

MINUTES

of an **Ordinary Council Meeting** held in the Council Chambers, Municipal Head Office, Swakopmund on **Thursday, 26 April 2018** at **19:07**.

PRESENT:

Councillor P N D Nashilundo	:	Mayor
Councillor M Elago	:	Deputy Mayor
Councillor E Shitana	:	Chairperson of M/C
Councillor K N Jason	:	Alternate Chairperson of M/C
Councillor N N Salomon	:	Member of Management Committee
Councillor A M Marsh	:	Member of Management Committee
Councillor E Hangula	:	Alternate Member of MC
Councillor U Kaapehi	:	Member of Council
Alderman E //Khoaseb	:	Member of Council

OFFICIALS:

Mr M P C Swarts	:	Acting Chief Executive Officer
Mr M N Ipinge	:	GM: Community Development
Mr C McClune	:	GM: Engineering Services
Mr H !Naruseb	:	GM: Finance
Mr A Plaatjie	:	Acting GM: Corporate Services & HR
Mr V Kaulinge	:	Manager: Community Development Services
Mr M Cloete	:	Manager: Traffic Services
Ms M Bahr	:	Manager: Human Resources
Ms L Mutenda	:	Manager: Health Services
Mr J Heita	:	Manager: Town Planning
Mr U Tjiurutue	:	Corporate Officer: Administration
Ms I Ortner	:	Personal Assistant to the Mayor
Ms A Kahuika	:	Administration Officer: Administration

ALSO PRESENT:

Also present were two (2) staff members receiving long service awards, two (2) representative from the Media and eleven (19) members of the public.

1. **OPENING BY PRAYER**

Rev P A Strydom opened the meeting with a scripture reading and prayer.

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

On proposal of Councillor K N Jason seconded by Alderman E //Khoaseb it was:

RESOLVED:

That the agenda be adopted.

3. **APPLICATIONS FOR LEAVE OF ABSENCE AND DECLARATION OF INTEREST BY MEMBERS OF COUNCIL**

3.1 Application for leave of absence:

Councillor U Kaapehi	-	Approved
Councillor E Shitana	-	Approved
Councillor W O Groenewald	-	Approved

3.2 Declaration of interest:
None.

4. **CONFIRMATION OF MINUTES**

(C/M 2018/04/26 - A 2/3/5)

4.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 27 MARCH 2018**

On proposal of Councillor A M Marsh seconded by Alderman E //Khoaseb it was:

RESOLVED:

That the minutes of the Ordinary Council Meeting held on 27 March 2018, be confirmed as correct.

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

(C/M 2018/04/26 - A 2/3/5)

5.1 Her Worship, the Mayor, also announced as follows:

Council Meeting 26 April 2018

Honourable Councillors, Pastor P A Strydom, The Acting Chief Executive Officer, Mr Marco Swarts, General Managers, Managers, Officials, Members of the Community, Members of the Media, Ladies and Gentlemen, All Protocol observed

Good evening to you all, and a warm welcome to our fourth Council Meeting. Thank you for your commitment towards Council Agenda and continue to attend the meetings for information and to acquaint yourself with Council activities. Please encourage other community members to attend Council meetings too.

Ladies and Gentlemen; *Before I proceed with my speech, allow me to quote from the book of wisdom; out of*
Office of the Mayor

I would like to thank Councillors for their support that represented me at meetings, functions in my absence. The office of the Mayor had the following commitments that were attended by me or by my fellow Councillors;

- *We attended a Meeting with Minister of Urban and Rural Development; Dr Peya Mushelenga in Windhoek*
- *The Deputy Mayor and I attended the Koep & Partner's Coastal Function to familiarize with their activities.*
- *I attend the Alexander Forbes Namibia Retirement Fund breakfast and engagement session in Walvis Bay*
- *Councillors attended the Regional belated 28th Independence Celebration in Usakos.*
- *We visited MALMÖ city in Sweden as part of the Sweden/Swakopmund North South Municipal Partnership*

- I attended the Development, Drafting and Implementation of a National Integrated Crime Combating Strategy For Namibia
Once again thank you my fellow Councillors for the team work and the support.

Honourable Councillors, Ladies and gentleman

Announcement

DAMAGED STANDPIPES IN DRC

We received numerous complaints from members of the community and it was reported in the press that there are only few functioning standpipes in the DRC. We investigated the matter and findings were that foreign objects are forced in the pipes in order to break valve for the water to flow continuously. We also discovered that the standpipe's batteries are stolen. These vandalizing acts are unacceptable and we call upon the community to take good care of this equipment because Council is spending a lot of money on the repair thereof.

NATIONAL CLEAN UP DAY

All the residents are hereby invited to voluntarily avail themselves to be part of the National Clean Campaign that will take place on **25 May 2018** in Swakopmund and its surroundings. His Excellency, Dr Hage Geingob, The President of the Republic of Namibia, expressed concern about the increasing culture of littering throughout the country and decided to spearhead the **National clean-up campaign on 25 May 2018 (Africa day)**.

Swakopmund is regarded as the cleanest town in Namibia and we intend to keep it that way. That is why I appeal that all of us take part in this campaign and starts cleaning your surrounding now don't wait for 25 May 2018. Public is hereby invited to register their groups, companies, schools, etc. at the Municipal Office Building in the Computer Training Room as from **24 April 2018 to 08 May 2018 from 09H00** until 16h00 during week days.

More information regarding the campaign will be communicated via print and electronic media. Please spread the word and come in groups. We also request to all local businesses to whole heartedly sponsor the event when Council knocks at their door for assistance.

The "**cleanest town in Erongo**" will receive N\$30 000.00 from the office of Governor - Erongo Region. Let us team up and clean up our beautiful holiday destination.

NAMPOWER LED CAMPAIGN

Last month we announce that Nampower is exchanging used incandescent bulbs for LED bulbs. House owners are hereby informed that a second distribution will take place from **15-16 May 2018** from 08H00 to 17H00 at the Erongo RED offices in Mondesa and Tamariskia, in Swakopmund.

Beneficiaries should bring along their Municipal bill, identification document and four (4) used incandescent light bulbs, which will be exchanged for four (4) LED bulbs. Please note that the exchange will be on a first come, first served basis.

Honorable Councillors, Ladies and Gentlemen

The Namibian Annual Music Awards (also known as the NAMAs) exists to recognize the accomplishment of Namibian artists in the music industry by celebrating those groups and individuals who have excelled in the past year. This event is one of the biggest social events on the Namibian music calendar and is mainly organised by Mobile Telecommunications Ltd (MTC) and Namibian Broadcasting Corporation (NBC).

The NAMAs will be hosted on Saturday, **28 April 2018** at the Dome in Swakopmund. The Swakopmund Municipality is one of the major sponsors of the event.

You can buy the tickets for the event at Pick n Pay or online – www.webtickets.com.na prices for the tickets are N\$250 (general) and N\$600 (VIP).

Since the event is hosted over the weekend which will be followed by a "long weekend" due to the public holidays in beginning of May, I hereby appeal to visitors and residents to be responsible at all times. Swakopmund is a clean town and should be kept clean at all times. Adhere to road and traffic rules and other regulations, be safe and cautious and enjoy being with family and friends during these weekends.

Honorable Councillors, Ladies and Gentlemen

The Swakopmund Municipal Sports and Social club members will represent Council at the NALASRA held in Otjiwarongo from **06-11 May 2018** in the following sports codes:

- Darts
- Pool
- Volleyball men
- Tug of war
- Fun walk / Marathon
- Netball
- Soccer

Councillor Uahimisa Kaapehi will accompany the team to Otjiwarongo.

The Swakopmund Municipal Sports and Social club members will again represent Council at the SAIMSA games scheduled to take place during September 2018 in Swaziland.

We request the local businesses and residents to support the team all the way.

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

6.1 Long Service Awards

Honorable Councillors, Ladies and Gentlemen

Long Service Awards

Today we will acknowledge the following staff members:

- *Pinehas Johannes - 25 years of service*
- *Jason Shingulu - 35 years of service*

And for Mr Walde Shinavene who served 21 years and 1 month and Mr Festus Tiofe who served Council for 29 years and 9 months, we as Council appreciate your effort and commitment towards service rendering of our town. May the almighty bless you with good health as you are retiring from Council duties.

I thank you for your attention.

7. **PETITIONS**

None.

8. **MOTIONS OF MEMBERS**

None.

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

None.

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

10.1 **MINUTES OF MANAGEMENT COMMITTEE MEETINGS HELD DURING APRIL 2018**

(C/M 2018/04/26 - A 2/3/5)

RESOLVED:

That the minutes of the Ordinary Management Committee meeting held on 12 April 2018 and Special Management Committee meeting held on 06 April 2018, be noted.

11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**

11.1.1 **RESALE OF ERF 2623, SWAKOPMUND**

(C/M 2018/04/26 - E 2623)

RESOLVED:

- (a) That the cancellation of the sale of Erf 2623, Swakopmund to Ms Maria Magrietha Beuthin be noted.
- (b) That Council approves the sale of Erf 2623, Swakopmund being 1333m² at a Closed Bid Sale at an upset price of N\$800 000.00 on the same terms and conditions as the Closed Bid Sale of 04 December 2015 (being Council's standard Conditions of Sale).

11.1.2 **REPLACEMENT OF BUILD TOGETHER APPLICANT MS AR GOWASES WITH MR G MUHEUA**

(C/M 2018/04/26 - H 5/3)

RESOLVED:

- (a) That the application of Ms Anna R Gowases for a Build Together Erf and loan not be approved on account that she is not in possession of a Swakopmund voters card.
- (b) That the Build Together application of Ms Anna R Gowases remains on the waiting list and that it be re-assessed once she meets all the requirements.
- (c) That Erf 3880, Mondesa initially allocated to Ms Gowases be given to the next beneficiary on the Build Together Waiting list being Mr Guiney Muheua, ID No. 86050700637.
- (d) That should the deed search prove that Mr G Muheua is not a first time buyer, all transactions between Council and the beneficiary be cancelled and he be ordered to return the Erf to Council.

11.1.3 **ALLOCATION OF ERF 3788 MONDESA, TO BUILD TOGETHER BENEFICIARY MS D NGOZU**

(C/M 2018/04/26 - H 5/3)

RESOLVED:

That Erf 3788, Mondesa be allocated to Ms Dorothea Ngozu, *in lieu*, of Erf 3956, Mondesa which has been allocated to Mr Victory Haipinge.

11.1.4 **APPLICATION BY OSHAKATI GRILL & CATERING CC TO LEASE OR PURCHASE:**

(1) Erf 1960, Mondesa

(2) Erf 4341 or Erf 4342, Mondesa

(C/M 2018/04/26 - M 1960, M 4341, M 4342)

RESOLVED:

That Messrs Oshakati Grill & Catering CC be informed that the following erven are not available for lease or sale by private treaty:

- *Erf 1960, Mondesa as Council will develop the erf as an Open Market; and*
- *Erven 4341 and 4342, Mondesa will be sold by public closed bid as resolved on 28 September 2017.*

11.1.5 APPLICATION BY OSHAKATI GRILL & CATERING CC TO LEASE OR PURCHASE:

- *Erf 1960, Mondesa*
- *Erf 4341 or Erf 4342, Mondesa*
- *Erf 4108 or Erf 4109, Mondesa*

C/M 2018/04/26 - M 1960, M 4341, M 4342, M 4108, M 4109)

RESOLVED:

(a) That Messrs Oshakati Grill & Catering CC be informed that:

- *Erf 4108, Mondesa was allocated to WATO Investment CC by Council on 30 November 2017 under item 11.1.4.*

(b) That Council's decisions passed on 28 September 2017 under item 11.1.22 be amended and the wording of the subsequent decision passed by Council on 30 November 2017 under item 11.1.4 be amended accordingly:

Current wording:

(a) *That Messrs PMP Financial Services and Messrs M & H Investment participate in a close bid for Erf 4107.*

Amended wording:

(c) That Erf 4107, Mondesa be sold to Messrs M&H Investment and Erf 4109, Mondesa be sold to Messrs PMP Financial Services at the purchase prices reflected below, being the cost of installation of services plus a 50% mark-up (the purchase prices of the other private treaty sales were determined similarly):

	<i>Erf</i>	<i>Zoning</i>	<i>Size</i>	<i>Cost of Installation of Services + N\$10.00</i>	<i>Purchase Price</i>
1.	4107	Business	1 215	137 295.00	205 942.50
2.	4109	Business	1 141	128 933.00	193 399.50

(d) That the above two private treaty sales be subject to the conditions of sale approved by Council on 30 November 2017 under item 11.1.4 in order to be the same as those approved for the other private treaty sale allocations of erven in Extension 10, Mondesa

(e) That Messrs Oshakati Grill & Catering CC be informed that Messrs PMP Financial Services applied to purchase Erf 4109, Mondesa on 05 July 2017 for business purposes and seeing that there are no exceptional business proposal to determine the merit of their application instead of an application received earlier, Erf 4109, Mondesa is allocated to Messrs PMP Financial Services.

11.1.6 **APPLICATION BY MESSRS KAKOTO TRADING CC FOR A BUSINESS LAND IN BLOCK 23**

(C/M 2018/04/26 - H 5)

RESOLVED:

- (a) That the application of Messrs Kakoto Trading CC to purchase an Erf zoned “*General Business*” located in Block 23, DRC, measuring 2 156m² not be approved.
- (b) That Messrs Kakoto Trading CC be informed that Council considered its application but remains with its decision passed on 25 January 2018, under item 11.1.2, point (h) not to consider application for business land in Block 23 until the erven are proclaimed and serviced.

11.1.7 **ALLOCATION OF ERF 7046, MONDESA TO BUILD TOGETHER BENEFICIARY MS A UIRAS**

(C/M 2018/04/26 - H 5/3)

RESOLVED:

That Erf 7046, Mondesa be allocated to Ms Adelaide Uiras, *in lieu*, of Erf 7026, Mondesa which has been allocated to Mr L Khoeseb

11.1.8 **APPLICATION FOR CONSENT TO CONSTRUCT AND OPERATE AN ACCOMODATION ESTABLISHMENT ON ERF 1157, TAMARISKIA**

(C/M 2018/04/26 - T 1157)

RESOLVED:

- (a) That the consent to operate an accommodation establishment on Erf 1157, Tamariskia be turned down and objectors be informed accordingly.
- (b) That the applicant be advised to obtain an appropriate site from which to operate the proposed development.
- (c) That the applicant be informed of Council’s decision and their right to appeal to the Minister against Council’s Resolution in respect of resolution (a) above in terms of Clause 8 of the Swakopmund Town Planning Scheme within 28 days of receipt of notice of this Resolution, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.

11.1.9 **APPLICATION FOR CONSENT TO OPERATE A RESIDENTIAL GUESTHOUSE ON ERF 4482 SWAKOPMUND, EXTENSION 9**

(C/M 2018/04/26 - E 4482)

RESOLVED:

- (a) That the consent to operate a Residential Guesthouse on Erf 4482, Swakopmund, Extension 9, be approved, subject to the following:

- *That Council reserves the right, to cancel a consent use should there be valid complaints.*
 - *That the applicant must operate within the Town Planning Scheme regulations.*
 - *That the consent is not transferable.*
 - *That sufficient parking will be provided on the premises.*
 - *That no on street parking will be tolerated.*
- (b) That the objector be informed of his or her right to object (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister, within 28 days of this notice against Council's decision, provided that written notice of such an appeal shall be given to the Ministry, as well as the Council within the said period.

1.1.10 **NEED AND DESIRABILITY TO SUBDIVIDE ERF 1994, MONDESA, EXTENSION 3 INTO THIRTY PORTIONS AND REMAINDER**
(C/M 2018/04/26 - M 1994)

RESOLVED:

- (a) That the Need and Desirability for the subdivision of Erf 1994, Mondesa into thirty (30) portions and Remainder be approved.
- (b) That the following conditions shall be registered against the title deeds of all erven, except those reserved as public open space and those zoned for local authority purposes:
- (i) *The Erf shall only be used or occupied for purposes which are in accordance with and the use or occupation of the Erf shall at all times be subject to the provisions of the Swakopmund Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954), as amended,*
 - (ii) *The building value of the main building, excluding the outbuilding to be erected on the Erf shall be at least two (2) times the municipal Valuation of the Erf.*

11.1.11 **APPLICATION FOR THE REZONING OF ERVEN 5523 TO 5527, SWAKOPMUND FROM SINGLE RESIDENTIAL WITH A DENSITY OF 1:300 TO "GENERAL RESIDENTIAL 2" WITH A DENSITY OF 1:100 AND CONSOLIDATION OF ERVEN 5523 TO 5527 SWAKOPMUND, INTO ERF X**
(C/M 2018/04/26 - E 5523, E 5524, 5525, E 5526, E 5527)

RESOLVED:

That this item be withdrawn from the Agenda as per the instructions of the developer through Messrs WinPlan, the developer does not wish to continue with the development.

1.1.12 **CESSION OF THE RIGHT TO HANGARS 12 AND 31**
(C/M 2018/04/26 - N 9/1, Hangars 12 & 31)

RESOLVED:

- (a) That Council approves the cessions of the rights for the following hangars subject to the standard lease conditions for hangars at the aerodrome:
- *Hangar 12 (648m²) from Classic Aircraft CC to Botha Aviation CC; and*
 - *Hangar 31 (466m²) from Botha Aviation CC to Classic Aircraft CC.*
- (b) That the approval be subject to both existing lease accounts being paid to date (at the closing date for submissions the hangar rental account was paid to date).
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11.1.13 **BAD DEBT WRITE-OFF: MESSRS WATER MASTER**
(C/M 2018/04/26 - H 5/4)

RESOLVED:

- (a) That the debt of Messrs Water Master be regarded as a bad debt.
- (b) That the amount of N\$999 247.78 be settled against the provision of bad debts amount of N\$1 948 000.00.
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11.1.14 **TRANSFER OF FUNDS: AIRFIELD RAIL CROSSING**
(C/M 2018/04/26 - D 2/1, N 8/13/1/4)

RESOLVED:

- (a) That permission be granted to the General Manager: Finance to transfer an amount of N\$1 000 000.00 from Vote: 201532011800 - Road from B2 to Airfield Rail Crossing to Vote: 201532011100 - Resurfacing of Streets and Roads.
- (b) That permission be granted to the General Manager: Finance transfer an amount of N\$1 500 000.00 from Vote: 201532011800 - Road from B2 to Airfield Rail Crossing to Vote: 201532011700 - Upgrading road between NHE development and Rakatoka Street, Mondesa.
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11.1.15 **TRANSFER OF FUNDS: STORM WATER SYSTEMS**
(C/M 2018/04/26 - L 5, D 2/1)

RESOLVED:

That the General Manager: Finance be granted permission to transfer an amount of N\$65 000.00 from Vote: 201531632500 - to Vote: 201532826900, this will ensure that an order may be placed for the procurement of a Pneumatic Tyre Roller.

- 11.1.16 **REQUEST TO WAIVE PRE-EMPTIVE RIGHT (LOW & MIDDLE INCOME):
ERF 3919, MONDESA**
(C/M 2018/04/26 - M 3919)

RESOLVED:

That Mr Heseziel K A lipinge be informed that Council does not waive its pre-emptive right and that the property may not be sold until the lapsing of the 5 year period being 02 August 2021.

- 11.1.17 **INVITATION TO NALASRA GAMES 2018 IN OTJIWARONGO**
(C/M 2018/04/26 - J 10/1)

RESOLVED:

- (a) That permission is granted to members of the Swakopmund Municipal Sport and Social Club to participate in the 2018 NALASRA Games which will be hosted in Otjiwarongo from 06-11 May 2018.
 - (b) That Council approves special leave of the staff members (Club members) on the list (on file) to participate in the NALASRA Games.
 - (c) That the assigned Councillor accompanies the group to the NALASRA Games.
 - (d) That the subsistence and travelling allowances for the Councillor be defrayed from the relevant vote.
 - (e) That the General Manager: Finance releases the N\$50 000.00 from Vote: 960120405909 Annual Allocation to the Sport Club, in order to help off-set accommodation and transport expenses.
 - (f) That permission be granted to the traveling Councillor to use an official vehicle.
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- 11.1.18 **REQUEST NOT TO APPROVE THE ANNUAL CARNIVAL EVENT
(KUSKA 2018)**
(C/M 2018/04/24 - N 2/1, J 9/3)

RESOLVED:

That the request of Mr Laidlaw Peringanda on behalf of the Descendants of the Survivors of 1904-1908 Genocide in DRC Swakopmund to stop the "KUSKA 2018" event be turned down in consideration of the constitutional rights of All Namibians.

11.1.19 **COUNTRYWIDE CLEAN-UP CAMPAIGN 25 MAY 2018**
(S/M/C 2018/04/24 - G 1/1)

RESOLVED:

- (a) That Council takes ownership of hosting the Local Countrywide Clean-Up Campaign 25 May 2018 guide activities by National Clean up campaign and organise the day's activities accordingly.
- (b) That a committee be established to spearhead the Clean-Up Campaign 25 May 2018 under the leadership of the General Manager: Health Services.
- (c) That the Corporate Officer: Marketing Communication officer design a logo – for the campaign.
- (d) That permission be granted to the Traffic Section to escort the groups to their designated areas and back to the Fire Brigade.
- (e) That participants be provided with cleaning equipment such as gloves, refuse bags and bottled water.
- (f) That a caterer be appointed to provide lunch packs to the participating members during lunch at the Municipal Fire Brigade.
- (g) That the General Manager: Finance provides funds for catering, water and cleaning material/ equipment.
- (h) That the Office of the Constituency Councillor be approached to assist with the catering of the event.

11.1.20 **DETERMINING OF UPSET PRICE AND OFFER TO PURCHASE VEHICLE N 8583 S**
(C/M 2018/04/24 - D 19)

RESOLVED:

- (a) That Council does not accept the offer of Mr Johannes to purchase vehicle N 8385 S.
- (b) That the vehicle be sold through Messrs Aucor Namibia at the upset price of N\$20 000.00.

The meeting adjourned: 20:03

Minutes confirmed on: 31 May 2018

Councillor P N D Nashilundo
MAYOR

M P C SWARTS
ACTING CHIEF EXECUTIVE OFFICER

ut/AK-