

MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Thursday, 26 February 2015** at **19:00**.

PRESENT:

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

OFFICIALS:

Mr E U W Demasius	:	Chief Executive Officer
Mr M N Ipinge	:	GM: Community Development Services
Mr M P C Swarts	:	GM: Corporate Services & HR
Mr D Duvenhage	:	GM: Engineering Services
Mr C Lawrence	:	GM: Health Services
Ms G Mukena	:	Acting GM: Finance
Mr V S Kaulinge	:	Manager: Community Development Services
Mr A Plaatjie	:	Manager: Corporate Services
Ms M Bahr	:	Manager: Human Resources
Mr M Cloete	:	Manager: Traffic Services
Mr A van der Westhuizen	:	Acting Manager: Town Planning
Mr C McClune	:	Acting Manager: Projects
Ms S Bruwer	:	Corporate Officer: Properties
Ms I Ortner	:	PA to the Mayor
Mr U Tjiurutue	:	Corporate Officer: Administration

ALSO PRESENT:

Twenty-seven (27) members of the public and one representative each from The Namibian, Allgemeine Zeitung and other newspapers attended the meeting. Three (3) staff Members received Long Service and Retirement Awards.

1. **OPENING**

Pastor Geingob opened the meeting with a prayer and scripture.

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

2.1 Application for leave of absence

Councillor L M Tlhabanello	-	Approved
Councillor F Hamukwaya	-	Approved

2.2 Declaration of interest - None

3. **CONFIRMATION OF MINUTES**

(C/M 2015/02/26 - A 2/3/5)

3.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 29 JANUARY 2015**

On proposal of Councillor N N Salomon seconded by Alderwoman R //Hoabes it was:-

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 29 January 2015, be confirmed as correct.

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

None.

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

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

(C/M 2015/02/26 - 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 2015/02/26 - B 1/8)

<i>Benson Kaapehi</i>	-	10 Years
<i>A Ndumeni</i>	-	10 Years
<i>Willem Asegai</i>	-	Retirement

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 JANUARY 2015**

- 9.1 The feedback on the resolutions taken by Council on 29 January 2015 was noted.

10. **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY
MANAGEMENT COMMITTEE DURING JANUARY 2015**

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

(C/M 2014/11/26 - A 2/3/5)

RESOLVED:

That the resolutions taken at an Ordinary Management Committee Meeting held on 12 February 2015 be noted.

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**

11.1 **ORDINARY MANAGEMENT COMMITTEE MEETING HELD ON
13 JANUARY AND 12 FEBRUARY 2015 RESPECTIVELY**

11.1.1 **OBJECTIONS: SALE OF BLOCK 9 TO BLOCK NINE ENDOWMENT
TRUST**

(C/M 2015/02/26 - G 3/9/9)

RESOLVED:

- (a) That Council proceeds with the sale of Extension 24 to Messrs Block Nine Endowment Trust as per the following Council Resolutions:

- (i) *Council Resolution, Item 11.1.7 of 28 January 2014*
- (ii) *Council Resolution, Item 11.1.15 of 27 February 2014*
- (iii) *Council Resolution, Item 11.1.2 of 31 July 2014*

- (b) That Council rejects the objections received from the Tamariskia Committee and Swakopmund Residents Association and submits same together with Council's motivation to the Honourable Minister of Regional and Local Government, Housing 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 Regional and Local Government, Housing and Rural Development to proceed with the sale of Extension 24, measuring approximately 101 224m² at a purchase price of N\$168.00 / m² for sellable land to Messrs Block Nine Endowment Trust subject to the conditions contained in the following Council resolutions:

- (i) *Council Resolution, Item 11.1.7 of 28 January 2014*
 - (ii) *Council Resolution, Item 11.1.15 of 27 February 2014*
 - (iii) *Council Resolution, Item 11.1.2 of 31 July 2014*
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11.1.2 **APPLICATION TO PURCHASE ERF 4869, SWAKOPMUND TO ESTABLISH A FOOD PROCESSING FACILITY**
(C/M 2015/02/26 - E 4869)

During the discussion of this item Councillor P V Steinkopff enquired what type of food will be produced, with reference to the Management Committee decision of 12 February 2015 for the Chief Executive Officer to obtain the relevant information. The Mayor enquired from the Chief Executive Officer who advised that no response had been received from the applicant.

RESOLVED:

- (a) That a purchase price of $\text{N\$}536.55/\text{m}^2 \times 6428\text{m}^2 = \text{N\$}3\,448\,943.40$ (15% VAT excluded) for the sale of Erf 4869, Swakopmund to be zoned "*General Industrial*" to Messrs Afreli (Pty) Ltd be approved.
- (b) That the transaction only commences upon approval and promulgation of the rezoning of the Erf 4869 to "*General Industrial*".
- (c) That Messrs Afreli (Pty) Ltd be informed that depending on the type of food processing the factory will engage in, it might be regarded as a noxious industry and would then require an application for consent use for the relevant erf.
- (d) That all costs relating to the transaction be for Messrs Afreli (Pty) Ltd including but not limited to the advertising cost, compilation of the agreement of sale, as well as any legal costs that may arise from this transaction.
- (e) That upon acceptance of the purchase price for the Erf by Messrs Afreli (Pty) Ltd, Council's intention to sell Erf 4869, Swakopmund to Messrs Afreli (Pty) Ltd. be advertised for possible objections as required in terms of the Local Authorities Act, Act 23 of 1992, as amended, at the cost of the purchaser.
- (f) That the transaction be concluded within 3 months from the closing date for possible objections, should objections be received, within 3 months from the honourable Minister's favourable response.
- (g) That the property may not be alienated within 24 months from date of transfer unless a completion certificate has been issued in respect of the structural improvements prior to the expiry of the said 24 month period. This restraint of alienation is to be registered against the title deed of the property.
- (h) That the property shall revert to Council if no completion certificate is issued on the expiry of the 24 months period.
- (i) That, if the property must revert to Council in terms of (g) above, the compensation payable to the purchaser shall be fixed at the original purchase price +15% VAT plus the value of any useful improvements.

- (j) That Council's official valuator shall determine the value of any useful improvements on the property. The purchaser shall be liable for the cost of the said official valuator. The determination by the official valuator shall be final and binding.
- (k) That the following standard conditions be applicable:
- (i) *That Messrs Afreli (Pty) Ltd. must accept that no rights will accrue to them from Council's resolution unless all the relevant conditions of the Property Policy are complied with in full and all the relevant authorities have given the necessary permission, if applicable.*
 - (ii) *That No development or construction will be permitted to commence until the statutory processes have been completed and the erven transferred.*
 - (iii) *That the agreement of sale must be concluded and signed within:*
 - (a) *12 months from the closing date for objections, should none be received; or within*
 - (b) *3 months from date of approval of the transaction by the Minister of Regional and Local Government, Housing and Rural Development, in cases where objections were received; failing which Council's offer will lapse.*
 - (iv) *That the agreement of sale be signed and returned to the Swakopmund Municipality, by the purchaser within 21 days of being requested to do so.*
 - (v) *That the purchase price and 15% VAT shall be secured by means of a bank guarantee payable on date of transfer.*
 - (vi) *That a bank guarantee shall be provided within 90 days from the date of signing the deed of sale.*
 - (vii) *That Right of occupation will be granted upon issuing of a compliance certificate.*
 - (viii) *That the purchaser is not permitted to cede, assign or alienate his right or interest in the property or alienate the property to a 3rd party in any way before all the relevant conditions contained in the agreement of sale are fulfilled, also see point (f) above.*
 - (ix) *That the purchaser takes note that Council does not reserve land and should the agreement of sale not be signed:*
 - (a) *12 months from the closing date for objections, should none be received; or within*
 - (b) *3 months from date of approval of the transaction by the Minister of Regional and Local Government, Housing and Rural Development, in cases where objections were received; failing which the transaction will be cancelled without the need for Council to give notice to the purchaser.*
 - (x) *That purchaser indemnifies Council against any claims resulting from blasting, should blasting need to be done.*

11.1.3 **REQUEST TO PURCHASE LAND WEST OF ROSSMUND GOLF ESTATE FOR ESTABLISHMENT OF A WINE FARM**

(C/M 2015/02/26 - G 2)

RESOLVED:

That Council does not approve the sale of a 10 hectare portion of Portion D to Messrs Swakopmund Executive Trading Seven CC for the purpose of a wine farm.

- 11.1.4 **REQUEST TO PURCHASE LAND ADJACENT AND WEST OF ROSSMUND GOLF ESTATE FOR THE ESTABLISHMENT OF A FARM**
(C/M 2015/02/26 - G 2)

RESOLVED:

That Council does not approve the sale of a 10 hectare portion of land, of the Remainder of Farm 166 of the Remainder of Portion B (situated south of Portion D) of the Swakopmund Town and Townlands 41 to Messrs Rosendal Farming for the purpose of agriculture.

- 11.1.5 **CESSION OF THE RIGHT TO HANGAR 33 TO A SUCCESSOR-IN-TITLE**
(C/M 2015/02/26 - HANGAR 33)

RESOLVED:

That Council approves the cession of the rights of hangar 33 from Dr Tromp to Mr Johann Hiemstra and that a standard lease agreement be concluded.

- 11.1.6 **CESSION OF THE RIGHT TO HANGAR 28 TO A SUCCESSOR-IN-TITLE**
(C/M 2015/02/26 - HANGAR 28)

RESOLVED:

That Council approves the cession of the rights of hangar 28 from Mr E Techman to Ms B Becker-Strolo and that a standard lease agreement be concluded.

- 11.1.7 **CESSION OF THE RIGHT TO HANGAR 1 TO A SUCCESSOR-IN-TITLE**
(C/M 2015/02/26 - HANGAR 1)

RESOLVED:

That Council approves the cession of the rights of hangar 1 from Mr Ernst Keibel to Mr Quinton Liebenberg of Lighthouse Aviation CC and that a standard lease agreement be concluded.

11.1.8 **APPLICATION FOR INSTITUTIONAL ERVEN: EXTENSION 18**
(C/M 2015/02/26 - H 1/10/1; E 5824, E 5845)

RESOLVED:

- (a) That it be noted that the cost for the installation of services to Extension 18 amounts to N\$370.00/m²; and that for the allocation of land to qualifying churches, welfare organisations, private schools, pre-primary schools, kindergarten and crèches Council's Property Policy provides for a subsidized price of 50% of the cost for the installation of services.
- (b) That expression of interest be publicly invited from qualifying churches, welfare organisations, private schools, pre-primary schools, kindergarten and crèches; for Erf 5845, Swakopmund measuring 2 876m² x N\$185.00 = N\$532 060.00
- (c) That Erf 5824, Swakopmund measuring 5 309m² be subdivided in order to provide for an additional erf and that the purchase price be determined after it has been subdivided.
- (d) That the interested parties provide proof of the availability of funds to purchase the land and construct improvements

11.1.9 **01: TAMARISKIA, EXTENSION 3 - INSTITUTIONAL LAND**
(C/M 2015/02/26 - G 3/9/2, H 1/10/1, T 674, 675, T 1239)

RESOLVED:

- (a) That it be noted that the following two institutional erven are available in Extension 3, Tamariskia.
 - ① Erf 674, Tamariskia measuring 5 483m²
 - ② Erf 1239, Tamariskia measuring 1 812m²
 - (b) That Erf 674 be subdivided and that the purchase price per square metre for Erf 674 be determined after it has been subdivided.
 - (c) That development proposals be invited for Erf 1239 Tamariskia from *qualifying* welfare organisations, pre-primary schools, kindergartens and crèches at a purchase price of N\$158 550.00 and the allocation be based on the most suitable proposal.
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11.1.10 **02: TAMARISKIA, EXTENSION 3 - STAFF ERVEN**
(C/M 2015/02/26 - G 3/9/2)

RESOLVED:

- (a) That the following 15 erven located in Block 2 of Extension 3, Tamariskia be offered to staff members in terms of the conditions of Council's Property Policy at N\$175.00/m²:

	Erf Number	Size	Purchase Price
1	Erf 676	600	105,000.00
2	Erf 681	600	105,000.00
3	Erf 686	600	105,000.00
4	Erf 691	600	105,000.00
5	Erf 696	600	105,000.00
6	Erf 701	600	105,000.00
7	Erf 707	900	157,500.00
8	Erf 712	800	140,000.00
9	Erf 720	880	154,000.00
10	Erf 896	800	140,000.00
11	Erf 1120	630	110,250.00
12	Erf 1128	600	105,000.00
13	Erf 1201	628	109,900.00
14	Erf 1207	600	105,000.00
15	Erf 1213	600	105,000.00

- (b) That the erven be allocated to qualifying staff members according to years of service.
- (c) That the staff members be informed of the financial commitment of owning land (bank loan installment, rates, taxes and service charges) and that they are only entitled to the 40% housing subsidy once a completion certificate for improvements on the erf is issued.

11.1.11 **03: TAMARISKIA, EXTENSION 3 - PUBLIC SALE**
(C/M 2015/02/26 - G 3/9/2)

RESOLVED:

- (a) That it be noted that 103 "*Single Residential*" erven are available for sale in Extension 3, Tamariskia as indicated on the Erf list attached as Annexure "A".
- (b) That these erven be offered for sale by two sales in batches of 53 and 50 erven per sale, allocated as indicated in Annexure "A" attached.
- (c) That the 103 Erven be sold according to the CLAP closed bid method, subject to the following conditions:
- (i) That the upset price be determined at N\$220.00 / m² with a maximum permissible mark-up of 50%.
1. Registration fee of N\$2 000.00 per bidder.
 2. Only natural persons may register.
 3. A registered bidder may bid on a maximum five (5) erven.
 4. Bidder may not have previously owned property in Namibia.
 5. Bidder must be a Swakopmund resident. (Must proof that he/she has been resident for no less than 12 months)

6. *Bidder must submit proof from a banking institution that a home loan will be granted.*
7. *One erf per bidder (married couples are regarded as one entity, irrespective of the marital regime).*
8. *A five year restriction (pre-emptive right in favour of Council) on the sale of the erf from the date of transfer be registered against the title of the erf.*
9. *Transfer must be finalized within 120 days from date of sale, failing which the transaction will be cancelled.*

(d) That bidders only register once for the 103 erven.

11.1.12 ERF 138, RE, MONDESA:

① REGISTRATION OF PROSPECTIVE BIDDERS

② FUTURE SALE OF UNSOLD ERVEN

③ ERVEN RESERVED FOR MR N RAMAKHUTLA

(C/M 2015/02/26 - Erf 138, Re, Mondesa)

RESOLVED:

- (a) That it be noted that 5 prospective bidders complied with the requirements for the sale of the 7 erven created by the subdivision of Erf 138, Re, Mondesa according to the CLAP system on 13 February 2015.
- (b) That it be noted that the closed bid sale will be held on 13 February 2015 for the registered bidders as resolved by Council on 02 October 2014.
- (c) That the remaining 2 erven be advertised for registration and sold by closed bid on a date to be determined.
- (d) That the upset price for the 2 remaining erven be approved at N\$382.50 / m².
- (e) That the sale of the 2 remaining erven be subject to the following conditions:
 - (i) *That a refundable registration fee of N\$5 000.00 be paid per prospective bidder in order to participate, in the case of a cancellation of a transaction the N\$5 000.00 be forfeited;*
 - (ii) *The property is sold "voetstoots" or "as is" with the Council giving no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the lay-out or situation or subterranean composition of the property or any improvements thereon. The Council also does not warrant that the services installed at the property are suitable for the use intended by the Purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage and water connections are suitable for the intended use of the property;*
 - (iii) *That the purchase price be secured by bank guarantee or be paid in cash within 120 days from the date of sale, or from date of Ministerial approval should objections be received; and*
 - (iv) *Failure to pay the purchase price in cash or secure payment by formal guarantee on the 120th day will result in the transaction being cancelled without the need to place the purchaser on terms, should the purchase price be secured by a bank guarantee the transfer must be effected on or before the 120th day, else interest will be levied as from the date of allocation or Ministerial approval until the date of registration of transfer at a rate as confirmed with Council's bank on the date of sale;*
 - (v) *That the purchaser must construct structural improvements worth at least 4 times the municipal valuation of the property. Structural improvements, for*

purposes of this condition, shall not include the construction of boundary walls or any changes to the subterranean composition of the property;

- (vi) That the said improvements must be completed within 24 months (2 years) from date of transfer. Transfer of the property shall be given to and taken by the purchaser within 120 days of the award of the bid to the purchaser in writing. No extension of the date of transfer of the property shall be considered. If the Purchaser cannot meet the deadline for the transfer of the property, the award of the bid shall fall away and become null and void, without the need to give any further notice to the Purchaser;*
 - (vii) That the property may not be alienated within 24 months (2 years) from the date of a completion certificate being issued in respect of the structural improvements, referred to in (v) above, prior to the expiry of the said 24 month period. This restraint of alienation is to be registered against the title deed of the property;*
 - (viii) The property shall revert to Council if no completion certificate is issued within the period of 24 months (2 years);*
 - (ix) If the property reverts to Council in terms of (viii) above, the compensation payable to the purchaser shall be fixed at the original purchase price plus the value of any improvements;*
 - (x) Council's sworn valuator shall determine the value of any useable improvements on the property. The purchaser shall be liable for the cost of the said sworn valuator;*
 - (xi) In the event that the purchaser is a close corporation, a company or a trust, then, the members interest in the close corporation or shareholding in the company or interest in the trust, as the case may be, may not be changed without the prior written approval of Council during the 24 months (2 year) period of restraint on alienation;*
 - (xii) Council shall not accept under any circumstances any process whereby the purchaser of the property will be allowed to nominate a third party as the eventual purchaser of the property. To be more specific, the Council shall not accept any agent bidding on behalf of a principal or any nominee acting on behalf of a legal entity still to be incorporated;*
 - (xiii) A caveat will be registered against the title deed of the property to prevent any contravention of these conditions;*
 - (xiv) That an individual or entity be restricted to one erf only.*
 - (xv) Connected parties defined as per the Income and VAT Act will not be permitted to bid for the property to avoid tender rigging;*
 - (xvi) The Municipality of Swakopmund shall not accept any responsibility for any upgrading work of the erven;*
 - (xvii) Availability services plus the relevant property taxes will be payable by the purchaser as from the month following the allocation of the erf;*
- (f) That the purchase price of the 2 erven reserved for Mr N Ramakhutla be determined by the highest price per square meter price offered by a successful purchaser at the closed bid in (d) which is in line with the Council resolution passed under item 11.1.4 on 27 May 2014.**
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11.1.13 **A: CHINESE STATE CONSTRUCTION ENGINEERING CORPORATION (PTY) LTD: APPLICATION FOR LAND TO ERECT TEMPORARY CONSTRUCTION SITE**
(C/M 2015/02/26 - G 4/1/1)

RESOLVED:

- (a) That the application by Messrs China State Construction Engineering Corporation Pty Ltd to lease a portion of land measuring approximately 13 200m² for the exclusive purpose of establishing a construction site to store equipment and establish a workshop for the manufacturing of steel and other structures needed for the pipeline be approved; subject to the conditions set-out under point (c) below.
- (b) That they be allocated an area measuring ±150mx150m adjacent to the new sewerage plant (exact site to be identified by Engineering Services Department.
- (c) That the lease be subject to the following conditions:
 - (i) *That the lease term be set for 12 months.*
 - (ii) *That the land be leased at a rental amount of N\$1.50/m² per month (15% VAT excluded).*
 - (iii) *That a refundable deposit, equal to one month's rent be paid.*
 - (iv) *That a deposit of N\$100 000.00 be paid for the rehabilitation of the area, if required.*
 - (v) *That, Messrs China State Construction Engineering Corporation Pty Ltd be required to pay a refundable electricity deposit equal to the monthly rental which shall be applied and used only if an outstanding account remains with Messrs Erongo RED upon termination of the lease.*
 - (vi) *That the remainder of (v) be refunded to the lessee on presentation of proof to the General Manager: Finance that the electricity account from Messrs Erongo RED in the name of the lessee has been paid in full.*
 - (vii) *That either party can give 3 calendar months' written notice of the cancellation of the agreement.*
 - (viii) *That Messrs China State Construction Engineering Corporation Pty Ltd makes arrangements for the provision and usage of electricity with Messrs Erongo RED at its own cost.*
 - (ix) *That Council's standard conditions of lease be made applicable to the agreement.*
 - (x) *That the following special conditions be applicable:*
 - 1. *That the lessee shall be responsible for the cleanliness and tidiness of the property.*
 - 2. *That there is no guarantee that the property is suitable for the lessee's purposes.*
 - 3. *That written permission be obtained, should "CSKIJV" wish to erect any, sign or advertising material on the outside of the Property.*
 - 4. *That no subletting be allowed.*
 - 5. *The Council be indemnified against any claim from whatever cause arises.*
 - 6. *That the area be properly fenced in.*
 - 7. *That no person is allowed to overnight or to reside on the premises, except for bona fide security services engaged in operating during a night shift.*
- (d) That it be stated in the lease agreement that Messrs China State Construction rehabilitate the area according to the satisfaction of Engineering Services Department and Health Services.

11.1.14 **B: ZHONG MEI ENGINEERING GROUP (PTY) LTD: APPLICATION
FOR LAND TO ERECT TEMPORARY CONSTRUCTION SITE**
(C/M 2015/02/26 - G 4/1/1)

RESOLVED:

- (a) That the application by Messrs Zhong Mei Engineering Group (Pty) Ltd to lease a portion of land measuring approximately 22 500m² for the exclusive purpose of establishing a construction site to store equipment and establish a workshop for the manufacturing of steel and other structures needed for the pipeline be approved; subject to the conditions set-out under point (c) below.
- (b) That a portion of land south-east of the Chinese satellite station be allocated for this purpose (exact site to be identified by the Engineering Services Department).
- (c) That the following conditions be applicable:
- (i) *That the lease term be set for 12 months.*
 - (ii) *That the lease of the land be at a rental amount of N\$1.50/m² per month (15% VAT excluded).*
 - (iii) *That a refundable deposit, equal to one month's rent be paid.*
 - (iv) *That a deposit of N\$100 000.00 be paid for the rehabilitation of the area, if required.*
 - (v) *That, if applicable, Messrs Zhong Mei Engineering Group (Pty) Ltd be required to pay a refundable electricity deposit equal to the monthly rental which shall be applied and used only if an outstanding account remains with Messrs Erongo RED upon termination of the lease.*
 - (vi) *That the remainder of (v) be refunded to the lessee on presentation of proof to the General Manager: Finance that the electricity account from Messrs Erongo RED in the name of the lessee has been paid in full.*
 - (vii) *That, if required, Council gives consent to Messrs Zhong Mei Engineering Group (Pty) Ltd in terms of the Town Planning Amendment Scheme 12 to engage in construction and manufacturing activities required for the pipeline contract.*
 - (viii) *That either party can give 3 calendar months' written notice of the cancellation of the agreement.*
 - (ix) *That Messrs Zhong Mei Engineering Group (Pty) Ltd makes arrangements for the provision and usage of electricity with Messrs Erongo RED at its own cost.*
 - (x) *That Council's standard conditions of lease be made applicable to the agreement.*
 - (xi) *That the following special conditions be applicable:*
 - 1. *That the lessee shall be responsible for the cleanliness and tidiness of the property.*
 - 2. *That there is no guarantee that the property is suitable for the lessee's purposes.*
 - 3. *That written permission be obtained, should the lessee wishes erect any, sign or advertising material on the outside of the Property.*
 - 4. *That no subletting be allowed.*
 - 5. *The Council be indemnified against any claim from whatever cause arises.*
 - 6. *That the area be properly fenced in.*
 - 7. *That no person is allowed to overnight or to reside on the premises, except for bona fide security services engaged in operating during a night shift.*
- (d) That it be stated in the lease agreement that Messrs Zhong Mei Engineering Group (Pty) Ltd rehabilitate the area according to the satisfaction of Engineering Services Department and Health Services.
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11.1.15 **BITS 'N PIZZAS: APPLICATION TO LEASE A PORTION OF THE
SIDEWALK ADJACENT TO ERF 157, SWAKOPMUND**
(C/M 2015/02/26 - E 157)

RESOLVED:

That Messrs Bits and Pizzas CC be informed that their application to lease a portion of the sidewalk, situated adjacent to the Erf 157, Swakopmund cannot be supported for the following reasons:

- (i) *The particular sidewalk is not wide enough to cater for tables and chairs and*
- (ii) *The other portion is a cycle lane that cannot be used for seating or pedestrians.*

11.1.16 **APPLICATION FOR PERMISSION TO OPERATE A TOURIST
FACILITY, FARM STALL, SHOP AND TOURIST ESTABLISHMENT ON
FARM 178, SMALLHOLDINGS, SWAKOPMUND**
(C/M 2015/02/26 - G 2 (28) PTN 141)

RESOLVED:

- (a) That the application of Mrs Kathrin Schaefer-Stiege to operate a Tourist Facility, Farm Stall, Shop and Tourist Establishment on Farm 178, Smallholdings, Swakopmund be approved subject to the following:
 - *That final approval only be granted once permission from the Namibian Tourism Board has been received.*
 - *That Okakambe Horse Stables register with the Health Services Department and that the standard Health Regulations will apply.*
 - *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - *That consent is not transferable.*
 - *That the applicant must operate within the Town Planning Amendment Scheme Regulations.*
 - (b) That Mrs Eva Jansen be informed of 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.
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11.1.17.1 **REZONING OF ERVEN 4868 TO 4874 AND 4817, EXT. 10 SWAKOPMUND, FROM “GENERAL BUSINESS” TO “GENERAL INDUSTRIAL” AND ERVEN 4881 TO 4886, 4887 TO 4901, 4815 AND 4816, EXT. 10 SWAKOPMUND, FROM “LIGHT INDUSTRIAL” TO “GENERAL INDUSTRIAL”**

(C/M 12/02/2015 - E 4868 to 4874, 4817 & 4881 to 4886, 4887 to 4901, 4815, 4816)

RESOLVED:

That the Council Resolution of 25 October 2012 under Item 11.1.9 be repealed and replaced with the following:

- (a) That Council approves the Rezoning of Erven 4868 to 4874 and 4817, Extension 10, Swakopmund, from “General Business” to “General Industrial”.
- (b) That Council approves the Rezoning of Erven 4881 to 4886, 4887 to 4901, 4815 and 4816, Extension 10, Swakopmund, from “Light Industrial” to “General Industrial”.
- (c) That the approved rezoning of Erven 4868 to 4874 and 4817, Extension 10, Swakopmund, from “General Business” to “General Industrial” and Erven 4881 to 4886, 4887 to 4901, 4815 and 4816, Ext. 10 Swakopmund, from “Light Industrial” to “General Industrial”, be included in the next Amendment Scheme for final approval by the Ministry of Regional and Local Government, Housing and Rural Development.

11.1.17.2 **APPROVAL OF AMENDMENT SCHEME NO. 57**

(C/M 2015/02/26 - G 3/2/2/2)

RESOLVED:

- (a) That Council approves Swakopmund Town Planning Amendment Scheme No. 57 containing the following items:
 - 1. Rezoning of Erven 4868 to 4874 and Erf 4817 from “General Business” to “General Industrial”.
 - 2. Rezoning of Erven 4881 to 4886, 4887 to 4901, 4815 and 4816 from “Light Industrial” to “General Industrial”
 - 3. Rezoning of Erf 43 Vineta from “Single Residential” with a density of 1:900m² to “General Residential 2” with a density of 1:300m².
 - (b) That Amendment Scheme No. 57 be submitted to the Ministry of Regional and Local Government, Housing and Rural Development for approval by the Honourable Minister.
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11.1.18 **WRITING OFF OF OLD REDUNDANT EQUIPMENT - TRAFFIC**
(C/M 2015/02/26 - L 2)

RESOLVED:

- (a) That the following equipment in the Traffic Section be written off and sold at the next public auction.

<i>Quantity</i>	<i>Description</i>
1	HP LaserJet 1012 Printer
1	HP Desk Jet 5150 Printer
1	Defy Mini Bar Fridge
1	High Back Black Leather Chair

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

11.1.19 **OLD AND REDUNDANT ITEMS / EQUIPMENT - COMMUNITY DEVELOPMENT SERVICES (HEAD OFFICE & TOWN HALLS & RESTCAMP)**
(C/M 2015/02/26 - N 7/3/2, N 7/3/2/1, L 2)

RESOLVED:

- (a) The following old and redundant equipment and material be written off and sold at the next public auction:

Head Office & Town Hall

Equipment / Items:

<i>Quantity</i>	<i>Description</i>
1	Hewlett Packard Desk Jet 1220c printer
1	STM - 315515W Megaphone Loud Speaker
2	Sound boxes
2	Amplifier / Mixer
2	Office chairs
11	Town Hall chairs
2	Office tables
1	Office cabinet
1	Laser jet 1012 printer
1	S F 5100 Laser Fax Machine
1	Front door
1	Floor Polisher
10	Tables

Restcamp Items List

<i>Quantity</i>	<i>Description</i>
10	Single Mattresses
14	Double Duvets Covers
12	Double Fitted sheets
32	Duvet Covers Single
30	Fitted sheets single
55	Pillow cases
13	Pillows
5	Single duvets
19	Fridges
27	Hot Plates
5	Geysers
6	Chairs

1	<i>Bench</i>
2	<i>Ladders</i>

SME Park, Erf 4352 Mondesa list of items

Quantity	Description
6	<i>Basins</i>
15	<i>Zinks</i>
28	<i>Big six sheet</i>
4	<i>Cisterns</i>
18	<i>Windows</i>

- (b) That the Chief Executive Officer and the Chairperson of the Management Committee determines the upset prices for the written off equipment and determines which items can be retained for distribution to fire victims.

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

(C/M 2015/02/26 - N 10/1, L 2, L 5)

RESOLVED:

- (a) That the following old and redundant vehicles, equipment and materials be written off and sold at the next public auction:

Vehicles:

Fleet No.	Reg. No.	Make	Model
SE0066	N 5868 S	Hilux 2.4 D LDV	2001
SE 0025	N 10894 S	Hilux 2.4 D LDV	2002

Materials/Equipment:

Amount	Description
1 x	<i>Dewalt Cordless Drill - Serial No: 71095</i>
1 x	<i>Dewalt Hammer Drill - Serial No: 8903</i>
1 x	<i>Bosch Hammer Drill - Serial No: 7442014</i>
1 x	<i>Orbital Sander (Makita) - Serial No: 1282791E</i>
1 x	<i>Electric Drill (Hitachi)</i>
1 x	<i>Dewalt Hammer Drill - Serial No: 9805-10)</i>
1 x	<i>Rapid Staple Gun - Model B</i>
1 x	<i>Extension Cable</i>
1 x	<i>Aluminum Ladder - 5 Step</i>
1 x	<i>Carpenter Hammer</i>
1 x	<i>Riveter</i>
1 x	<i>File</i>
1 x	<i>Scrapper</i>
1 x	<i>Double Bowl Zink</i>
1 x	<i>Under Counter Water Heater - Serial No: 073912-7368</i>
1 x	<i>Hitachi Circular Saw (230mm) - Serial No: 1801</i>
1 x	<i>Box With Old Wooden Locks</i>
1 x	<i>2 Post Vehicle Lift</i>
1 x	<i>Water Tank Blue - 1000 Liter</i>
1 x	<i>Green Water Tank - 500 Liter</i>
20 x	<i>Cement Plant Pots</i>
1 x	<i>Siemens Cordless Hand Phone (Gigaset A240) Serial No: S30852</i>
1 x	<i>Russel Hobbs Electric Kettle</i>
2 x	<i>Hoes</i>
10 x	<i>Gram Rakes (Plastic)</i>
1 x	<i>Bag Assorted Iron & Plastic Sprinklers</i>
35 x	<i>Iron Sprayer Stands</i>
9 x	<i>Hand Secateurs</i>
18 x	<i>Iron Garden Rakes</i>
1 x	<i>Spray Can</i>
1 x	<i>Wheel Pump</i>

1 x	<i>Palm Cutter Blade</i>
1 x	<i>Electric Easy Cut Hedge Trimmer – Husqvarna 420AB) Serial No: 122000211</i>
1 x	<i>Garden Fork</i>
1 x	<i>Flat Hoe</i>
1 x	<i>Flygt Pump Complete 3300</i>
2 x	<i>Tsurumi Pumps Complete</i>
1 x	<i>Flygt Pumps Complete DP3068</i>
6 x	<i>Small Drainage Pumps</i>
16 x	<i>Control Switchgear Units</i>
1 x	<i>Control Switchgear Unit (Steel Cabinet)</i>
2 x	<i>Rod Machines</i>
2 x	<i>Spades</i>
2 x	<i>Flygt Pumps Complete 3300</i>

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

11.1.21 **REQUEST TO UTILIZE FUNDS BUDGETED FOR WALK WAYS AT CEMETERIES TO CONSTRUCT A NEW SEWER LINE AT THE MONDESA CEMETERY**

(C/M 2015/02/26 - D 2/1, N 1/2)

RESOLVED:

That permission be granted to the General Manager: Finance to transfer an amount of N\$150 000.00 budgeted for the walk ways from Vote 200531622300 to a new vote for the construction of a new sewer line at the Mondesa Cemetery.

11.1.22 **IDENTIFICATION OF ERVEN PROPOSED TO BE UTILISED FOR MASS HOUSING INITIATIVE HOUSING CONSTRUCTION PROJECT - NHE**

(C/M 2015/02/26 - G 3/9/2)

RESOLVED:

- (a) That this item be withdrawn from the Agenda and be resubmitted to the next Management Committee meeting.
- (b) That Council continue with the installation of services whilst the matter is being considered.

11.1.23 **PROPOSAL TO HOST THE NAMIBIA ANNUAL MUSIC AWARDS (NAMAS) 2015 IN SWAKOPMUND**

(C/M 2015/02/26 - E 5371, N 7/3/1/2, D 5)

RESOLVED:

- (a) That Council sponsor the accommodation at the Municipal Rest camp to the crew, performers, media and nominees for the NAMAs 2015.
- (b) That Council delegates the powers of fundraising for the NAMAS 2015 to the Office of the Mayor.

11.1.24 **REQUEST TO PURCHASE A BIGGER PORTION OF STREET:
WOERMANN BROCK PROPERTIES (PTY) LTD**
(C/M 2015/02/26 - E 2759)

RESOLVED:

- (a) That the application of Messrs Woermann Brock Properties (Pty) Ltd to buy a portion of street to ensure that access from Mandume Ya Ndemufayo Street to Erf 2759, Swakopmund is obtained, not be approved due to safety reasons and that the resolution of 27 September 2012 under item 11.1.4 be repealed.
- (b) That it be recorded that Councillor P V Steinkopff is not in support of (a) above.

The meeting adjourned **19:58**

Minutes confirmed on: **26 March 2015**

Juuso Kambueshe
CHAIRPERSON

E U W Demasius
CHIEF EXECUTIVE OFFICER

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