



## **MUNICIPALITY OF WALVIS BAY**

# **AGENDA**

### **ORDINARY COUNCIL MEETING**

**To be held in the  
Council Chambers, Civic Center,  
Nangolo Mbumba Drive, Walvis  
Bay.**

**ON TUESDAY  
25 JUNE 2019  
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	Elizabeth Shiningayamwe
Phone	064 201 3220
Fax	064 201 3216
Cell	
E-mail	<a href="mailto:eshiningayamwe@walvisbaycc.org.na">eshiningayamwe@walvisbaycc.org.na</a>
Date	21 June 2019

### MAY AND JUNE 2019 – 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 Civic Centre Council Chambers, Nangolo Mbumba Drive, Walvis Bay on:-

**TUESDAY 25 JUNE 2019 AT 18:00**

Yours faithfully,

  
**F Mwandangi**  
Acting 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 30 April 2019.
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 15 May 2019:

- Presentation: Samate Investment CC

Tuesday 21 May 2019:

- Presentation: Ministry of Land Reform

Tuesday 11 June 2019

- Presentation: Atlantis Sport Club

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 MAY AND JUNE 2019**

**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 MAY AND JUNE 2019.**

- 11.1 **Walvis Bay Water Security Study - Tender No. 59/2015: Upgrade of the existing Walvis Bay wastewater treatment works and a new wastewater treatment plant for the Municipality of Walvis Bay – Specialist consultancy and professional fees** (Add. 5; M/C Meeting 18/6/2019; File 8/21/25)

**Resolved:**

That the item be withdrawn for a presentation to the Governor and the Regional Councillors by both Aurecon Consultants (Pty) Ltd and Bigen Kuumba Namibia.

- 11.2 **APPLICATION FOR ACQUISITION OF UNSERVICED BLOCK ERF 3865 NARRAVILLE (EXTENSION 5) FOR THE CONSTRUCTION OF A LPG TERMINAL: HARAMBEE LPG (PTY) LTD.**

(Add. 5; M/C Meeting 11/06/2019; File Farm 3865 N)

**Resolved:**

The matter be withdrawn for the other party, namely Millennium Power (Namibia) (Pty) Ltd to make a presentation to Council at an informal meeting.

# **RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE FOR MAY AND JUNE 2019**

## **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).

2019

## 12. RECOMMENDATIONS OF THE MANAGEMENT COMMITTEE FOR MAY AND JUNE 2019

### 12.1 Development proposal from Atlantis Sport Club, Walvis Bay (Add. 1; M/C Meeting 18/6/2019; File Farm 202 W)

The purpose of the report is to obtain Municipal Council approval that principle approval be granted among others to Atlantis Sport Club (ASC), for the redevelopment of Erf 202 Walvis Bay.

Council at its meeting held on 27 November 2007 under item 11.6 inter alia resolved as follows:-

- “(1) That Council Resolution (Item 11:3) dated 27 March 2007 be rescinded.
- (2) That the technical team consisting of the Acting Chief Executive Officer and the General Managers: Community and Economic Development and Roads and Building Control, be mandated to further negotiate with the Club on an alternative development option.”

At its meeting held on 30 April 2019 under item 10.1, Council resolved that the matter be withdrawn and that the applicant be invited for a presentation to Council at an informal meeting. Informal discussions with the Atlantis Sport Club were duly held on 11 June 2019 and the item is herewith resubmitted to Council for consideration.

During the last few years numerous discussions were held with representatives of ASC on the redevelopment of Erf 202 Walvis Bay.

A self-explanatory development proposal has now been received from the ASC for the redevelopment of erf 202 Walvis Bay. The proposal received from ASC.

Erf 202 Walvis Bay was sold to ASC in 1965 for N\$ 1.00 subject to certain conditions, of which the most important condition is, that ASC use the land for sport and recreational purposes only. The use of land for any other land use other than sport orientated uses, requires approval from council.

The latest offer of ASC for the redevelopment of Erf 202, Walvis Bay, can be summarized as follows:

- The Municipality is required to facilitate the re-zoning of Erf 202, as well as the sub-division of the new portion, in-house, by the municipal Town Planning Department (General residential with density of 1: 150).
- The remainder of Erf 202 to be zoned “Sport”, with special general rights, together with consent for business in order to be able to operate a public bar and restaurant.
- The municipality to waiver all betterment fees and to re-issue the Atlantis Sport Club with a new full Title Deed.
- The municipality to waiver all Endowment Fees on any new valuations after re-zoning.
- ASC to pledge a financial contribution towards Council as per the attached proposed sliding scale schedule (fig. 1) when the sub-divided erf has been sold.
- Atlantis to develop a phased modern sports club which will include:
  - New sports codes and upgrade existing sport facilities.
  - A public coffee shop and restaurant.
  - New squash courts.
  - Lagoon facing Gym and fitness centrum.
  - Building of new tourism / taxi ablutions.
  - Building and operating a tourism Info Centrum.
  - Provide safe tourist parking next to Esplanade Drive to service the public facilities.
  - Provide an outdoor gym, playground and wedding arch.

In order for ASC to ascertain whether the above proposal would prove to be economically viable and in the best interest of both Council and the ASC, it will be necessary for the ASC to test their proposal in the market.

It is also important to note that ASC only used one valuator to value the property to come to their financial proposal. The opinion is held that the market be tested with various valuers before a final offer can be considered by Council.

The opinion is therefore held that in principle approval for the redevelopment of erf 202 Walvis Bay by Atlantis Sport Club, be granted. After conclusion of the process to test the viability of the proposal in the market, a new, comprehensive report be submitted to Council for consideration.

**Recommended:**

- (1) That in-principle approval be granted for the redevelopment of Atlantis Sport Club (ASC) on erf 202 Walvis Bay.
- (2) That based on the in-principle approval, the ASC test the redevelopment proposal for Erf 202 in the open market, in order to ascertain economic viability and that the proposal would be to the equal benefit of both the Council and ASC.
- (3) That once the open market has been tested, a comprehensive report with recommendations be submitted to Council by ASC, for further consideration.

**12.2 Approval – subletting of Municipal land by BPO Logistics CC, to China Harbour Engineering Company Namibia (Add. 2; M/C Meeting 18/6/2019; File PTN 196)**

The purpose of this report is to obtain Council approval to the subletting of municipal land by BPO Logistics CC, to China Harbour Engineering Company Namibia (CHEC)

At its meeting held on 29 June 2012, Council resolved to enter into a ten year lease agreement with BPO Logistics CC, to lease 4,0890 Ha of municipal land “Lease No.1” and “Lease No.3” situated on Portion 196, Walvis Bay Town and Townlands No.1.

Amongst others, the lease agreement between Council and BPO Logistics determine as follows;

The Lessee shall not be entitled to cede or assign this Agreement, or to sublet or part with possession of the site, or any portion thereof, without the prior approval and written consent of the Lessor.”

During 2012, the General Manager: Community and Economic Development, under delegated powers approved the subletting of this portion of land, by BPO Logistics, to NAMPORT. It was also approved that NAMPORT utilize this land for offices storage and accommodation.

At its Extra Ordinary meeting held on 25 February 2014, under item 4.1; Council condoned the approval of the General Manager Community and Economic Development.

NAMPORT sub-leased the portion of land from BPO Logistics in order to accommodate the company CHEC, which used the property for accommodation, storage and office space in the construction process of the new container terminal in the harbour.

The container terminal project has now come to an end. As a result the subletting agreement entered into and between BPO Logistics and NAMPORT has expired on 31 May 2019. NAMPORT informed BPO Logistics accordingly.



NAMPORT however also requested that BPO Logistics avail the land in question directly to the CHEC, in order to allow CHEC to occupy the land to have a personnel presence in Walvis Bay to attend to any defects uncovered during the retention period.

BPO Logistics has now submitted a request to Council to sublet this land to CHEC. The site will still be used for temporary accommodation and office space during the final decommissioning stage of the container terminal project.

The opinion is held that the request from the applicant to sublet the land in question to CHEC, in order to see through the de-commission period of the container terminal project, be approved.

**Recommended:**

That approval be granted to BPO Logistics CC for the period of 01 June 2019 to 31 May 2020, to sublet 4, 0890 ha of Municipal land "Lease No. 1" and "Lease No. 3" situated on Portion 196 Walvis Bay Town & Townlands No. 1, to China Harbour Engineering Company Namibia (CHEC), for the purpose of facilitating the decommissioning of the container terminal project.

12.3 **Feedback report: 2018 Southern African Inter-Municipal Games - Mbabane, Swaziland** (Add. 3; M/C Meeting 18/6/2019; File 11/2/16)

The purpose of this report is to provide a feedback report to Council regarding the participation of the Walvis Bay Municipal sports team at the Southern African Inter Municipal Games (SAIMSA) in Mbabane – Manzini Corridor, Swaziland, from 23 - 28 September 2018.

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 Mbabane – Manzini Corridor, Swaziland, from 23 – 28 September 2018.

The following sports codes participated in the SAIMSA Games in Mbabane;

- Volleyball (Mix Team) 1 x team consisting of 8 players
- Pool/Snooker 1 x team consisting of 6 players
- Fun Walk 5 participants
- Golf 1 x team consisting of 4 players
- Netball 1 x team consisting of 9 players
- Darts 1 x team consisting of 4 players

The official ceremony for the Games was held at Mavuso Sport Centre, Manzini, where forty eight (48) Municipalities participated in the ceremony. Namibia had a total of six (6) Local Authorities participating in the games.

An amount of N\$ 189 000.00 has been provided in the 2018/19 budget for this purpose (Vote 0336-0242-0000 SAIMSA).

After deducting an amount of N\$ 11 000 for the annual registration fee, an amount of N\$ 178 000.00 was available to cover costs for participation in the SAIMSA 2018 Games. In effect, this means that each participating official had N\$ 4 564.10 to cover all cost regarding participation in the Games (N\$ 178 000.00 divided by 39 officials).

The financial implications of participation in the games for the 35 officials amount to the following (Registration fees to the amount of N\$ 11 000.00, as well as the amount of N\$ 18 256.40 allocated to the 4 members of the Golf Team (the Golf Team took care of all traveling and accommodation expenses themselves), are not included in the list of expenditures outlined hereunder);

Accommodation	N\$ 99 015.02
Meals (Breakfast only) : (N\$100.00 per day for breakfast)	N\$ 28 000.00
Transport	N\$ 90 000.00
<b>TOTAL</b>	<b>N\$ 217 015.02</b>
<b>Budgeted Amount</b>	<b><u>N\$ 159 743.60</u></b>
<b>Shortfall</b>	<b>N\$ 57 271.42</b>

This implicates that there was a shortfall of **N\$ 57 271.42** and that this shortfall was covered by the participating officials. Each of the officials therefore contributed **N\$ 1 636.33** (N\$ 57 271.42/ 35), towards the final total expenses.

It should be mentioned that each participating official was responsible for their own lunches and dinners.

**Recommended:**

That Council take note of the Southern African Inter-Municipal Games participation of the Municipal Sports codes.

**12.4 Feedback report: Hosting of the Namibian Local Authorities Sports And Recreation Association (NALASRA) Games 2019 in Walvis Bay and participation of the Walvis Bay Municipal Sports codes (Add. 4; M/C Meeting 18/6/2019; File 11/2/16)**

The purpose of this report is to provide feedback regarding the hosting of the Namibian Local Authorities Sports and Recreation Association (NALASRA) Games in Walvis Bay, from 06 -10 May 2019, and the participation of the Walvis Bay Municipal Sports Team in this event.

The Municipality of Walvis Bay has been participating in the NALASRA Games since 2008.

The Municipality of Walvis Bay hosted the 11<sup>th</sup> edition of NALASRA Games from 06 May - 10 May 2019. The theme of the NALASRA Games 2019 in Walvis Bay was 'Your Oasis of Sports and Recreation for Local Authorities'. 35 Local Authorities (Municipalities, Towns and Village Councils), participated in 12 different sport codes. An estimated number of more than one thousand participants took part in the games with over 500 spectators and supporters.

The games was organized and managed by a Local Organizing Committee (LOC), composed of 11 members from Council and 67 members from the Walvis Bay community who were specialists in their different sports codes. The chairperson of LOC was Mr. Agostinho Victor, General Manager Community and Economic Development.

The games was officially opened on 06 May 2019 by the Deputy Minister of Urban and Rural Development, Hon. Derick Klazen.

Overall the Games in Walvis Bay were well organized, largely due to the fact that there was a well-organized Local Organizing Committee in place.

Council made available N\$ 350 000.00 in the 2018/2019 financial year, in order for the Municipality of Walvis Bay to host and participate in the NALASRA Games in 2019.

From the budgeted amount, registration fees and meals were catered for the 138 participants from the Municipality of Walvis Bay. Attached is a detailed expenditure outline.

CATEGORY	PROJECTED SUBTOTAL	ACTUAL SUBTOTAL	COMMENTS
<b>NEC SUBTOTAL</b>	<b>N\$ 55,500.00</b>	<b>N\$ 55,500.00</b>	
Hosting fee	N\$ 50,000.00	N\$ 50,000.00	
Registration fee	N\$ 5,500.00	N\$ 5,500.00	
<b>LOC SUBTOTAL</b>	<b>N\$ 119,500.00</b>	<b>N\$ 95,794.50</b>	
Attire (LOC and umpires/referees)	N\$ 25,000.00	N\$ 7,400.00	
Meals during games (250 people)	N\$ 44,500.00	N\$ 68,394.50	Players 150, LOC and Umpires 100
Accreditation (players cards)	N\$ 50,000.00	N\$ 20,000.00	
<b>PUBLIC RELATIONS SUBTOTAL</b>	<b>N\$ 35,000.00</b>	<b>N\$ 46,837.39</b>	
Promotion video	N\$ 15,000.00	N\$ 15,000.00	
Banner	N\$ 10,000.00	N\$ 3,450.00	
Adverts	N\$ 10,000.00	N\$ 28,387.39	
<b>MAYORAL BALL SUBTOTAL</b>	<b>N\$ 55,500.00</b>	<b>N\$ 31,243.00</b>	
Food	N\$ 25,500.00	N\$ 12,480.00	
Drinks	N\$ 10,000.00	N\$ 8,763.00	
Artists	N\$ 6,000.00	N\$ 6,000.00	
Sound System	N\$ 4,000.00	N\$ 4,000.00	
Décor	N\$ 10,000.00		
<b>EVENT PROGRAMMING SUBTOTAL</b>	<b>N\$ 67,500.00</b>	<b>N\$ 60,000.00</b>	
Sound Systems (opening & closing)	N\$ 10,000.00	N\$ 8,000.00	
Mid-Week Event	N\$ 10,000.00	N\$ 4,500.00	
Sound System - Stadiums	N\$ 10,000.00	N\$ 2,500.00	
Closing Show	N\$ 25,500.00	N\$ 15,000.00	
Opening - Lunch	N\$ 12,000.00	N\$ 30,000.00	
<b>MEDICS SUBTOTAL</b>	<b>N\$ 15,000.00</b>	<b>N\$ 11,500.00</b>	
Medical Support	N\$ 15,000.00	N\$ 11,500.00	

UMPIRES SUBTOTAL	N\$ 50,000.00	N\$ 53,150.00	
Volleyball (13)	N\$ 10,750.00	N\$ 10,800.00	Convenor N\$1, 200.00 and the 12 assistant N\$ 800.00 each
Darts (3)	N\$ 2,700.00	N\$ 2,800.00	Convenor N\$1, 200.00 and the 2 assistant N\$ 800.00 each
Pool (6)	N\$ 6,000.00	N\$ 5,200.00	Convenor N\$1, 200.00 and the 5 assistant N\$ 800.00 each
Netball (7)	N\$ 5 100.00	N\$ 6,000.00	Convenor N\$1, 200.00 and the 6 assistant N\$ 800.00 each
Soccer: 7- a - side (3)		N\$ 2,800.00	Convenor N\$1, 200.00 and the 2 assistant N\$ 800.00 each
Soccer (17)	N\$ 14,000.00	N\$ 14,000.00	Convenor N\$1, 200.00 and the 16 assistant N\$ 800.00 each
Stone Game (3)	N\$ 2.800.00	N\$ 2,800.00	Convenor N\$1, 200.00 and the 12 assistant N\$ 800.00 each
Tug-of- War (2)	N\$ 2,000.00	N\$ 2,000.00	Convenor N\$1, 200.00 and the 12 assistant N\$ 800.00 each
Ring board (3)	N\$ 2,800.00	N\$ 2,800.00	Convenor N\$1, 200.00 and the 12 assistant N\$ 800.00 each
Athletics (12)	N\$ 3,850.00	N\$ 3,950.00	Convenor N\$1, 200.00 and the 11 assistant N\$ 250.00 each
OTHER SUBTOTAL	N\$ 13,100.00	N\$ 9,850.00	
Water	N\$ 5,000.00	N\$ 2,500.00	
Lemons	N\$ 1,000.00	N\$ 250.00	
Cleaning of Toilets	N\$ 5,600.00	N\$ 5,600.00	
Cleaning of Social Club	N\$ 1,500.00	N\$ 1,500.00	
<b>TOTAL</b>	<b>N\$ 411,100.00</b>	<b>N\$ 363,874.89</b>	

It should be mentioned that the following companies sponsored financially and in kind:-

- Namcor – N\$ 70,000.00
- Standard Bank – N\$ 50,000.00
- Nedbank – N\$ 5,000.00
- Namport – T-Shirts
- Item Engineering – Tracksuits
- Tunacor – T-Shirts
- Schoemans – Equipment to print Players Cards
- Erong Red – Electricity

It should also be mentioned that from the sponsored amounts, N\$ 60,000.00 was deposited in the Municipal Social Club's account, to assist the sports teams who intend to participate in SAIMSA Games 2019.

The Municipality of Walvis Bay participated in the 2019 NALASRA Games with the following representation;

Pool	8 players
Volleyball	23 players
Netball	10 players
Netball (38+)	11 players
Soccer	25 players
Darts	6 players
Stone Game	3 players
Ring board	5 players
Fun Walk	22 players
Golf	4 players
Fishing	6 players
Tug – of – War	12 players
Tennis	<u>3 players</u>
	138 players

**Recommended:**

That Council take note of the feedback report for hosting the Namibian Local Authorities Sports and Recreation Association (NALASRA) Games in Walvis Bay from 06 - 10 May 2019, and participation of the Municipal Sports codes.

**12.5 Capital Budget 2018/2019 – Transfer of Budgeted capital funds between votes**  
(Add. 1; M/C Meeting 11/06/2019; File Budget)

The purpose of this report is to obtain Council 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.

Unforeseen events and increased expenditures since the approval of the 2018/19 capital budget have resulted in the need for re-deployment of capital funds. The following votes are affected:

<u>Vote</u>	<u>Description</u>	<u>Budget Amount</u>	<u>YTD Exp</u>	<u>Revised Budget</u>	<u>Shortfall</u>
B550/9328/0000	Power Tools	10,000	11,200.00	12,000	2,000
B562/8664/0000	Streetnames and traffic signs	250,000	247,382.55	325,000	75,000
B550/5198/0000	Replace multi-purpose joinery machine	115,000	0	125,000	10,000
B575/5172/0000	Replace M575, M257, M267, M277	2,721,705	2,867,926.60	2,871,705	150,000
B579/5173/0000	Replace M049	1,164,900	1,351,135.00	1,352,000	187,100
B562/8669/0000	Rebuilt Gravel roads	500,000	670,214.47	720,000	220,000
<b>TOTAL</b>		<b>4,761,605</b>	<b>5,147,858.62</b>	<b>5,405,705</b>	<b>644,100</b>

<b>Savings Vote</b>	<b>Description</b>	<b>Budget Amount</b>	<b>YTD Exp</b>	<b>Revised Budget</b>	<b>Saving</b>
B562/9138/0000	Installation of Traffic Control lights	750,000	0	105,900	644,100

Explanation:

1. Power tools were slightly overspent due to the acquisition of 3 bench grinders and a previous commitment, still to be reversed.
2. Street names and traffic signs: Overspent due to number of street name changes approved by Council in 2018/19 and an increase in vandalism to street signs.
3. Multi-purpose joinery machine: Quotations received, indicate a shortfall of around N\$10,000 to acquire this, much needed, piece of equipment.
4. Replacement of 4 sand removal tipper trucks: Final costs exceeded budget by N\$150,000.
5. Replace M049: Final costs to replace crane truck exceeded budget by N\$187,000.00
6. Rebuilt gravel roads: As the tarring program for 2018/19 was not approved, more funds had to be spent to keep gravel roads up to standard.
7. Savings vote: B562/9138/0000 - Although provision was made for the installation of one traffic light this year, no traffic counts were conducted to conclude which intersection qualifies.

Recommended:

That approval be granted that an expected saving of N\$644,100.00 on capital vote B562/9138/0000 be utilised for funding the following capital over-expenditures:

Vote B550/9328/0000 in the amount of N\$2,000.00

Vote B562/8664/0000 in the amount of N\$75,000.00

Vote B550/5198/0000 in the amount of N\$10,000.00

Vote B575/5172/0000 in the amount of N\$150,000.00

Vote B579/5173/0000 in the amount of N\$187,100.00

Vote B562/8669/0000 in the amount of N\$220,000.00

12.6 **AMNESTY** (Add. 2; M/C Meeting 11/06/2019; File 5/17/1)

The purpose of this report is to obtain Council approval to extend the declared period of amnesty interest from 31 May 2019 to 31 August 2019. In order to assist customers in reducing their outstanding debts by writing off interest levied in case of settling capital amount, Council at its meeting held on 4 December 2018 under Item 11.2 took the following resolution.

- "1) That Council approves a period of interest amnesty effective 01 December 2018 until 31 May 2019.

- 2) *That the interest on all customer accounts who settle their capital debt during the above period be reversed / credited against such accounts.*
- 3) *That the interest amnesty be made known to the public at large through all available means.*
- 4) *That the outcomes to interest amnesty be reported to Council."*

The current interest amnesty period is due to lapse on 31 May 2019. There has however been various requests from customers including customers from South Africa who will be visiting their properties during mid-year holiday for extension of this amnesty period. Number of various personal reasons were cited for the request for an extension.

The ratio of related debtors versus interest levied for the years ended 2017 and 2018 has been 1:14 and 1:17 respectively. Even though the ratio has expanded in preceding year due to increase in debtors, monthly interest levies also contributes to this outstanding debtors figures.

The table below depicts the historical results of interest amnesty granted in the past.

Year	Amnesty period	Capital settled	Interest amount written off
2015	10/09/2014 - 31/12/2014	6 117 427.00	1 378 770.00
2016	30/09/2014 - 03/12/2015	1 666 027.83	412 153.27
2017	01/12/2016 - 28/02/2017	727 581.90	130 957.54
2018	01/12/2017 - 30/04/2018	2 849 886.07	543 154.09
Current to date	01/12/2018 - 30/04/2019	1 145 975.00	136 065.00
<b>Total</b>		<b>12 506 897.80</b>	<b>2 601 099.90</b>

The final statistical results on the outcome of the current extended period will be reported to Council by September/October 2019.

Besides the advertising cost, i.e. cost incurred to inform the public about the existence of amnesty interest and interest to be reversed, there is no other additional cost to Council pertaining to amnesty interest. Council does not incur any expenditure to generate interest levies as its revenue, i.e. unlike water where there is a cost to supplier for water purchases. Therefore and besides the cost mentioned above, Council does not basically loose anything by reversing the interest levies as recommended.

**Recommended:**

- 1) That it be noted that the resolution still remains.
- 2) That the amnesty period be extended to 31 August 2019
- 3) That the extension of interest amnesty be made known to the public at large through all available means.

**12.7 APPLICATION FOR ACQUISITION OF INDUSTRIAL LAND AT HEAVY INDUSTRIAL AREA (REMAINDER FARM 58): CONSTRUCTION OF OIL REFINERY, CLASOX PETROLEUM (PTY) LTD**

(Add. 3; M/C Meeting 11/06/2019; File Farm 17/28/2)

The purpose of this report is to obtain principle approval be granted to reserve 10 Ha of land behind Dune 7 (Remainder Farm 58), for Clasox Petroleum (Pty) Ltd (the applicant), for the establishment of an envisaged oil refinery.

In their application dated 2 April 2019, the applicant indicated that they wish to establish an oil refinery in Namibia. Clasox Petroleum (Pty) Ltd, is a Namibian company with registration number 2014/0387.

The applicant further indicated that they require 10 ha of land for the project.

The applicant presented their development proposal for the envisaged oil refinery to Executive Management on 3 April 2019.

The process of township establishment of Farm 58 has not been finalized. The Registrar of Deeds advised that no land be leased or transferred on Remainder Farm 58, before township establishment has been completed.

The Department of Roads and Building Control is currently busy with the incorporation of Remainder Farm 58 into Walvis Bay Town and Townlands as an erf, with the subsequent subdivision of the incorporated portions. This process, once completed, will enable Council to either enter into long term leases with, or alienate required portions of land to, potential applicants.

What is being sought from Council from Clasox Petroleum, is the allocation/reservation of 10 Ha of land at Remainder Farm 58, for the purpose of establishing an oil refinery.

Walvis Bay has been experiencing significant growth over the last six years and this is expected to continue. The Government of Namibia, in terms of NDP 5, has identified Walvis Bay as the growth point for industrialization.

From an economic development point of view, the establishment of an oil refinery will contribute hugely to employment creation and poverty alleviation in Walvis Bay. This development is therefore supported.

The opinion is therefore held that, in view of the township development process still to be finalized, Clasox Petroleum be informed that Council would be prepared to approve their proposal in principle and that a portion of 10 ha will be reserved in this regard.

The opinion is further held that once township development process have been finalized, negotiations be entered into with the applicant for the lease or outright sale of 10 Ha of land. Such negotiations could include a visit to a partner refinery in Bulgaria, as invited by the applicant.

A further comprehensive report be submitted to council on completion of all Town Planning and related matters.

**Recommended:**

- (1) That principle approval be granted that 10 Ha of land on Remainder Farm 58 behind Dune 7, be reserved for Clasox Petroleum (Pty) Ltd (the applicant), for the envisaged oil refinery.
- (2) That, once the Town Planning and other related matter has been completed, further negotiations with the applicant for the lease or outright sale of 10 Ha land on Remainder Farm 58 be conducted, after which a comprehensive report with recommendations be submitted to Council for consideration.



12.8 **APPLICATION TO LEASE PORTION OF FARM 38 FOR ESTABLISHMENT OF AN EQUESTRIAN PARK: SAMATE INVESTMENT CC** (Add. 4; M/C Meeting 11/06/2019; File Farm 38)

The purpose of this report is to obtain Council approval, amongst others, that approximately 35 ha of Farm 38 be leased to Samate Investment CC (the applicant), for a period of 5 years, for the purpose of establishing an Equestrian Park in Walvis Bay.

The company, Samate Investment CC (Applicant), applied to Council for the lease a portion of Farm 38, for the purpose of establishing a Multi-Purpose Equestrian Centre.

Council, at its meeting held on 25 September 2018, under item 12.6, inter alia resolved as follows:-

- “(1) That approval in principle be granted that 35 ha (350,000 m<sup>2</sup>) of land at Farm 38 be reserved for Samate Investment CC for the development of an equestrian park.
- (2) That Samate Investment CC within a period of 3 months from date of the Council resolution, conducts a feasibility study at its own cost expenses and provide the Council with the results of the study.
- (3) That once the feasibility study in (2) above has been received, a further comprehensive report with recommendations be submitted to the Council for consideration.”

At its meeting held on 24 April 2019, Council considered a report which outlined a feasibility study submitted by the applicant.

Council subsequently resolved as follows:

- “(1) That Council takes note of the preliminary feasibility assessment submitted by Samate Investment CC, for the development of a Multi-Purpose Equestrian Park on Farm 38.
- (2) That the Applicant be invited for another presentation, in order to present the proposed development of a Multi-Purpose Equestrian Centre, together with the findings and recommendations of the feasibility assessment.
- (3) That once clarity on technical and other related matters has been obtained, a final report be submitted to Council for consideration.”

The applicant was subsequently invited to Informal Discussions held on 15 May 2019.

During the informal discussions on 15 May 2019, the applicant presented the preliminary findings of their study and give further clarity on certain issues relating to the administration of the facility.

The presentation by the applicant can be summarized as follows:

- The applicant confirmed that they wish to pursue the establishment of the proposed Multi-Purpose Equestrian Park.
- The applicant informed that the facility will be administered and operated as a recreational facility.
- The applicant would construct living units for the horse keepers, grooms, caretakers and veterinarians.
- The Equestrian Park will inter alia include the following activities;
  - Horse riding.
  - Show jumping.

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- Racing truck.
  - Horse stables.
  - Horse training facility (training school.)
  - Once the facility is up and running, the British Horseracing Authority together with Ministry of Sport, Youth and National Services will be assisting the developers with the rules and regulations on operating such a facility.
  - The applicant wish to attract international competitions to Namibia with the facility.
  - This project will further underscore the Government's initiative to promote sports in Namibia.
  - The project should be beneficial to Council, and also to the broader Walvis Bay, especially with the envisaged skills transfer through training.

In view of the above, the opinion is held that the application for establishing an Equestrian Park on Farm 38, is supported.

Council has in the past approved leases for sports clubs in Walvis Bay. A standard rate of N\$ 6 880.00 per annum, VAT excluded, with a 10% escalation annually, is charged to all sports clubs in Walvis Bay. A standard lease period of 5 years have been determined for all sports clubs.

The opinion is held that the proposed Equestrian Park also be viewed as a sports club and that the same conditions apply to them as to the other sports clubs. In other words the proposed Equestrian Parked not be charged the same lease rates as other institutions located on Farm 38.

Bearing in mind that 35 ha of Farm 38 is to be leased for a period exceeding one year, the approval of the Minister of Urban and Rural Development is required in terms of section 30(1)(t) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.

**Recommended:**

- (1) That 35 ha (350,000 m<sup>2</sup>) of Farm 38 be leased to Samate Investment CC (the applicant) at a rental of N\$ 6 880.00 plus 15% VAT, per annum, escalating with 10% per annum.
- (2) That the applicant, at its own cost, advertises the lease by private transaction for objections in terms of the provisions of section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (3) That the lease period be for 5 years, to be extended for a further period as agreed upon between the Municipality of Walvis Bay and the applicant.
- (4) That, in terms of section 30(1)(t) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended, the approval of the Minister of Urban and Rural Development be obtained.
- (5) That the lease agreement be signed and the annual rental be levied once the agreement has been signed by all parties.
- (6) That the applicant, in conjunction with the Department of Roads & Building Control, have the required 35 ha of Farm 38 surveyed at the applicant's cost.
- (7) That no unauthorized structures, or structures not approved in terms of the provisions of the Standard Building Regulations, shall be allowed on the site and the applicant shall, prior to the erection of any structures on the site, obtain the approval from the General Manager: Roads & Building Control.

- (8) That the applicant shall, on vacating the site, rehabilitate the area to the satisfaction of the General Manager: Roads & Building Control.
- (9) That a refundable, non-interest bearing deposit of N\$10,000.00 be paid by the applicant on date of signing the lease agreement, to cover the costs of rehabilitation of the site should the applicant fail to do so.
- (10) That the applicant, at its own cost, provides all services and adheres to the guidelines/standard requirements for all services, i.e. water connection, water/sewerage/electricity reticulation.
- (11) That the applicant shall, at own cost, enclose the leased area.
- (12) That electrical requirements/services and/or any other information in this regard be taken up with Erongo RED.
- (13) That the applicant has to comply at all times to all relevant requirements of Council's Standard Building Regulations, Health and Municipal Regulations.
- (14) That the Municipal Council of Walvis Bay not be held liable to reimburse the applicant for any improvements affected on the site should the lease not be extended after 5 years.
- (15) That the applicant guarantees and indemnifies the Municipality of Walvis Bay against any action, claim or loss, injury or damage which the applicant or any third party may suffer as a direct or indirect result of the development covered by the lease agreement.
- (16) That the applicant consult the Environmental Commissioner to determine whether the activity for which the application is made, is a listed activity. Should the activity be a listed activity, it will be required from the applicant to commission an Environmental Impact Assessment (EIA). Any and all consultations, guidelines and or Environmental Clearance Certificate (ECC), be submitted to Council for record keeping purposes. This is in terms of the Environmental Management Act, 2007 (Act No 7 of 2009) and it's Regulations, Regulation 5 (2).
- (17) That the applicant be informed that the business relationship and transaction can only be concluded and become effective once Section 21 of the Financial Intelligence Act, 2012 (Act No.13 of 2012) read with Section 26 of the said Act, is complied with, and that it is required from the applicant to provide such information at such time and in such format as instructed by the Anti-Money Laundering Compliance Officer of the Municipality of Walvis Bay.

12.9 **STAKEHOLDER CONSULTATION SESSION: ARANDIS EMERGENCY AND TRAFFIC MANAGEMENT CENTRE** (Add. 6; M/C Meeting 11/06/2019; File 2/17/1/3)

The purpose of the report is to obtain Council approval to provide feedback on the progress with the establishment of the Arandis Emergency and Traffic Management Centre (AERTMC).

During 2014/2015, the Arandis Town Council resolved to establish a Fire Station at Arandis. As this project was contemplated and planned, the Arandis Council realised that the majority of users of the Fire Station, would in fact be road users of the B2 road between Usakos and Swakopmund/Walvis Bay. It was then decided to extend the Fire station project to a more comprehensive project, to include the whole scenario of emergency services on this road.

In the process to establish a fully-fledged emergency and traffic management centre, the Arandis Council also established a partnership with the National Road Safety Council (NRSC) and the Erongo Regional Council.

It was also realised that a host of stakeholders will have to come on board to make this project fulfil its potential.

A stakeholders meeting was arranged to take place in Swakopmund on 15 May 2019, at which occasion the principle of the project and its progress so far, was presented. The Manager: Community Development attended the meeting.

The purpose of the stakeholders meeting was to provide stakeholders with the necessary insight to the AERTMC project, the progress so far and the way forward.

- The AERTMC project is based on an IT driven intervention, to create improved road safety and emergency response along the B2 road between Usakos and Walvis Bay.
- It is based on the Intelligent Transport System (ITS) used also in other countries.
- The main focus of this system is to create an effective communication vehicle between the road user, the vehicles on the road and the road itself. The ITS is the application of sensing, analysis, control and communications technologies to transportation, in order to improve safety, mobility and efficiency.
- The system would therefore focus on increased road safety on the B2 through the implementation of various technologies and processes, with better co-ordinated response to traffic accidents and with the improvement of road infrastructure through integrated Traffic Management.
- The NRSC, currently investigating ITS Policy development on behalf of the Ministry of Works and Transport, will be spearheading the AERTMC project.

Why Arandis?

- There is a high accident prevalence on the B2.
- The Arandis Council showed their willingness to support this project from its own facilities.
- The Arandis Council showed its preparedness to meet corridor safety needs given the current Port developments and concomitant impact on the B2.
- Arandis is of course strategically positioned.
- The B2 is one of the most trafficked roads.
- High future traffic volumes are expected on this road.

The AERTMC project rationale.

- The AERTMC will be a joint project between;
  - The National Road Safety Council (NRSC)
  - Arandis Town Council (ATC)
  - The Erongo Regional Council (ERC)
- The Multi-Functional Centre to be established in Arandis, will include;
  - Traffic Management.
  - Emergency Response and Dispatch.
  - HAZMAT Response.
  - CCTV Monitoring and Control Room.
  - Fire Station.

The way forward with this project will entail a feasibility study to be done, which will include further stake holder engagements, a technical and operational design of the Centre, as well as a business plan.

With the conclusion of these processes, it is anticipated to commence with the actual construction and rollout of the AERTMC facilities and project.

It is anticipated to execute the project in three phases. The first phase will represent the B2 road between Usakos and Swakopmund. On completion of the new road behind the dunes between Swakopmund and Walvis Bay, the second phase will be implemented on this road. The third phase will be implemented on the B2 road between Usakos and Karibib.

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The NRSC will finance the project with an initial amount of N\$ 10 million, followed up with another amount of N\$ 10 million in two separate financial book years.  
The NRSC, Erongo Regional Council and the Arandis Council will initiate further meetings with stakeholders to keep all involved, on par.

**Recommended:**

That the progress report on the establishment of the Arandis Emergency Response and Traffic Management Centre, be noted.

12.10 **APPLICATION TO PURCHASE A PORTION OF ERF 3115 NARRAVILLE (STREET):  
COUNCILLOR PENELOPE MARTIN-LOUW** (Add. 7; M/C Meeting 11/06/2019; File 3115)

To purpose of this report is to obtain Council approval on the possible sale, by private transaction, of a Portion of Erf 3115 Narraville (Street), approximately 27.629 m<sup>2</sup> in size, to Councillor Penelope' Martin-Louw.

An application, attached as **Annexure 'A'**, has been received from Clr. Penelope' Martin (hereinafter referred to as the applicant) to purchase a Portion of Erf 3115 Narraville (Street). The applicant is the owner of the adjacent property, Erf 2507 Narraville.

The required street portion applied for, is indicated as **A B C D** on locality plan, attached as **Annexure 'B'**.

This application was submitted to Council in August 2016. The application was referred back in order to enable a site visit.

The report was re-submitted after the site visit, but was again referred back in order to obtain further information on the closure of the street portion from the Department Roads and Building Control.

The report was re-submitted to Council, complete with report from the Department Roads and Building Control that the street portion applied for by Councillor Martin, solely serves as access to Erf 2507, with no other purpose. The department recommended that the portion applied for, be sold to the applicant.

The report was resubmitted and Council, at its Extra Ordinary meeting held on 19 December 2017, under item 6.1, again resolved that the item be withdrawn and re-submitted with a technical report on the future use of the remainder of erf 3115 Naraville.

The Department of Road and Building Control submitted the following information;

- Erf 3115 Narraville (street) was created as a Cul-De-Sac to provide access to a number of erven, which includes Erf 2507 N.
- The closure of a portion of Erf 3115 as applied for by the applicant, will have no significance on the street set-up and will have no effect or hamper access to any erf along this section of the Cul-De-Sac.
- A section of the front boundary of the adjacent Erf 2526 N will be effected as the portion applied for it is partly next to this erf. Vehicle access to Erf 2526 is not hampered at all. Consent from the owner will however have to be obtained.

Therefore, the opinion is held that the portion applied for serves as access to Erf 2507 and only has benefit for the applicant as owner of Erf 2507, only. It is clear that no other erf in the Cul-De-Sac will be hampered should this portion be alienated.

In order to effect the alienation and should there not be any objections from particularly the owner of Erf 2625, the following will have to be done;

- Erf 3115 Narraville should be subdivided into Portion "A" and Remainder "street" Portion "A" of Erf 3115 Narraville should be closed as "street" in terms of section 50 (1) of the Local Authorities Act, Act 23 of 1992.
- Thereafter, prior to the sale of the Portion, the applicant must complete all town planning procedures, such as application to the Townships Board, for cadastral survey. All costs related hereto are to be for the account of the applicant.

Table below shows the average rate/m<sup>2</sup> determined for the portion of Erf 3115 Narraville, as applied for.

This average has been determined by calculating the current municipal values of Erf 3115 and Erf 2507, the market value of erven in Narraville as determined by a sworn valuator in 2013 and the escalation of such values over the past six years. The average of N\$ 324.00/m<sup>2</sup> is therefore recommended as upset price.

Table 1: Average rate per square meter on valuations for erven in Narraville

Site	Municipal Valuation 2016/17 (N\$)	Rate per square meter (N\$)
Erf 3115N	52 000.00	96.00
Erf 2507N	28 000.00	123.00
Single residential erven in Narraville (2013)	425.00/m <sup>2</sup>	
Escalation of 10% over period of 6 years		753.00
	<b>Total</b>	972.00
	<b>Average</b>	324.00

The price for the portion of Erf 3115N will therefore amount to N\$ 324 x 27.629 m<sup>2</sup> = N\$ 8 951.79.

**Recommended:**

- (a) That approval be granted for the sale of a Portion of Erf 3115 Narraville (Street) (27.629 m<sup>2</sup> in extent) to Councilor Penelope' Martin, for the price of N\$ 8 951.79.
- (b) That the applicant, at its own cost, advertise the sale by private transaction in terms of section 63(2)(a)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (c) That the applicant, at its own cost, advertise the closure of Portion of Erf 3115 Narraville (Street) in at least two newspapers circulating in the Walvis Bay municipal area, as well as in the Government Gazette, and discuss the advertising process with the Town Planning Section, prior to proceeding with the actual advertising.
- (d) That the full purchase price in the amount of N\$ 8 951.00 be paid by Councilor Penelope' Martin on date of signing the Agreement of Sale.
- (e) That the applicant, at its own cost, attends to the consolidation of Portion of Erf 3115 Narraville (Street) with Erf 2507 Narraville.
- (f) That the relocation of any services (water, electricity, sewerage, Telecom lines, etc.) be for the account and responsibility of the applicant.
- (g) That the applicant be informed that the business relationship and transaction can only be concluded and become effective once Section 21 of the Financial Intelligence Act, 2012 (Act No.13 of 2012) read with Section 26 of the said Act, is complied with, and that it is required from the applicant to provide such information at such time and in such format as

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instructed by the Anti-Money Laundering Compliance Officer of the Municipality of Walvis Bay.

12.11 **RATIFICATION OF THE 18<sup>TH</sup> NALAO CONFERENCE & AGM DECLARATION**  
**Ref. No.** (Add. 7; M/C Meeting 11/06/2019; File 12/1/2/1/11)

The purpose of this report is to obtain Council approval to take note and to ratify the Namibian Association of Local Authority Officials (NALAO) 18<sup>th</sup> Annual Conference & Annual General Meeting Declaration/Communique.

The Namibian Association of Local Authority Officials (NALAO) 18<sup>th</sup> Annual Conference & Annual General Meeting (AGM) was held on the 13 – 15 November 2019 in Henties Bay under the theme "*Inspiring Smart, Safe and Sustainable Cities: A Call to Action*".

It should be noted that the Municipality of Walvis Bay produced the only and very 1<sup>st</sup> "*Certified Municipal Professional – CMP*" being the Manager: Solid Waste & Environmental Management. Also to note is that the Council's Town Planner was requested and made a presentation as part of the "*Smart, Safe Sustainable: Local Perspectives*" session. The main output of this Conference & AGM was a declaration which takes cognizance of and reaffirms commitment towards building smart, safe and sustainable towns for our citizens. Note the attached "*NALAO 18<sup>th</sup> ANNUAL CONFERENCE & AGM DECLARATION/COMMUNIQUE*".

**Recommended:**

1. That Council take note of the NALAO 18<sup>th</sup> Annual Conference & Annual General Meeting Declaration/Communique.
2. That Council ratify the NALAO 18<sup>th</sup> Annual Conference & Annual General Meeting Declaration/Communique.

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.*



