



## **MUNICIPALITY OF WALVIS BAY**

# **AGENDA**

### **ORDINARY COUNCIL MEETING**

**To be held at the  
Kuisebmond Council Chambers,  
Nathaniel Maxuilili Avenue,  
Kuisebmond.**

**ON TUESDAY  
03 MARCH 2020  
AT 18:00**





# Municipality of Walvis Bay

Civic Centre • Nangolo Mbumba Drive • Private Bag 5017 • Walvis Bay • Namibia  
Phone +264 (0)64 201 3111 • Fax +264 (0)64 204 528 • [www.walvisbaycc.org.na](http://www.walvisbaycc.org.na)

## **NOTICE**

His Worship the Mayor and Councillors  
General Managers

Enquiries	Gwenneth !Gaoses
Phone	064 201 3236
Fax	064 201 3216
Cell	
E-mail	<a href="mailto:ggaoses@walvisbaycc.org.na">ggaoses@walvisbaycc.org.na</a>
Date	28 February 2020

### **FEBRUARY – ORDINARY COUNCIL MEETING OF THE LOCAL AUTHORITY COUNCIL OF WALVIS BAY**

Notice is hereby given that the Ordinary Council meeting of the Local Authority Council of Walvis Bay will be held at the Kuisebmond Council Chambers, Nathaniel Maxuillili Avenue on:-

**Tuesday 03 March 2020 at 18:00**

Yours faithfully,



**Muronga Haingura**  
Chief Executive Officer



**Agenda**

1. **Opening by prayer** (File 3/1)
2. **Adoption of agenda and declaration of interest**
3. **Application for leave of absence by members of council** (File 3/3/1/4)
4. **Confirmation of minutes of previous meeting/s** (File 3/3/2/3/1)
  - 4.1 Minutes of the Ordinary Council meeting held on Tuesday 28 January 2020.
5. **Matters arising from the minutes**
6. **Interviews with deputations or persons summoned or requested to attend meeting**  
(File 3/3/2/3/2)

**Tuesday 11 February 2020:**

- Presentation: Walvis Bay Salt Holdings
- Presentation: Nam-Russia Trading Enterprise CC

**Monday 17 February 2020**

- Presentation: Burmeister & Partners Consulting Engineers

7. **Official announcements, statements and communications**

Announcements by His Worship the Mayor, Alderman I Wilfred.

8. **Petitions** (File 3/2/1/6)

*No petitions have been submitted by Council members.*

9. **Motions of members** (File 3/3/1/1)

*No motions of members have been received.*

10. **Answers to questions of which notice has been given** (File 3/3/1/2)

*No notice of questions has been received.*

# **REPORTS OF THE MANAGEMENT COMMITTEE FOR FEBRUARY 2020**

**The reports of the Management Committee regarding its decisions on matters delegated to it or in respect of which it has legal powers, are submitted to the Council in terms of Section 26(1)(e) of the Local Authorities Act, 1992.**

**The Chairperson of the Management Committee must put the report to the Council for information.**

**The report may be discussed but no motion or proposal on the report may be introduced.**

11. REPORTS OF THE MANAGEMENT COMMITTEE FOR FEBRUARY 2020

Capital Budget 2019/2020 – Transfer of funds between votes to acquire mobile toilet units for use at Twaloloka area (Add. 7; M/C Meeting 27/2/2020; File Budget)

Resolved:

That be item be withdrawn for Informal Discussions.

# **RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE FOR FEBRUARY 2020**

## **Proposing each item:**

The chairperson of the Management Committee must propose each recommendation of the Management Committee for acceptance by the Council - Standing Rule 22(2).

## **Amendment of recommendations:**

The chairperson of the Management Committee may, with the consent of at least two-thirds of the members of the Management Committee present, amend a recommendation of the management committee or withdraw an item for remission to the management committee - Standing Rule 22(3).

## **Seconding of each recommendation:**

Any recommendation of the Management Committee is considered a proposal which has been seconded, and no further seconding is therefore required - Standing Rule 22(5).

## 12. RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE FOR FEBRUARY 2020

### 12.1 Capital Budget 2019/2020 - Transfer of budgeted capital funds between votes for the replacement of carpets and blinds at Kuisebmond and Narraville Municipal offices (Add. 1; M/C Meeting 27/2/2020; File Budget)

The purpose of this report is to obtain approval for an application in terms of Section 84(5)(a) of the Local Authorities Act 1992 (Act 23 of 1992) as amended, for the transfer of funds between Votes.

Project W/RFQ/MWB-49/2019: Replacement of carpets and blinds at the Kuisebmond and Narraville Municipal Offices, is in the final stage of completion. Following a request by the Finance Department, the contract was previously extended with N\$50,000.00 to include the customer care and finance cashier's area at the Kuisebmond Civic Centre as per below PC Minutes dated 4 November 2019:

#### Recommended:

- (1) That it be noted that pursuant to Section 62(3) of the Public Procurement Act, 2015 (Act No. 15 of 2015), the variation in the contract price subsequent to the conclusion of the procurement contract as awarded, causes the total contract amount to exceed by more than 15 per cent.
- (2) That it be noted that the contract adjustment is affected for the reason specified in Section 36(2)(b) of the Public Procurement Act, 2015.
- (3) That in order to complete Bid No. W/RFQ/MWB-49/2019: Replacement of carpets and blinds at the Kuisebmond and Narraville Municipal Offices, the award of additional works to Jaydee's to include the replacement of carpets and blinds at the Finance and Customer Care offices at the Kuisebmond Municipal Buildings in the estimated additional amount of N\$ 50,000.00, be approved.
- (4) That the additional costs also be defrayed from vote B711/5162/0000 (Kuisebmond – Replace carpets and blinds) where an amount of N\$ 61,460.650 is still available.

### 12.2 Capital Budget 2019/2020 – Transfer of budgeted capital funds between votes for phase 2 upgrade of the informal trade area on Erf 3994 Kuisebmond (Add. 2; M/C Meeting 27/2/2020; File Budget)

To purpose of this report obtain approval for an application in terms of Section 84(5)(a) of the Local Authorities Act 1992 (Act 23 of 1992) as amended, for the transfer of funds between Votes.

The upgrade of the informal trade area on erf 3994 known as Ekutu, was identified as an urgent project by Council some 2 years ago. Phase 1 of the project, comprising of the upgrade of some of the existing facilities was recently completed successfully in the total amount of N\$2,890,573.66 (excluding VAT).

Phase 2 entails the extension of the area and further upgrades to the old facilities and was budgeted for as follows in the 2019/20 capital budget:

<u>Vote</u>	<u>Description</u>	<u>Budget Amount</u>
B330/5031/0000	Pre-paid electricity – Market stalls, Erf 3994, Kuisebmond	N\$50,000.00
B330/5032/0000	New Toilets – Market stalls, Erf 3994, Kuisebmond	N\$340,000.00
B330/9561/0000	New Market stalls, Ekutu Phase 2 Erf 3994 Kuisebmond	N\$3,450,000.00



	<b>TOTAL</b>	N\$3,840,000.00
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Bids were invited in January and closed on the 31<sup>st</sup>. During the evaluation of bids, it has become clear that we are faced with a budget shortfall of approximately N\$2,700,000. Reducing the scope of works is not a recommended option and therefore supplementary funds are required.

The construction of the new Tataleni Fire station (budgeted at N\$4,000,000.00 in Vote B342/9870/0000) will not be completed in the current budget year. It is therefore to be re-budgeted in 2020/21. N\$2,700,000.00 is therefore available to be transferred to New Market stalls, Ekutu Phase 2, Erf 3994, Kuisebmond - Vote B330/9561/0000, in order to complete the bid evaluation and award process.

**Recommended:**

That approval be granted that an expected saving of N\$2,500,000.00 on Vote B342/9870/0000: Tataleni Fire Station be utilised for additional funding of Vote B330/9561/0000: Ekutu Phase 2 on Erf 3994 KS.

12.3 **Determination of betterment and endowment fees** (Add. 3; M/C Meeting 27/2/2020; File 15/2/P)

The purpose of this report is for the Municipal Council to expand the Resolution taken on 12 December 2019 regarding the approval of the 2018/2019 Provisional (Interim) Valuation Roll, in order to include the same valuation principle used for the determination of betterment fees to endowment fees as well.

On 12 December 2019 Council resolved as follows (Item 12.3):

1. That the approval by the Valuation Court of the 2018/2019 Provisional (Interim) Valuation Roll, to be implemented in each individual case from the date of the change of the status of each property as indicated in the approved valuation roll, be noted.
2. That it be approved that as a policy principle, only the municipal value be used in the determination of **betterment fees** and that this be made applicable to all applications received as from 1 January 2020.

Part 2 of the above quoted Resolution unfortunately omitted the issue of the determination of **endowment fees** which are also applicable in the case of sub-divisions when a new erf is created out of a parent erf (e.g. subdivision of Erf X into new Portion A and Remainder). Such newly created erf is charged an endowment fee, currently calculated at 7.5% of the market value. This amount can be excessive in the current economic climate and may stifle development. As explained previously, the valuator when preparing interim and general valuation rolls later adjust these market values to the municipal values and such valuations are then approved by the Valuation Court.

**Recommended:**

That Council Resolution 12.3 of 12 December 2019 which reads as follows:

- (1) That the approval by the Valuation Court of the 2018/2019 Provisional (Interim) Valuation Roll, to be implemented in each individual case from the date of the change of the status of each property as indicated in the approved valuation roll, be noted.
- (2) That it be approved that as a policy principle, only the municipal value be used in the determination of betterment fees and that this be made applicable to all applications received as from 1 January 2020.

Be expanded by the following:

- (3) That it also be approved that, as a policy principle, only the municipal value be used in the determination of endowment fees and that this be made applicable to all applications received as from 1 January 2020.
- (4) That the above changes be included in the the next Walvis Bay Amendment Scheme to be approved by the Minister.

12.4 **Feedback report: Participation of the Walvis Bay Municipality sports team at the Southern AFRICAN Inter Municipal Games in Lusaka, Zambia** (Add. 4; M/C Meeting 27/2/2020; File 11/2/16)

To provide feedback on the participation of the Walvis Bay Municipal Sports Team, at the Southern African Inter Municipal Games (SAIMSA) in Lusaka, Zambia, from 22 – 27 September 2019.

SAIMSA Games was established to annually bring together local authorities in the SADC Region, through participation in sports activities. The SAIMSA Games is aimed at cross-border networking, knowledge-sharing, competing on sports level and strengthening existing bi-lateral relationships formed by the respective governments.

Member Countries of the SADC region were encouraged to affiliate to the SAIMSA body. The Walvis Bay Municipality has been affiliated to SAIMSA and participated in the annual events presented by this body, since 2006. Since its first participation in 2006, the teams and officials of this Council have made a lot of contributions and inroads towards the competition and the Municipality of Walvis Bay is today a household name when it comes to the SAIMSA Games. This led to regular invitations to the SAIMSA Games, every year, since 2006. The Games is hosted every year by one of the member countries.

The Municipality of Walvis Bay has again been invited to participate in this annual event and this year the games were presented in Lusaka, Zambia from 22 – 27 September 2019.

During 2019 the officials participated in the following sports codes;

Volleyball (Male and Mix)	2 x teams consisting of 11 players
Pool/Snooker	1 x team consisting of 8 players
Fun Walk	4 participants
Netball	1x team consisting of 15 players
Darts	1 x team consisting of 6 players

The official Opening Ceremony for the Games was held at Heroes Stadium in Lusaka where thirty-two (32) Local Authorities participated. Namibia had a total of six (6) Local Authorities participating in the games.

An amount of N\$ 200 000 was budgeted for and approved by Council in the 2019/2020 financial year, in order to enable participation in the SAIMSA Games in Lusaka.

This amount covered the affiliation and participation fees for Walvis Bay Municipality, to SAIMSA. It also partially covered accommodation cost for the 44 officials in Lusaka. The Walvis Bay Municipality Sports and Recreation Club and the 44 officials, contributed to the shortfall, which included the costs related to transport, meals, fuel and other expenses.

The financial implications of participation in the games for the 44 officials were as follows:

**Expenditure**

Accommodation (K180 127.50 /0.86)	N\$ 209 450.58
Meals: (N\$ 120.00 per day x 8 days x 44 officials - Lunch and Dinner)	N\$ 42 240.00
Transport	N\$ 94 200.00

Fuel, Cross boarder charges, Carbon Tax and Road Insurance	N\$ 13 300.00
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<b>TOTAL</b>	<b>N\$ 359 190.58</b>
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The above implicates that there was a shortfall of N\$ 159 190.58. This shortfall represented costs related to transport, meals, fuel and other expenses and were covered by the participating officials and the Walvis Bay Municipality Sports and Recreational Club. The officials contributed N\$ 66 000.00 (N\$ 1 500.00 x 44), towards the expenses and the Walvis Bay Municipality Sports and Recreational Club the remainder, to the amount of N\$ 93 190.58

The following results of the respective sports codes have been achieved:

### **10 km Fun Walk**

A total of 8 employees participated in the 10 km Fun Walk, in different age categories.

The Walvis Bay Fun Walk Team managed to win one gold medal and one bronze medal in the different age groups.

- Female 36 – 45: Aletta Nyati (Bronze Medal)
- Female 46+ : Hilma Kawiwa (Gold Medal)

### **Pool**

28 Local Authorities participated in the in the singles and doubles categories. The Municipality Pool team participated in both categories.

In the singles competition, the Municipal Pool team finished 2<sup>nd</sup> overall and won the silver medal.

In the doubles competition the pool team was 5<sup>th</sup> overall.

### **Netball**

18 Municipalities entered for the Netball competition and the teams were divided into three groups.

Our Netball Team performed exceptionally and finished 2<sup>nd</sup> overall (Silver Medal).

### **Darts**

A total of 8 Local Authorities participated and were divided into 2 groups of four teams.

The Darts team ended 2<sup>nd</sup> overall (Silver Medal).

### **Volleyball**

Volleyball participated in male, female and mix team categories.

In the male and mix categories, the Volleyball team finished 4<sup>th</sup> overall in both categories.

In the Ladies Category, only 4 teams participated in the competition. Our team combined with Swakopmund Municipality and won all the matches. The combined team of Swakopmund Municipality and Walvis Bay Municipality finished 1<sup>st</sup> overall and secured the Gold Medal.

### **Recommended:**

That the feedback report of the Southern African Inter Municipal Games participation of the Municipal Sports team, be noted with receipts of all payments to be submitted.



12.5 **Increase of refundable deposits for music shows and festivals at Council's sports facilities** (Add. 5; M/C Meeting 27/2/2020; File 5/5/2/16)

The purpose of this report is to recommend, the increase of refundable deposits for Music Shows and Festivals at Councils Sports Facilities (Stadiums).

Over the past two years, the demand for Councils Sports Facilities to host Music Shows and Festivals have increased dramatically. In 2019, a total of 6 Music Shows and Festivals were held at Councils Sports Facilities.

The current refundable deposit to use Councils Sports Facilities, is N\$ 1 524.60.

The Section Sports, Arts, Youth and Culture, as the custodians of the facilities, experienced a lot of problems after almost each event that took place. The biggest problems were structural damages to facilities and damage to the grassed surfaces of the sports fields.

Although presenters of these Music Shows and Festivals promises to adhere to all conditions of the approval given, in almost all cases it is quite a problem and takes a lot of effort, to get such presenters to repair damages which occurred, after these Music Shows and Festivals took place.

The current refundable deposit of N\$ 1 524.60 does not cover the cost of most of the damages that occurred during the Music Shows and Festivals.

Since there are already two festivals lined up before the end of this financial year, it would be in Councils best interest to approve the increase of the current refundable deposit for Music Shows and Festivals.

The refundable deposit for sports events will remain the same at N\$ 1 524.60.

It is therefore recommended that an amount of N\$ 10, 000.00 be set as a benchmark refundable deposit for Music Shows and Festivals to be hosted at Councils Sports Facilities. It should be mentioned that the City of Windhoek also charges a refundable deposit of N\$ 10 000.00 for the hosting of Music Shows and Festivals at Councils Sports Facilities.

It is also recommended, that the increase be gazetted, once approved by Council.

**Recommended:**

- (1) That, the refundable deposit for Music Shows and Festivals increase from N\$ 1 524.60 to N\$ 10 000.00.
- (2) That the refundable deposit for sports events remain at N\$ 1 524.60.
- (3) That the increase be gazetted, once approved by Council.

12.6 **Rectification of Council Resolution: Application to purchase Erf 7442 Kuisebmond and Erf 7503 Kuisebmond: Namibia College of Open Learning** (Add. 6; M/C Meeting 27/2/2020; File 7442 K)

The purpose of this report is to insert the wording "Extension 6" to existing council resolution dated 27 September 2016 under item 12.7.

Namibia College of Open Learning (NAMCOL) is a State-Owned Enterprise, established by an Act of Parliament (Act No. 1 of 1997). The institution provides study opportunities for

adults and out of school youth. The applicant intends to establish a campus in Walvis Bay and had applied for land.

Council has during 2016 approved an application from NAMCOL to purchase erf 7442 Kuisebmond and erf 7503 Kuisebmond.

NAMCOL, as per the Council conditions had to attend to the town planning procedures over the properties which includes closure of public open space (Erf 7503, Kuisebmond), rezoning and consolidation of the two erven.

The application was submitted to Townships Board for final approval; however, it was referred back with certain matters to be attended. One of the items to be attended is that the wording "Extension 6" be included in the application letter to Townships Board, Local Authority approval letter, Council Resolution and plans.

**Recommended:**

- (1) That resolution 1 be rectified to read as follows: That erven 7442 Kuisebmond, Extension 6 and 7503 Kuisebmond Extension 6, approximately 3320 m<sup>2</sup> in size each, be sold by private transaction to Namibian College of Open Learning (NAMCOL) for N\$1,494,000.00 plus 15% VAT.
- (2) That Council re-affirm its resolutions 2 to 9 taken on 27 September 2019 under item 12.7.

**12.7 Capital Budget 2019/2020 – Transfer of funds between votes to acquire mobile toilet units for use at Twaloloka area** (Add. 7; M/C Meeting 27/2/2020; File Budget)

The purpose of this report is to obtain approval for an application in terms of Section 84(5)(a) of the Local Authorities Act (Act 23 of 1992), as amended, for the transfer of funds between capital votes.

- Vote B372/9504/0000- Single Quarters Upgrade: An amount of N\$ 1,000,000.00 was budgeted under the 2019/2020 capital budget for the single quarters upgrade. The money was allocated to upgrade some of the old structures at the single quarters before the units are sold to qualifying beneficiaries. The amount of N\$1,000,000.00 is still available.
- Vote B370/0000 – Supply and delivery of Mobile Toilet Units: An amount of N\$250,000.00 is needed to acquire mobile toilet units for Council. These units will be use at Twaloloka area. It is further important to note that these units will be used by Council in future for temporary developments.

From discussions with the Water, Waste and Environmental Management department, (Environmental health) it was discovered that mobile toilet units are needed in Twaloloka area to address the sanitation issues. It is further important to note that through acquiring the mobile toilet units the outbreak of hepatitis will also be minimize and contained.

The projected expenditure to acquire the mobile toilet units is estimated at N\$250,000.00.

Transfer of Funds				
Vote No.	Budget Amount	Expenditure to Date	Estimated Expenditure	Available
B372/9504/0000	1,000,000.00	0.00	1,000,000.00	1,000,000.00
New Vote				
Vote No.	Amount transferred	Expenditure to Date	Estimated Expenditure	Available
B370/000/0000	250,000.00	0.00	250,000.00	250,000.00

**Resolved:**

That be item be withdrawn for Informal Discussions.

12.8 **Application to harvest seaweed along the coastline: Hallie Investments 3218 Trading as Benguella Seaweed** (Add. 8; M/C Meeting 27/2/2020; File 7/2/3/2/1)

The purpose of this report is to recommend that Council supports the harvesting of Seaweed along the coastline by Hallie Investments 3218, trading as Benguella Seaweed.

In their application dated 5 February 2020, the applicant indicated that they want to harvest seaweed along the coastline and need Council support.

The applicant proposes to the Municipality of Walvis Bay to clean up beaches in the identified areas, free of charge of all seaweed. The seaweed washed ashore will be collected and transported to Henties Bay on daily basis. The seaweed will be processed at the plant in Henties Bay and exported to Australia and European markets.

The applicant further wants to be given exclusive right to clean and collect the seaweed from beaches around Walvis Bay for the period of 15 years. This request is supported but the small players in the seaweed collection along the coast must be absorb within the project.

Therefore, what is being sought from Council is the support of the project and that that the co-operation agreement be approved that will be entered with Benguella Seaweed (Pty) Ltd.

**Recommended:**

- (1) That Council supports the harvesting of Seaweed along the coastline by Hallie Investments 3218, trading as Benguella Seaweed (Pty) Ltd for period of 15 years.
- (2) That the co-operation agreement be approved by Council that will be entered into with Benguella Seaweed (Pty) Ltd.
- (3) That small players be absorb within the project for harvesting of seaweed within the jurisdiction of Municipality of Walvis Bay.

13. **Reports and recommendations of Advisory Committees and the Chief Executive Officer**

*No reports have been received.*

14. **Minutes of associations**

14.1 **Management Committee of the Association for Local Authorities (ALAN)** (File 12/1/2/1/2)

None.

14.2 **National Executive Committee of the Namibia Association of Local Authorities Officers (NALAO)** (File 12/1/2/1/11)

*No minutes have been received.*

14.3 **Namibia National Mayors' Forum** (File 12/1/2/1/17)

*No minutes have been received.*





