as the development on Erf 1058, Swakopmund commences.

11.1.19 **REQUEST FOR EXTENSION OF LEASE PERIOD BY MESSRS QUARRY VENTURES FOR CONCRETE BATCHING PLANT SUBLEASED TO MESSRS NAMIBIA CONSTRUCTION (PTY) LTD**
(C/M 2015/09/01 - G 2/2)

RESOLVED:

- (a) That the application by Messrs Onganja Mining Company (Pty) Ltd trading as Quarry Ventures to extend the lease period until 31 December 2016 for the continued use of the mobile concrete batching plant for the purpose of providing ready mix concrete for the Waterfront Development, subject to the same terms and conditions of the main lease agreement between Council and Messrs Quarry Ventures be approved.
 - (b) That Messrs Quarry Ventures be informed that a written notice must be addressed to Council when the project of Messrs Namibia Construction (Pty) Ltd to construct a breakwater at the Waterfront Development is finalised, in case it is before 31 December 2016.
 - (c) That the Waterfront earthworks be completed by 31 December 2016 and the demobilization of the Batching Plant be completed on / before 31 January 2017.
-

11.1.20 **SCIENTIFIC SOCIETY SWAKOPMUND: RENEWAL OF LEASE AGREEMENT: OPEN AIR CAFÉ - MUSEUM**
(C/M 2015/09/01 - E 1/5)

RESOLVED:

- (a) That a portion of the sidewalk adjacent to 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 Swakopmund for a further three (3) year period commencing on 01 October 2015, 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 *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 $\text{N\$}30.79/\text{m}^2$ per month $\times 135.50 \text{ m}^2 = \text{N\$}4\,172.05 + \text{N\$}625.80$ (15% VAT) = $\text{N\$}4\,797.85$, with an annual escalation of 10% starting 1 July 2016.
 - (c) That the lease be subject to the standard conditions and the following:
 - (i) *That a deposit equal to 1 months lease which was previously paid be adjusted in order to equal the current monthly rental amount.*
 - (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 does not operate 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 and they must reinstate the area to its original layout at their own cost, once they cease operations.
 - (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.
 - (g) That it be noted that the Scientific Society Swakopmund will submit a duly motivated application to the Aesthetics Committee for consideration of the installation of a wooden deck and transparent awnings and louvres for protecting the clients of Raith Gelateria against the wind.
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11.1.21 **LAND EXCHANGE PROPOSAL: WOERMANN BROCK & CO (SWAKOPMUND) (PTY) LTD**
(C/M 2015/09/01 - E 5360)

RESOLVED:

- (a) That the full proposal from Messrs Woermann Brock & Co (Swakopmund) (Pty) Ltd to relinquish 30 000m² of Erf 5360, Swakopmund in exchange for three portions of land similar in size in the Matutura area not be supported.
- (b) That Council makes a counter proposal to exchange only 1ha of Erf 5360, Swakopmund for one erf indicated in Addendum "A" of Annexure "A" (on file).
- (c) That the property in Matutura (as per addendum "A") (on File) be allocated to Messrs Woermann Brock & Co (Swakopmund) (Pty) Ltd provisionally until confirmation is obtained of the erf number and size.
- (d) That the purchase price be determined once the property has been confirmed as ready for sale.
- (e) That Erf 5360, Swakopmund be subdivided to provide an erf of ±28 036m² for Messrs Vineta Development (Pty) Ltd and the remainder.
- (f) That fresh valuations be obtained for Erf 5360, Swakopmund in order to review the purchase price approved by Council on 24 November 2009 as more than 5 years have lapsed since approval.

11.1.22 **SALE OF ERF 5159, SWAKOPMUND TO MESSRS ELI INVESTMENTS TEN CC**
(C/M 2015/09/01 - E 5159)

RESOLVED:

- (a) That Council enforces the cancellation of the sale of Erf 5159, Swakopmund to Messrs Eli Investments Ten CC in terms of clause 18.2 of the Deed of Sale and that the purchaser be informed accordingly.
 - (b) That the Engineering Services Department attends to the subdivision of Erf 5159, Swakopmund to make provision for the Erongo RED substation situated on the property.
 - (c) That on completion of (b), the property be sold on Closed Bid sale on the same conditions as per the Closed Bid Sale of 21 June 2013 but taking into consideration a 5% per annum escalation of the upset price which was N\$2 189 250.00 on 21 June 2013.
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11.1.23 PURCHASE PRICES OF INSTITUTIONAL ERVEN ALLOCATED TO CHURCHES DURING 2014: MONDESA

(C/M 2015/09/01 - M 4367, M 4368, M 4369, M 4371, M 4372)

RESOLVED:

That the churches listed below be informed of the final purchase prices (rounded off) for the erven allocated to them and confirm acceptance thereof in writing:

<i>Erf Number</i>	<i>Church</i>	<i>Date of Council's Resolution of Allocation</i>	<i>Purchase Price</i>
<i>Erf 4367, Mon</i>	<i>ORUUANO Protestant Unity Church</i>	<i>24 April 2014</i>	<i>N\$ 118 000.00</i>
<i>Erf 4368, Mon</i>	<i>Eben-Ezer Gemeente</i>	<i>02 October 2014</i>	<i>N\$ 108 400.00</i>
<i>Erf 4369, Mon</i>	<i>Morewag Church of Namibia</i>	<i>02 October 2014</i>	<i>N\$ 117 700.00</i>
<i>Erf 4371, Mon</i>	<i>Evangelical Bible Church in Namibia</i>	<i>24 April 2014</i>	<i>N\$ 96 900.00</i>
<i>Erf 4372, Mon</i>	<i>Evangelical Lutheran Church</i>	<i>24 April 2014</i>	<i>N\$ 115 800.00</i>

11.1.24 REQUEST TO SWAP ERF 3870, MONDESA FOR A HOUSE AT EXTENSION 9 MONDESA: MS HELMI MUKOKA

(C/M 2015/09/01 - H 5/5)

RESOLVED:

- (a) That the Council resolution of 27 March 2013 - allocating Erf 3870 to Ms H Mukoka be repealed.
- (b) That Ms H Mukoka be allocated a house constructed under the Mass Housing Development Programme on Erf 3979, Extension 9, Mondesa.
- (c) That Ms H Mukoka surrenders Erf 3870 Mondesa for allocation to one of the beneficiaries who cannot afford houses at Extension 9, Mondesa, built under the Mass Housing Development Programme.

11.1.25 PERMISSION TO TRANSFER FUNDS BUDGETED 2014 / 2015 FINANCIAL YEAR TO THE 2015 / 2016 FINANCIAL YEAR AS A CONTINUATION PROJECT

(C/M 2015/09/01 - B 2/2/2)

RESOLVED:

That permission be granted to the General Manager: Finance to transfer the funds budgeted for the Municipal promotional video and other electronic equipment in Vote 102034504200 from the Financial Year 2014 / 2015 as a continuation project to the 2015 / 2016 budget.

- 11.1.26 **RATES REDUCTION EXEMPTION OVER ERF 5371, SWAKOPMUND (SWAKOPMUND INDOOR SPORTS CENTRE) OR PORTION THEREOF**
(C/M 2015/09/01 - D 3/2, E 5371)

RESOLVED:

- (a) That Council approves the option of reducing the percentage factor for Erf 5371, due to the sports facility as part of Council's contribution towards future sustainability of the facility.
- (b) That Council approves a 50% reduction of the current factor for rates & taxes for owners of Erf 5371 as illustrated below:

	<i>CURRENT FACTOR</i>	<i>REDUCED FACTOR (50%)</i>
<i>Sites</i>	<i>0.013245</i>	<i>0.006623</i>
<i>Improvements</i>	<i>0.006115</i>	<i>0.003058</i>

- (c) That Council reviews the 50% reduction of the factor for rates & taxes for owners of Erf 5371 annually.

- 11.1.27 **INCREASE ON BULK PURCHASE PRICES BY MESSRS NAMWATER**
(C/M 2015/09/01 - N 10/1)

RESOLVED:

That Council approves the new basic charges as listed below:

<i>Swakopmund</i>	<i>N\$76.50</i>
<i>Smallholdings</i>	<i>N\$87.30</i>

- 11.1.28 **REQUEST FOR ADDITIONAL FUNDS FOR THE PURCHASING OF 15 PORTABLE FLUSHING TOILETS**
(C/M 2015/09/01 - D 2/1, E 1/6)

RESOLVED:

That permission be granted to the General Manager: Finance to transfer N\$100.000.00 from Votes 301031627200 and Vote 301031520200 New Skip truck, in order to purchase the 15 x portable flushing toilets.

- 11.1.29 **WRITING-OFF OF REDUNDANT VEHICLE AT THE HEALTH SERVICES DEPARTMENT**
(C/M 2015/09/01 - L 2, L 5)

RESOLVED:

- (a) That Council approves the writing-off of the identified vehicle at the Health Services Department.

<i>No.</i>	<i>Reg. No.</i>	<i>Make</i>	<i>Year Model</i>	<i>Fleet No</i>	<i>Engine No</i>
<i>1.</i>	<i>N11782S</i>	<i>Opel Corsa</i>	<i>2000</i>	<i>FTH0180</i>	<i>WC0002586</i>

- (b) That the Chief Executive Officer and the Chairperson of the Management Committee determine the upset price for the redundant vehicle.

11.1.30 **BACK TO SCHOOL CAMPAIGN**
(C/M 2015/09/01 - D 5)

RESOLVED:

- (a) That Council accepts the partnership with the Swakop Uranium Foundation and initiates the "*Back to School*" campaign.
 - (b) That permission be granted to the Corporate Officer: Marketing and Communication to liaise with the Sustainability & CSI Assistant Manager of Swakop Uranium in order to make this campaign a success.
 - (c) That permission be granted to the General Manager: Finance to create a vote where the funds (N\$20 000.00) donated will be kept until the school wear (jerseys) is purchased.
 - (d) That Council makes a contribution to the purchase of school uniforms in the sum of N\$5 000.00.
 - (e) That the Mayor, during his monthly announcements, appeals to other companies to contribute towards the initiative.
 - (f) That Messrs Swakop Uranium be requested to increase the donation in (c) above.
-

11.1.31 **INTERNAL AUDIT REPORT: JOB DESCRIPTIONS**
(C/M 2015/09/01 - D 10/1, B 1/3/2)

RESOLVED:

- (a) That the observation made, being a low risk, that not all job descriptions are signed by the Union, be noted.
 - (b) That the Manager: Human Resources ensures that job descriptions are fully signed by all parties and where not applicable indicated as such.
 - (c) That the observation made, being an improvement idea, that doubt was raised whether the final approved version of the job description as signed off was used by the Job Grading Committee for evaluation as it was noted that the position indicated on the job grading minutes differs from the amended job titles that raised doubt whether the evaluation was performed on the correct version of the job description, be noted.
 - (d) That the minutes of the Job Grading Committee be attached to the reviewed job descriptions.
 - (e) That the observation made, being an improvement idea, that job descriptions are too lengthy and becomes bulky and ineffective should rather contain a list of the duties and responsibilities associated with the position and consideration rather be given to put the level of detail into a standard operational manual (SOP), be noted.
 - (f) That in future, whenever possible details of standards and process to the 'standard operational manual' or 'agreed procedures' or '*agreed standards*' should be rather referred, rather than allowing the job description to become a sort of operating manual.
-

11.1.32 **INTERNAL AUDIT REPORT: CONTRACT MANAGEMENT**
 (C/M 2015/09/01 - D 10/1)

RESOLVED:

- (a) That the observation made, being a low risk, that legal contracts are not stored in a recognized, duly registered and centralised archive office and that physical security / protection of documents may be compromised if not properly stored, be noted.
 - (b) That the Archiving guidelines should be adhered to at all times, i.e. all original contracts and documentation must be referenced and filed at Archives and should documentation be required only copies of contracts and documentation be stored in offices.
 - (c) That the observation made, being an improvement idea, that there is no process flow, or pre-designed monthly reporting samples which is used to guide the sharing of information between the Finance and Corporate Services & HR Departments regarding lease agreements/contract management, be noted.
 - (d) That an inter-departmental reporting framework should be established between the Finance and the Corporate Services & HR Departments regarding lease management.
 - (e) That each department clearly stipulates what information, and in what format the information should be provided on a monthly basis.
 - (f) That the responsibilities of who is to gather and preparing the information, review the information and carry out actions based on the information reported should be clearly established.
 - (g) That adequate communication and controls should be implemented between the Corporate Services & HR and Finance Departments.
 - (h) That the observation made, being an improvement idea, that quality of service / goods delivery may not be effectively managed if not supported by a Service Level Agreement and instead operates on limited information that may/may not be disclosed on a quotation, be noted.
 - (i) That an acceptance level for the value of services that are to be provided within a 12 month period be set, that is to be regulated by a Service Level Agreement, rather than only a quotation basis.
 - (j) That Service Level Agreements be entered into for all service providers that exceed this acceptance level.
-

11.1.33 **INTERNAL AUDIT REPORT: ADMINISTRATION**
 (C/M 2015/09/01 - D 10/1, A 1/3/3)

RESOLVED:

- (a) That the observation made, being a medium risk, that it is expected from the relevant departments that once a policy has been approved by Council sufficient actions are to be taken to ensure that the approved policies are implemented and communicated, be noted:
- (i) *Policies to be finalised i.e. that draft watermarks are reviewed, the implementation date / effective date is inserted, and reference is made to the Council resolution that approved the document.*
 - (ii) *Stored on the centralised server, so that all employees can access the relevant documents.*
 - (iii) *Notification / awareness be created to draw staff attention to the updated policy; and*
 - (iv) *Where applicable, training on the new policy should be provided.*
- (b) That the observation that policies relevant to the Archive Management have not been finalised and implemented, although they have been approved by Council or National Archives, be noted.
- (c) That all policies be finalized after it was approved by Council and that Councillors and staff members be made aware of the new approved policies by:
- *Sending out an Internal memo or email notification that generates awareness of the updated policy*
 - *Providing training to staff, where necessary; and/or*
 - *Saving a copy of the policy on the shared server.*
- (d) That the observation made, being a medium risk, that there are discrepancies relating to the quality of Council's Feedback Report (which specifically documents the progress status of the execution of Council Resolutions) to ensure that the actions are indeed executed and control over the "management action list" be exercised, be noted :-
- *The Archivist prepares a Feedback Report on the Execution of Council Resolutions and submits the report to the Corporate Officer Administration for review. However, the report is not submitted back to Council or Management Committee for review of the progress of execution.*
 - *The monthly feedback report on execution of council resolutions does not include a shortlist of the "Open Items" carried forward from the preceding meeting. Consequently, the Feedback report is not continuous, i.e. if the current months' matter is still receiving attention it is not indicated in the following month whether that matter has been closed or is still receiving attention.*
 - *Although a "Progress / Status" column is reporting on the Feedback Report; it does not conclude whether the matter is still open or closed.*
 - *No due dates are indicated for when the action / resolution is to be completed / executed.*
- (e) That the Feedback Report on Execution of Council Resolutions be included in the monthly report of Corporate Services & HR to indicate to Council that all the resolutions have been or not been acted upon, and the report be designed with a column that ultimately concluded whether the action items is "Open" or "Closed", the action column of the report to include due dates and

such report also include a short list of the previous month's open items listing, to ensure continuous reporting.

- (f) That the observation made, being a medium risk, that there are discrepancies related to the quality of managing the actions taken of the Administrative Reports (External Mail) of the various departments, be noted:
 - *The design of the report does not include a column to conclude on each line item whether it is an "open" or closed" item.*
 - *There is no control to ensure continuous reporting, i.e. that all the open items from the previous month are carried forward to the next month's report;*
 - *Inconsistencies indicating inaccurate reporting were noted, for example:*
 - *As per orbit and the hardcopy file one application letter to the Community Development Services Department for the use of a sports field was attended to, however the administrative report still indicates the letter as 'matter receiving attention'.*
 - (g) That the Administrative Report (External Mail) of the ALL the departments be amended to reflect a column that ultimately concludes whether the action item is "*Open*" or "*Closed*" and all departments includes a short list of the previous month's open items listing, to ensure continuous reporting, due dates on actions taken should be included for all correspondence as well as care should be taken that the reports action taken be updated regularly to ensure accurate reporting.
 - (h) That the observation made, being a medium risk, on the storage of documentation in hard copy and electronic copy (Orbit), and the following relating to archives, be noted:
 - *Some response letters are saved on orbit as word drafts, without letter heads and no signature;*
 - *Responses are either not linked on Orbit (responsibility of action officers / PA's) or not submitted to archive for filing. When archive receives responses they do not file the responses on orbit;*
 - *Documents are only stored on the hard copy file after the matter has been resolved / concluded; in contrast with the requirement that documents are to be filed in the hard copy files by archives immediately.*
 - (i) That standard operating procedures, in line with the information and Records Management Policy, be designed to identify responsible users and their duties that need to be performed within timelines.
 - (j) That all administrative staff ensures that archiving procedures be executed, consistently.
 - (k) That the Administrative Officer of Corporate Services scan the original signed minutes (Official Volumes) of Management Committee and Council to be stored on the electronic system (Orbit).
 - (l) That responses to mail received by document owners be verified by the Archives to determine if the document has been stored on Orbit; and if responses received by Archives are noted to not be stored on Orbit – the document be referred back to the document owner to be uploaded onto Orbit.
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11.1.34 **INTERNAL AUDIT REPORT: STUDY & COMPASSIONATE LEAVE**
 (C/M 2015/09/01 - D 10/1, B 1/8)

RESOLVED:

- (a) That the observation made, being a low risk, that employees exceed compassionate leave entitlement which may lead to lost productivity, and potentially lead to poor service delivery and annual leave day balances being overstated, which if the employee resigns, may result in excess cash in lieu of leave pay-out, be noted.
- (b) That the Manager : Human Resources on a monthly basis, extracts the leave reports from the system and review the report to calculate if any staff member has exceeded their leave entitlement.
- (c) That in the event that it is detected that a staff member has exceeded his/her compassionate leave entitlement, the HR Practitioner should initiate the process to ensure that the excess leave is duly converted to annual leave.
- (d) That alternatively, should there be extenuating circumstances, and discretion may need to be applied to extend the leave entitlement balance, the matter should be referred to the Management Committee for approval.
- (e) That the Manager: Human Resources review the monthly leave report analysis to ensure that:
 - (i) *The analysis was indeed performed; and*
 - (ii) *That there were no undetected errors.*
- (f) That the observation made, being a low risk, that the relationship to the deceased on the compassionate leave form has not be disclosed and also could not be determined from the supporting documentation and that inconsistent templates of leave application forms are used, be noted.
- (g) That the Manager: Human Resources generates a standard leave form template to be used throughout the Swakopmund Municipality and that the leave form should prompt the applicant to declare (and sign for) the relationship of the deceased/ill person, and such template be placed on the server to be available to all staff members and all staff members be informed by Human Resources of the availability of such a leave form.
- (h) That the observation made, being an improvement idea, that clearly structured and documented Leave policies and procedures will assist the Municipality against which its process should be governed and that it is expected that organisational policies contain the following, be noted:
 - *The policies have a clear version control (contain date of last reviewed update and implementation date; together with expected frequency of review in future);*
 - *The policies do not contain any inconsistencies and/or contradictions, within the same policy or across different policies;*
 - *The policies should not omit any key principles, guidelines, information;*
 - *The policies are free from ambiguity; and*
 - *The policies are reasonable, make business sense and are practical to implement.*

- (i) That the General Manager: Corporate Services and the Manager: Human Resources ensures that the deficiencies noted and listed in (h) above, be adequately addressed when updating the policy; i.e.

- *The policies should have clear version control references;*
- *The frequency of policy review should be stipulated;*
- *Inconsistencies between sub policies and the consolidated policy should be removed;*
- *Ambiguous wording should be resolved and/or resolved;*
- *The policy should allow for reasonable discretion to be taken by the management committee under extenuating circumstances.*

11.1.35 **INTERNAL AUDIT REPORT: MECHANICAL WORKSHOP AND CONSTRUCTION / SAFETY**

(C/M 2015/09/01- D 10/1; B 1/1/4; B 1/5/2)

RESOLVED:

- (a) That the observation made, being a high risk, that staff members may be at risk of getting injured at work, either due to the lack of precautionary measures taken, or lack of knowledge on how to handle hazardous situations, reputational and legal risk may arise if staff are injured due to poor training on Health and Safety, be noted.
- (b) That the frequency and scope of training relating to Health and Safety should be determined.
- (c) That the recommendations provided to the Municipality by the Namibian Employees Federation (NEF) be reviewed, and areas of training need to be approved by Council.
- (d) That training on Health and Safety be scheduled by the Health and Safety Officer and attendance thereof by employees should be carefully managed and such training should be compulsory for the staff members at the Mechanical Workshop.
- (e) That the General Manager: Health Services ensures that sufficient budget provisions are made to provide adequate health and safety training to all staff members.
- (f) That the observation made, being a high risk, that due to unpreparedness of staff members, hazards such as fire may not be controlled resulting in potential destruction of goods, property and equipment, and injury to staff members, be noted.
- (g) That the Chief Fire Officer conducts fire drills so that all shifts are practiced within the specified frequency and that at least one drill during the quarter takes place during maximum occupancy of the Mechanical Workshop.
- (h) That the Chief Fire Officer conducts enhanced training, relating to fire drills, should at a minimum, include the following:
- *the action to be taken upon discovering a fire;*
 - *the action to be taken upon hearing the fire alarm;*
 - *raising the alarm, including the location of alarm call points, internal fire alarm telephones and alarm indicator panels;*
 - *the correct method of calling the fire brigade;*
 - *the location and the use of fire-fighting equipment;*

- *a clear directive of the escape routes;*
 - *the importance of fire doors and the need to close all doors in the event of a fire outbreak and on hearing the fire alarm;*
 - *the stopping of machinery and processes;*
 - *the isolation of power suppliers where appropriate;*
 - *first aid assistance;*
 - *and finally, evacuation of the building.*
- (i) That a cost-benefit calculation be performed to evaluate whether it is beneficial to install a smoke detector alarm system at the Mechanical Workshop.
- (j) That the observation made, being a high risk, that if machinery is not regularly serviced it creates a risk to health and safety of employees from any foreseeable failure or malfunction; and in addition there may be increased productivity loss if the machine completely breaks down vs. shorten down-time to perform preventative maintenance, be noted.
- (k) That the Mechanical Workshop Foreman maintains a database which stipulates the required maintenance plan for each major machine.
- (l) That the maintenance plans be duly executed, external specialists who issue certification of maintenance should be consulted as and when appropriate and if the maintenance is done internally (only when appropriate), logging of such maintenance should be duly recorded.
- (m) That the Manager : Works review the database on a monthly basis to ensure that maintenance plans are complete, and are being executed on a timely basis.
- (n) That the observation made, being a medium risk, that without regular Health and Safety Inspections, there may be no discipline to enforce Health and Safety regulations, consequently hazards that were otherwise preventable may be incurred, resulting in either: injury to personnel; and/or damage to property; and/or legal and/or reputational risk, be noted.
- (o) That frequency and scope of Health and Safety inspections should be determined.
- (p) That the Health and Safety Officer keep a logbook of all inspections conducted which is signed off by the Manager: Works to ensure that inspections were indeed performed satisfactorily.
- (q) That the observation made, being an improvement idea, that Councils Guidelines on Procurement of Goods and Services requires that quotations are requested above N\$10 000,00 with a minimum of two quotations to enable competitive bidding, although it was reported there are limited service providers for certain goods or services, be noted.
- (r) That it be noted that circumstances may exist (common for entities in relatively smaller geographical locations with less developed supporting industries; or if specialised parts or services are required to be procured), it is expected that the following mitigating controls be implemented:

- (i) *That a pre-approved vendor list be implemented, which stipulates when procurement to a sole supplier (or local agent) may be appropriate;*
- (ii) *That all companies included on the pre-approved vendor list need to have gone through an approved vendor vetting process;*
- (iii) *That rigorous review and approval process of justifications/motivations be implemented to submit procure goods with only one competitive bid (i.e. exceptions to be signed off as per delegation of authority).*

11.1.36 **APPLICATION FOR PERMISSION TO OPERATE AN EXISTING SHEBEEN ON ERF 2152, MONDESA**

(C/M 2015/09/01 - M 2152)

RESOLVED:

- (a) That the following application for permission to operate an existing shebeen be approved:
 - *Erf 2152, Mondesa - Mrs Hertha Niilonga Hango t/a Super Star Shebeen*
- (b) That the applicant registers Super Star Shebeen in her name with the Health Services Department and the standard Health Regulations will apply.
- (c) That the consent use be subject to the following:
 - *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - *That the applicant must operate within the Town Planning Scheme regulations and the Shebeen and Home shop policy for Mondesa.*
 - *That the consent is not transferable.*
 - *That sufficient parking will be provided on the premises.*
 - *That no on street parking will be tolerated.*

11.1.37 **APPLICATION FOR PERMISSION TO OPERATE A SERVICE INDUSTRY (CAR WASH**

(C/M 2015/09/01 - M 1190)

RESOLVED:

- (a) That the application for Council's consent to operate a service industry on Erf 1190, Mondesa (car wash) be approved on the following conditions:
 - *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - *That Toatite Car Wash registers with the Health Services Department and that the standard Health Regulations will apply.*
 - *That the applicant must operate within the Town Planning Scheme regulations.*
 - *That the consent is not transferable.*
 - *That sufficient parking according to the Swakopmund Town Planning Scheme be provided on the premises.*
 - *That no on street parking will be tolerated.*
- (b) That Mr Jaco Muller and Mr Marius Vermeulen be informed of their right to appeal (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister, within 28 days (in respect of resolution (a) above) 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.

- 11.1.38 **APPLICATION FOR CONSENT FOR THE RELAXATION OF REAR BUILDING LINE ON ERF 3681, MONDESA**
(C/M 2015/09/01 - M 3681)

RESOLVED:

- (a) That Council approves the application for relaxation of rear Building Line from 3m to 0m on Erf 3681, Mondesa.
- (b) That Council approves the application for relaxation of rear boundary wall height from 2.25m to 3.85m.
- (c) That Mr Laubscher be informed of his right to appeal (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister, within 28 days (in respect of resolution (a) above) of this notice against Councils decision, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.

- 11.1.39 **APPLICATION FOR CONSENT FOR THE RELAXATION OF LATERAL BUILDING LINE ON ERF 4623, OCEAN VIEW, EXTENSION 9**
(C/M 2015/09/01 - E 4623)

RESOLVED:

- (a) That Council approves the application for relaxation of lateral building line from 3m to 0m on Erf 4623, Ocean View, Extension 9.
- (b) That Council approves the application for relaxation of lateral boundary wall height from 2.25m to 4.30m.
- (c) That R Kintscher be informed of his/her right to appeal (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister, within 28 days (in respect of resolution (a) above) of this notice against Councils decision, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.

- 11.1.40 **REZONING OF ERF 559, SWAKOPMUND, FROM "SINGLE RESIDENTIAL" WITH A DENSITY OF 1:900M² TO "GENERAL RESIDENTIAL 2" WITH A DENSITY OF 1:100M²**
(C/M 2015/09/01 - E 559)

RESOLVED:

- (a) That Council approves the rezoning of Erf 559 Swakopmund from "*Single Residential*" with a density of 1:900m² to "*General Residential 2*" with a density of 1:100m².
- (b) That the approved rezoning of Erf 559, Swakopmund, be included in the next Amendment Scheme for final approval by the Ministry of Urban and Rural Development.
- (c) That the approved rezoning be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid by the applicant before any submission of building plans to the Engineering Services Department for approval.

- (d) That Mr E Keibel be informed of his right to appeal (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister, within 28 days (in respect of resolution (a) above) of this notice against Councils decision, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.

11.1.41 **CONSOLIDATION OF ERVEN 1161, 1162, 1163, 1167 AND 1169, TAMARISKIA EXTENSION 3 INTO CONSOLIDATED ERF "X" AND SUBSEQUENT REZONING OF THE CONSOLIDATED ERF "X" FROM "SINGLE RESIDENTIAL" WITH A DENSITY OF 1:600M² TO "GENERAL BUSINESS" WITH A BULK OF 2**

(C/M 2015/09/01 - T 1161, T 1162, T 1163, T 1167 and T 1169)

RESOLVED:

- (a) That Council approves the consolidation of Erven 1161, 1162, 1163, 1167, 1168, and 1169, respectively, into consolidated Erf "X", Tamariskia, Extension 3.
- (b) That subsequently, Council approves the rezoning of Erven 1161, 1162, 1163, 1167, 1168, and 1169, Tamariskia, Extension 3, from "*Single Residential*" with a density of 1:600m² to "*General Business*" with a bulk of 2.
- (c) That the approved rezoning of Erven 1161, 1162, 1163, 1167, 1168, and 1169, Tamariskia, Extension 3, be included in the next Amendment Scheme for final approval by the Ministry of Urban and Rural Development.
- (d) That the approved rezoning be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid by the applicant before any submission of building plans to the Engineering Services Department for approval.
- (e) That a 3m wide sewer servitude be registered on the southern boundary of consolidated Erf "X", Tamariskia, Extension 3.

11.1.42 **CONSOLIDATION OF ERVEN 874, 875 AND 876, TAMARISKIA EXTENSION 3 INTO CONSOLIDATED ERF "Y" AND SUBSEQUENT REZONING OF THE CONSOLIDATED ERF "Y" FROM "SINGLE RESIDENTIAL" WITH A DENSITY OF 1:600M² TO "GENERAL RESIDENTIAL 1" WITH A DENSITY OF 1:100**

(C/M 2015/09/01 - T 875 - T 876)

RESOLVED:

- (a) That Council approves the consolidation of Erven 874, 875, and 876, respectively, into consolidated Erf "Y", Tamariskia, Extension 3.
- (b) That Council approves the rezoning of Erven 874, 875, and 876 Tamariskia, Extension 3, from "*Single Residential*" with a density of 1:600m² to "*General Residential 1*" with a density of 1:100.
- (c) That the approved rezoning of Erven 874, 875, and 876 Tamariskia, Extension 3, be included in the next Amendment Scheme for final approval by the Ministry of Urban and Rural Development.

- (d) That the approved rezoning be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid by the applicant before any submission of building plans to the Engineering Department for approval.
- (e) The development of the consolidated Erf "Y" be in accordance with the Swakopmund Town Planning Amendment Scheme No.12.

11.1.43 **PROPOSED SEWAGE AND DRAINAGE REGULATIONS**

(C/M 2015/09/01 - N 6/1/3)

RESOLVED:

That Council submits an application to the Minister of Urban and Rural Development, in terms of Section 94.(1)(b) of the Local Authorities Act, 1992 (Act No. 23 of 1992) to approve the Swakopmund Sewage and Drainage Regulations as per Annexure A (on file).

11.1.44 **EXCHANGE OF MHDP HOUSES WITH BUILD TOGETHER ERVEN**

(C/M 2015/09/01 - H5/3, H5/5)

RESOLVED:

- (a) That the Build Together beneficiaries indicated in Table A below who could not qualify for the Mass Housing Development Programme houses be allocated erven initially allocated to beneficiaries in Table B:

Table A				Table B		
Name	Surname	Identity No.	New Erf No.	Name	Surname	Identity Nr
Denesius	Hilifilwa	52060700450	3892	Gebhard	Ilona	49090200134
Gabriel	Nauke	72051400490	3968	Renade	Areses	72082700151
Jeremia P	Tomas	84080810326	3632	Ernst	Haoseb	73070500137
Sylvia	Jekonia	56082100247	3718	Fransiska	Gaesess	62010600398
Nehemia	Kambonde	6506161101364	3821	Onesmus	Kashuuvikwa	79081510274
Shihafeleni	Hamukoto	76081700119	3824	Malakia	Nangombe	75090400806

- (b) That the Build Together beneficiaries in Table B be allocated houses initially allocated to beneficiaries in Table A.

Table A				Table B		
Name	Surname	Identity nr.	Name	Surname	Identity nr	New Erf No.
Denesius	Hilifilwa	52060700450	Gebhard	Ilona	49090200134	3898
Gabriel	Nauke	72051400490	Renade	Areses	72082700151	4015
Jeremia P	Tomas	84080810326	Ernst	Haoseb	73070500137	4012
Sylvia	Jekonia	56082100247	Fransiska	Gaesess	62010600398	4055
Nehemia	Kambonde	6506161101364	Onesmus	Kashuuvikwa	79081510274	4073
Shihafeleni	Hamukoto	76081700119	Malakia	Nangombe	75090400806	4072

11.1.45 **MASS HOUSING DEVELOPMENT PROGRAMME - SQ PHASE II BENEFICIARIES WHO FAILED TO SHOW UP**

(C/M 2015/09/01 - H 5/3, H5/5)

RESOLVED:

- (a) That the names of the beneficiaries below who failed to sign their Deeds of Sale be advertised in a local newspaper, at the Constituency and Municipality Offices, etc. requesting them to urgently report to the Community Development Services office within one month from the date of the advertisement failing which

the houses offered to them be allocated to the next applicants on the Master Waiting list:

<i>Particulars of 10 applicants</i>		<i>Identity Number</i>
<i>Andreas</i>	<i>Awaseb</i>	<i>74100700288</i>
<i>Jonas M</i>	<i>Hangula</i>	<i>72020600870</i>
<i>Uakumua A</i>	<i>Hengombe</i>	<i>42121000156</i>
<i>Andreas</i>	<i>Negumbo</i>	<i>70092300774</i>
<i>Victory L</i>	<i>Haipinge</i>	<i>74070300473</i>
<i>Gottfried</i>	<i>Goreseb</i>	<i>7003120000446</i>
<i>Daniel</i>	<i>Shimando</i>	<i>59072400437</i>
<i>Gabriel</i>	<i>Nauke</i>	<i>72051400490</i>
<i>Jeremia P</i>	<i>Tomas</i>	<i>84080810326</i>
<i>Shihafeleni</i>	<i>Hamukoto</i>	<i>76081700119</i>

- (b) That should the beneficiaries referred to in point (a) above fail to report to the Community Development Services Department within one month of the notice in the newspaper, their names be placed on the Master Waiting list for future consideration.
- (c) That the above beneficiaries be requested to submit their voter's card and or proof of residence affidavit.

11.1.46 **MESSRS OKAHEKE INVESTMENT CC: APPLICATION TO PURCHASE THE REMAINDER OF ERF 626, TAMARISKIA TO CONSTRUCT AN INDOOR SPORT COMPLEX**

(C/M 2015/09/01 - T 626)

RESOLVED:

- (a) That Messrs Okaheke Investment CC be informed that Council does not accept their proposal.
 - (b) That once the Community Development Services and Engineering Services Department have finalized discussions with Messrs OBG regarding their proposals to brand, market and maintain public open spaces, they submit a proposal to the Management Committee.
 - (c) That the Remainder of Erf 626, Tamariskia remains a Public Open Space.
 - (d) That it be noted that no development proposals were received from Messrs Supersave for the development of additional parking and a mini shopping mall as was agreed on 14 January 2015 at an on-site inspection.
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11.1.47 **INVITATION FROM WALVIS BAY MUNICIPALITY FOR MAYOR'S ANNUAL FUNDRAISING DINNER**

(C/M 2015/09/01 - A 2/3/1/4)

RESOLVED:

- (a) That the invitation by the Walvis Bay Municipality for Council to participate in a gala dinner to be held on 22 August 2015, be condoned.
- (b) That Council pledges an amount of N\$8 000.00 towards the Walvis Bay Municipality Gala Dinner and purchases a table of 10 seats to the value of N\$12 000.00
- (c) That the costs be defrayed from the Conference Expenses Vote 100510206500 where N\$291 885.00 is available.
- (d) That available Councillors confirm their attendance at the Office of the Chief Executive Officer

11.1.48 **CONSOLIDATION OF ERVEN 990 & 981, MONDESA, EXTENSION 3 INTO CONSOLIDATED ERF "X" AND SUBSEQUENT REZONING OF THE CONSOLIDATED ERF "X" FROM "SINGLE RESIDENTIAL" TO "GENERAL RESIDENTIAL 2" WITH A DENSITY OF 1:100M²**

(C/M 2015/09/01 - M 990, M 981)

RESOLVED:

- (a) That Council approves the consolidation of Erven 981 and 990, Mondesa, Extension 3 respectively, into consolidated Erf "X", Mondesa, Extension 3.
- (b) That Council approves the rezoning of Erven 981 and 990, Mondesa, Extension 3, from "*Single Residential*" to "*General Residential 2*" with a density of 1:100.
- (c) That the approved rezoning of Erven 981 and 990, Mondesa, Extension 3, be included in the next Amendment Scheme for final approval by the Ministry of Urban and Rural Development.
- (d) That the approved rezoning be subject to a betterment fee calculated according to the betterment fee policy of 2009 and be paid by the applicant before any submission of building plans to the Engineering Services Department for approval.
- (e) That the development of the consolidated Erf "X" be in accordance with the Swakopmund Town Planning Amendment Scheme No.12.

12. **REPORTS AND RECOMMENDATIONS OF COMMITTEES OR THE CHIEF EXECUTIVE OFFICER**

None.

13. **DRAFT REGULATIONS AND TARIFFS, IF ANY**

None.

The meeting adjourned: **19:57**

Minutes confirmed on: **24 September 2015**

N N Salomon
CHAIRPERSON

E U W Demasius
CHIEF EXECUTIVE OFFICER

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