

# AGENDA

Ordinary Council Meeting

on

**THURSDAY**





**05 SEPTEMBER 2013**

at

**19:00**



**MUNICIPALITY OF SWAKOPMUND**

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Ref No        A 2/3/5

Enquiries:    A Gebhardt

21 August 2013

The Mayor and Councillors  
Municipality  
SWAKOPMUND

Dear Sir / Madam

**NOTICE:    ORDINARY COUNCIL MEETING**

Notice is hereby given of an **ORDINARY COUNCIL MEETING** to be held in the Council Chambers, Municipal Office Building, Swakopmund on:

**THURSDAY, 05 SEPTEMBER 2013 at 19:00,**

**E U W Demasius**  
**CHIEF EXECUTIVE OFFICER**

AG/-

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- 

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None.

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None.

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None.

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None.

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10. **REPORT TO COUNCIL ON RESOLUTIONS TAKEN BY PREVIOUS  
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10 (A) **MINUTES OF AN ORDINARY MANAGEMENT COMMITTEE MEETING  
HELD ON 15 AUGUST 2013**

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2. **CONFIRMATION OF MINUTES**

(M/C 2013/08/15 - A 2/3/5)

2.1 **MINUTES OF AN ORDINARY MANAGEMENT COMMITTEE MEETING  
HELD ON 18 JULY 2013**

On proposal of Councillor N N Salomon seconded by Councillor R N Andreas-Noabes it was:-

**RESOLVED:**

That the Minutes of the Ordinary Management Committee meeting held on 18 July 2013 be confirmed as correct.

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5. **REPORTS: HEADS OF DEPARTMENTS**

5.5 **FINANCE**

5.5.1 **TOTAL EXPENDITURE**

(M/C 2013/08/15 - D 7/3/2/1)

**RESOLVED:**

That the total expenditure of N\$23 370 067.73 from 01-31 July 2013 be accepted and approved as correct.

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7. **MATTERS REFERRED BY PREVIOUS COUNCIL- AND MANAGEMENT  
COMMITTEE MEETINGS**

7.1 **FEEDBACK REPORT: ALIENATION OF BUSINESS ERVEN AT THE PDA  
MONDESA**

(M/C 2013/08/15 - H 5/7)

**RESOLVED:**

- (a) That the feedback report on the progress made by the various investors be noted.
  - (b) That the cancellation of the sale of Erf 3402, Mondesa measuring 775m<sup>2</sup> to Messrs The Namupala Family Enterprises be held in abeyance until 27 October 2013 and be resubmitted together with the feedback on the other erven and that the alienation thereof be determined together with the other business erven at the PDA after the deadline of 27 October 2013.
  - (c) That it be noted that all the investors have not yet provided bank guarantees as required.
-

7.5 **MESSRS ROSSMUND GOLF COURSE CC: REQUEST FOR EXEMPTION OF PAYMENT OF BASIC SERVICES CHARGES FOR ERVEN 115 TO 164, ROSSMUND**

(M/C 2013/08/15 - RM 31, RM 33, N7/3/4/1)

During the discussion of this item, Dr G Cloete of Messrs Rossmund Golf Course CC presented motivations for their request for the exemption of payment of basic services charges for Erven 115 to 164, Rossmund.

After various questions were raised and answered to the satisfaction of Management Committee, it was:-

**RESOLVED:**

- (a) That the presentation by Dr G Cloete of Messrs Rossmund Golf Course CC be noted.
- (b) That Messrs Rossmund Golf Course CC be informed to submit a Project Plan.

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7.6 **RESUBMIT: MESSRS MASADI PROPERTY HOLDINGS 23 (PTY) LTD: REQUEST FOR EXEMPTION FOR PAYMENT OF BASIC SERVICES CHARGES**

(M/C 2013/08/15 - G 3/9/11)

During the discussion of this item Mr S Skoppelitus of Messrs Masadi Property Holdings 23 (Pty) Ltd presented their request for exemption for payment of basic services charges. He indicated that he mistakenly considered the deadline to be August 2014 and not August 2013 as per the agreement and he apologized for the mistake. He further indicated that he only realized that the deadline is August 2013 after he was alerted by the Property Section.

After various questions were raised and answered to the satisfaction of Management Committee, it was:-

**RESOLVED:**

- (a) That the presentation by Mr S Skoppelitus of Messrs Masadi Property Holdings 23 (Pty) Ltd be noted.
- (b) That Messrs Masadi Property Holdings 23 (Pty) Ltd be informed to submit a Project Plan.

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8. **POLICY MATTERS**

8.1 **PURCHASE OF ERF 1898, MONDESA**

(M/C 2013/08/15 - M 1898)

**RESOLVED:**

- (a) That this item be referred back for further investigation and that it be resubmitted to the next Management Committee meeting.
  - (b) That Messrs Omukuenambura Heritage Group be informed that Erf 1898, Mondesa is situated next to Messrs Hero Bar and that they should confirm in writing that they accept that no complaints related to the operations of the bar will be entertained by Council should Council consider to allocate Erf 1898, Mondesa to them.
-

9. **PERSONNEL MATTERS**

9.2 **INVITATION: ANNUAL PARTNERS ORIENTATION CONFERENCE 2013**

(M/C 2013/08/15 - A 2/3/2/1)

**RESOLVED:**

That the invitation by Messrs AMICAALL - Namibia for Council to delegate representatives to attend the Annual Partners Orientation Conference 2013 scheduled to take place from 10-13 September 2013 in Swakopmund not be supported.

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9.3 **INVITATION: WORLD MAYORS SUMMIT ON CLIMATE CHANGE 2013**

(M/C 2013/08/15 - A 2/3/2/1/3)

**RESOLVED:**

- (a) That permission be granted to the Deputy Mayor and the General Manager: Health Services to attend World Mayor's Climate Change Summit scheduled to take place in Nantes, France from 27-28 September 2013.
  - (b) That special leave be granted to the General Manager: Health Services during this period.
  - (c) That the Subsistence & Traveling allowance be defrayed from the Council Conference Vote 100510206500 where N\$177 476.33 is available.
  - (d) That the delegates submit a feedback report on their return.
- 

9.4 **INVITATION: FUNDRAISING GALA DINNER FOR COASTAL BIODIVERSITY WEEK PART 2**

(M/C 2013/08/15 - G 1/1)

**RESOLVED:**

- (a) That the invitation by NACOMA for Council to participate in a fundraising dinner to be held on 20 September 2013 be approved.
  - (b) That a table of 10 seats to the value of N\$6 500.00 be purchased as Council's contribution towards the event and that the cost be funded from Council's Publicity Vote 100510212700 where N\$30 000.00 is available.
  - (c) That available Councillors confirm their attendance two weeks before the event.
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9.5 **INVITATION: IMEX POLITICIANS FORUM 2013**  
(M/C 2013/08/15 - A 2/3/2/1)

**RESOLVED:**

That this item be withdrawn from the Agenda and that it be resubmitted to the next Management Committee meeting.

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9.6 **REQUEST FOR FUNDING OF THE ANNUAL PARTNERS CONFERENCE 2013 AND ANNUAL CONTRIBUTION TOWARD AMICAALL**  
(M/C 2013/08/15 - B 1/12)

**RESOLVED:**

That the invitation by Messrs AMICAALL - Namibia for Council for the funding of the Conference scheduled to take place from 10-13 September 2013 in Swakopmund not be supported.

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9.7 **INVITATION: ROBIN SHARMA LEADERSHIP CONFERENCE & GOVERNORS WORKSHOP**  
(M/C 2013/08/15 - A 2/3/2/1)

**RESOLVED:**

- (a) That the permission granted to the Alternate Chairperson of Management Committee to attend the Leadership Conference & Governors Workshop in Windhoek held on 24 July 2013 at the cost of N\$950.00 per delegate, be condoned.
  - (b) That the Mayoral vehicle be used for the trip.
  - (c) That the Alternate Chairperson of Management Committee provides Management Committee with a report.
  - (d) That subsistence and traveling allowance be defrayed from the Council's Conference Expenses Vote 100510206500 where N\$177 476.33 is available.
  - (e) That it be recorded that the Mayor did not attend the workshop due to prior commitments.
- 

10 **MATTERS NOT ON THE AGENDA, BUT DISCUSSED WITH PERMISSION OF THE CHAIRPERSON**

10.1 **COMBINING BUILD TOGETHER ACCOUNTS AND THE POSSIBILITY OF THE MUNICIPALITY CONSTRUCTING BUILD TOGETHER HOUSES**  
(M/C 2013/08/15 - H 5/3)

**RESOLVED:**

- (a) That the General Manager: Community Development Services investigates and report back to Management Committee regarding the practicality and execution should Council agree to construct Build Together houses instead of giving money to the beneficiaries to construct their own houses.

- (b) That the General Manager: Finance investigates the possibility of combining the two different accounts (services and loans) of Build Together Beneficiaries into one account to avoid accrued debts of loans.

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10.2 **CONDITION OF ROAD OVER RAIL BRIDGE ON THE B2**

(M/C 2013/08/15 - N 8/4)

**RESOLVED:**

- (a) That the Office of the Mayor urgently pursues an appointment with the Honourable Minister of Transport to ensure that the structural safety of the Road over Rail Bridge is attended to, soonest.
- (b) That all heavy traffic, i.e. in excess of 5 tons, except those who need to do deliveries and / or collection in town be deviated along the eastern by-pass to and from Walvis Bay in future.
- (c) That the Mayor be provided with the necessary supporting documents for the meeting with the Minister of Transport.
- (d) That the following be discussed with the line Minister during the same visit:
- *TIPEEG Funding*
  - *Environmental Impact Assessment requirements*

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10.3 **INTERNAL AUDIT REPORT: GENERAL IT CONTROL**

(M/C 2013/08/15 - D 10/1)

**RESOLVED:**

- (a) That the observation made that insufficient controls are in place regarding password settings on the Solaris Unix operating System as well as the absence of a formalised password policy to manage the password standards, be noted.
- (b) That the security and password configurations be optimised to prevent unauthorized access and the following be recommended at a minimum:
- *Forced passwords changes every 90 days or less;*
  - *Password should be alpha-numeric;*
  - *A password history of 6 passwords should be maintained;*
  - *Idle session time out is set to 15 minutes;*
  - *A log of unsuccessful logons should be maintained, and reviewed by Senior Personnel.*
- (c) That the agreed feedback by Messrs Business Connexion that passwords and time out session are in place and the password history be changed from 3 to 6, be noted.
- (d) That password standards should be defined in the organisations' Information Security Policy and such be communicated to employees and applied consistently across all the IT System.

- (e) That the observation made that the Municipality does not have a formalized change control (management) policy and procedure in place to ensure that system changes are defined and appropriately managed / authorised by management prior to the changes being affected, be noted
- (f) That a formal change management policy and procedure be developed, implemented and maintained and the policy should be communicated to all employees, stressing its importance and adherence and the change control policy should include and be reviewed annually:
- *Registering/initiating a change;*
  - *Risk impact analysis;*
  - *Categorisation of changes;*
  - *Prioritisation of changes;*
  - *Authorisation of changes;*
  - *Back-out plans;*
  - *Implementation of changes;*
  - *Escalation procedures;*
  - *Review and closure of changes; and*
  - *Emergency Changes*
- (g) That the observation made that Swakopmund Municipality does not have a formally documented logical access control policy and procedure in place with the aim at limiting user access too only those areas in the information system environment that users requires to perform their job function, therefore protecting the Municipality against unauthorised access of data, programmes and/or terminals, be noted.
- (h) That a formal logical access policy and procedure be developed, implemented and maintained, that will be prior to any changes/amendments made to the logical access of a new/existing user, and “*access request form*” should be completed by the individual concerned and authorised by that particular line General Manager and be reviewed regularly to include:
- *New user setup/creation;*
  - *Modification to current user access; and*
  - *Deletion or suspension of access*
- (i) That the observation made on validation of user access rights to determine if access rights are still appropriate, based on the current job responsibilities is not performed regularly, be noted.
- (j) That regular validate user access rights to identify inappropriate access and dormant accounts be investigated, updated and/or closed.
- (k) That the agreed feedback by Messrs Business Connexion to do clean-ups concerning validation of user access be done regularly with the assistance of Human Resources, be noted.
- (l) That a formal IT Policy be formulated by Council’s IT Committee to incorporate the recommendations made by the Internal Auditors in their report on General IT Controls to be submitted to Management Committee for approval and implementation.
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10.7

**OMUTHIYA TOWN COUNCIL VISIT BY THE MAYOR**

(M/C 2013/08/15 - A 2/3/2/1)

**RESOLVED:**

- (a) That the permission be granted to the Mayor to visit the Omuthiya Town Council at a date to be determined.
  - (b) That the Mayoral vehicle be used for the trip.
  - (c) That the Mayor provides Management Committee with a report.
  - (d) That subsistence and traveling allowance be defrayed from the Council's Conference Expenses Vote 100510206500 where N\$177 476.33 is available.
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11. **RECOMMENDATIONS BY THE MANAGEMENT COMMITTEE**
- 11.1 **ORDINARY MANAGEMENT COMMITTEE MEETINGS HELD ON 15 AUGUST 2013**
- 11.1.1 **ALLOCATION OF ERVEN 3289, 3290 AND 3291, MONDESA**  
(C/M 2013/09/05 - M 3289, 3290, 3291, H5/7)

**Ordinary Management Committee Meeting of 15 August 2013, Addendum 7.2 page 08 refers.**

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**A. The following item was submitted to the Management Committee for consideration:**

**1. Introduction**

With reference to the presentations given by applicants who submitted their development proposals to purchase general residential erven being Erf 3289, 3290 and 3291, Mondesa, the Management Committee on **18 July 2013, under item 7.15** passed the following resolution:

*(a) That the presentations by the following business entities be noted:*

- *Ipupa Kasheeta*
- *Evangelical Lutheran Parish (ELCIN)*
- *Immy Trading CC*
- *Mr Jesay Herberth /Aibeb*
- *Western Property Developer and Estate CC*
- *Hangula Trading Enterprises CC*
- *JCS Group of Companies (Pty) Ltd*
- *Cottage Village Unit Number Eleven CC*
- *Ombo Investment CC*
- *Bonifasius Haufiku*
- *Auas Business Enterprises*
- *Lazarus Kunugab*
- *Silvanus T Kathindi*
- *Hansen Trading Enterprises CC*
- *Andreas Gawaseb*
- *Econia Muptomisala Petrus*
- *Abundance Trading Enterprises*
- *Bertha Inodhimbwandje Kadhila*
- *Angie Kanandjembo*
- *Helvi Mupupa*
- *WK Wright*

*(b) That it be recorded that Messrs Washikoko Builders and Services CC did not attend the presentation.*

*(c) That this item be submitted to a Management Committee meeting consisting of the panel members who were present during the presentations.*

A summary of all applicants listed above is **attached** as **Annexure “B”**.

Among the abovementioned applicants, six (as per **Annexure “A”**) are considered to be the most qualified taking into consideration

their purchase price offered, experience in property development, being local residents of Swakopmund and having submitted the required documents, they are in no particular order:

- ① Ms Josephine Ipupa Kasheeta
- ② Messrs Western Developer & Estate CC - Mr L Geiseb Lukas Dankie
- ③ Cottage Village Unit Number Eleven CC - Mr J S N Mwetupunga
- ④ Ombo Investment CC - Mr R Groenewald
- ⑤ Mr Lazarus Kunugab
- ⑥ Ms Bertha Inodhimbwa Kadhila

Council intention was not to simply accept the highest offer.

In view of the offers received in excess of N\$ 1 million, it is however proposed that offers below N\$ 800 000.00 not be accepted. The shortlisted applicants still represent a mixture of proven developers and newcomers; high purchase price visa verse low, male and female yet good layout plans.

From the six applicants listed above, it is recommended that Council elects three applicants to whom the three erven must be sold.

## **2. Background**

Council on **28 January 2013** under item 11.1.13 passed the following resolution:

- (a) *That Erven 3289, 3290 and 3291, Mondesa be sold by requesting for development proposals from the public at an upset price of N\$159.50/m<sup>2</sup>.*
- (b) *That the development proposals be subject to Council's standard conditions of sale contained in the approved amended Property Policy (Annexure "B" on file), subject to such special conditions as Council might determine: i.e.:*
  - (i) *Awarding the bid not to the highest bidder, but to the bid closest to the average of the bids received;*
  - (ii) *That local residents of Mondesa be considered for which proof of a Municipal services account must be submitted upon registration; and*
  - (iii) *Proof of ownership of property in Mondesa.*

In addition to the above, Council on **25 April 2013** under item 11.1.5 also resolved as follows:

- (a) *That Council's resolution passed on 28 February 2013, where it is referred to as "Mondesa" as per point (b) (ii) and (iii) be repealed and be replaced by "Swakopmund", to read as follows:*
  - (ii) *That local residents of Swakopmund be considered for which proof of a Municipal services account must be submitted upon registration; and*
  - (iii) *Ownership of property in Swakopmund.*
- (b) *That the invitation notice for development proposals be re-advertised in terms of Section 63 of the Local Authorities Act, Act 23 of 1992, as amended; thereby extending the closing date to Friday, 10 May 2013 for the submission of proposals.*

In line with the above resolution, local residents of Swakopmund were invited to submit their development proposals before 12H00 on **10 May 2013**.

The purchase price of the erven are reflected below, calculated at a rate of N\$ 159.50/m<sup>2</sup> as resolved by Council on **28 January 2013**.

<b>Erf Numbers</b>	<b>Erf Sizes m<sup>2</sup></b>	<b>Purchase Price (N\$)</b>	<b>Maximum number of units allowed per erf on a density of 1:250</b>
<i>Erf 3289, M</i>	<i>4 362</i>	<i>N\$ 695 739.00</i>	<i>17 units</i>
<i>Erf 3290, M</i>	<i>4 529</i>	<i>N\$ 722 375.50</i>	<i>18 units</i>
<i>Erf 3291, M</i>	<i>4 504</i>	<i>N\$ 718 388.50</i>	<i>18 units</i>

### **3. Required documents**

As part of the proposal document, interested parties were required to submit the following documents together with their complete proposals:

- (a) *Copy of identity document*
- (b) *detailed development proposal*
- (c) *proof from Financial institution for funding the project*

### **4. Council's standard conditions**

Council takes note of the following standard conditions that will be applicable to the successful applicants. These conditions were part of the development proposal document and applicants are aware of them.

#### **①. Allocation**

- (i) *The successful applicant shall submit written proof that the applicant has obtained finance for the proposed project from a financial institution within 30 days from the date of Council allocated the erf to the applicant.*
- (ii) *The detailed development proposal document submitted by the applicant will be attached to the deed of sale and requiring the developer to comply with his / her proposal.*
- (iii) *Only one erf per applicant will be allocated.*

#### **②. In principle approval by Council**

- (i) *The applicant takes note and confirms that no rights will accrue to him / her unless all the conditions are complied with in full and all the relevant authorities have given the necessary permission, if applicable.*
- (ii) *A deposit of **N\$50 000.00** is payable from the date the successful applicant allocated with the erf, the amount will covers all fees and costs to Council, prior to attending to entering into a deed of sale.*
- (iii) *Should a balance remain after Council's costs have been covered, it will be refunded to the applicant.*
- (iv) *The successful applicant must pay the above deposit within 90 days from date of the Council resolution approving the allocation of the erf to the successful applicant, failing which the Council resolution will automatically be revoked.*

③. Agreement of sale and transfer

- (i) *The deed of sale must be signed after payment the deposit but within 12 months after Council approved the allocation the erf the applicant, failing which the resolution will lapse.*
- (ii) *The deed of sale must be signed and returned to the Swakopmund Municipality, by the purchaser / developer within 21 days of being requested to do so.*
- (iii) *All costs relating to the transfer of this erf, (including but not limited to transfer duty, conveyancer's costs, compilation of the deed of sale, as well as any legal or other costs that may arise from this application), are for the applicant's account.*

④. Payment of purchase price

*The purchase price is payable in cash on date of signing the Deed of Sale, or must be secured by means of a bank guarantee payable on date of transfer which must be 120 days after Council approved the allocation of the erf to the successful applicant.*

*Should the applicant elect to provide a bank guarantee, the bank guarantee must be provided within 21 days from date of signing the deed of sale.*

⑤. General

- (i) ***The structural improvements shall no include the construction of boundary walls or any changes to the subterranean composition of the property must be completed within 48 months from date of Council allocated the erf to the successful applicant.***
- (ii) *The purchaser is not permitted to cede, assign or alienate their right or interest in the property or alienate the property to a 3<sup>rd</sup> party in any way before the completion certificate is issued.*
- (iii) *That the applicant takes note that Council does not reserve land and should the structural improvement not completed as referred in (i) above, the property shall automatically revert to Council if no completion certificate is issued on the expiry of the 48 months.*

⑥. Indemnity

*That the applicant indemnifies Council against any claims resulting from blasting (if needed).*

5. **Zoning**

In terms of the Swakopmund Town Planning Amendment Scheme these three erven are zoned “*General Residential 2*” with a density of 1:250 and may be used for the following purposes:

<b><i>Purposes for which land may be used</i></b>	<b><i>Purposes for which land may be used and buildings may be erected and used with the special consent of the council only</i></b>
<i>Dwelling House/s, Blocks of Flats, Townhouses</i>	<i>Residential Buildings, Place of Public Worship, Bed and Breakfast, Pensions, Resident Occupation. Residential Guest House.</i>



The proposals which intended to rezone the erven were also excluded from the consideration due to the loopholes created by the process.

**B. After the matter was considered, the following was:-**

**RECOMMENDED:**

(a) That the presentations given by the applicants be noted.

(b) That that the erven be allocated as follows:

- ① *Erf 3289, Mondesa measures 4362m<sup>2</sup> to Ms Josephine Ipupa Kasheeta at a purchase price of N\$890 545.92 to develop Residential and Commercial Accommodation.*
- ② *Erf 3290, Mondesa measures 4 529m<sup>2</sup> to Messrs Evangelical Lutheran Parish (ELCIN) at a purchase price of N\$722 375.50 to develop a Congregational Training Center, Auditorium, Accommodation Facilities, Community Soup Kitchen, Eating Place and IT Center for Youth.*
- ③ *Erf 3291, Mondesa measures 4 504m<sup>2</sup> to Mr Andreas Gawaseb at a purchase price of N\$720 000.00 to develop low cost houses to be leased to NAMPOL staff, after 3 years they will be given an opportunity to purchase.*

subject to Council's standard conditions for sale of erven and that the following applicants be considered should the above applicants not accept the offers:

- *Mr Econia Mptomisala Petrus*
- *Ms Bertha Inodhimbwandje Kadhila*
- *Ms Helvi Mupupa*
- *Mr Lukas Dankie Geiseb*

(c) That the erven referred in point (b) may not be sold to third parties without a completion certificate being issued that the property was developed as per the proposal submitted and approved by Council.

(d) That the successful applicants shall commence with structural improvements on their allocated erven within 12 (twelve) months from the date of transfer of the erven in their respective names.

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11.1.2 **ERF 3398, MONDESA - SALE BY CLOSED BID**  
(C/M 2013/09/05 - M 3398)

**Ordinary Management Committee Meeting of 15 August 2013,**  
Addendum 7.3 page 17 refers.

**A. The following item was submitted to the Management Committee for consideration:**

**1. Introduction**

Council on **25 October 2012** passed the following resolution:

*(c) That Erf 3398 measuring 2 484m<sup>2</sup> be sold by closed bid auction.*

The purchase price for the six business erven allocated at the said Council meeting was approved at N\$102.00/m<sup>2</sup>; no upset price was approved for the sale of Erf 3398, Mondesa.

Erf 3398, Mondesa is zoned “*Local Business*”.

**2. Upset Price**

It is proposed to consider an upset price of N\$102.00/m<sup>2</sup> in order to be more or less of equal value as the adjacent six erven allocated on **25 October 2012**.

Therefore, the upset price of Erf 3398, Mondesa will amount to **N\$253 368.00**.

**3. Land Use**

Quoted from Town Planning Amendment Scheme 12:

<b>ZONE</b>	<b>PURPOSE FOR WHICH LAND MAY BE USED</b>	<b>PURPOSES FOR WHICH LAND MAY BE USED AND BUILDINGS MAY BE ERECTED AND USED WITH THE SPECIAL CONSENT OF THE COUNCIL ONLY</b>
<i>Local Business</i>	<i>Shop, Office Building, Dwelling House</i>	<i>Place of Public Worship, Place of Instruction, Institutional Building, Blocks of Flats, Residential Building, Place of Assembly, Place of Amusement, Service Stations, Drive in Cafes, Bed and Breakfast, Pensions, Launderettes and Dry Cleaners</i>

**4. Closed Bid Auction**

It is proposed that a closed bid auction be scheduled for Friday, **29 November 2013**, subject to Council’s standard conditions of sale and those approved by Council on 27 June 2013 for the sale of the business erven in Extension 10, i.e.:

- *That a registration fee of N\$5 000.00 be paid per prospective bidder in order to participate;*
- *That the purchase price and 15% VAT be secured by bank guarantee or be paid in cash within 120 days from the date of sale, or from date of Ministerial approval should objections be received; and*
- *Failure to pay the purchase price in cash on the 120<sup>th</sup> day will result in the transaction being cancelled, should the purchase price be secured by a bank guarantee the transfer must be effected on or before the 120<sup>th</sup> day, else interest will be levied as from the date of allocation until the date of registration of transfer.*

- (i) *The erven are sold "voetstoots" and in the condition they presently are or shall be at the date of sale. Council gives no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the lay-out or situation or subterranean composition of the property or any improvements thereon.*
- (ii) *Council also does not warrant that the services installed at the property are suitable for the use intended by the purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage and water connections are suitable for the intended use of the property.*
- (iii) *The property may not be alienated within 24 months unless a completion certificate has been issued in respect of the structural improvements of four x the municipal value of the property; prior to the expiry of the said 24 month period. This restraint of alienation is to be registered against the title deed of the property.*
- (iv) *The property shall revert to Council if no completion certificate is issued on the expiry of the 24 months period.*
- (v) *If the property reverts to Council in terms of (c) above, the compensation payable to the purchaser shall be fixed at the original purchase price +15% VAT plus the value of any improvements.*
- (vi) *Council's sworn valuator shall determine the value of any improvements on the property. The purchaser shall be liable for the cost of the said sworn valuator.*
- (vii) *In the event that the purchaser is a close corporation, a company or a trust, then, the members interest in the close corporation or shareholding in the company or interest in the trust, as the case may be, may not be changed without the prior written approval of Council.*
- (viii) *Council shall not tolerate under any circumstances any process whereby the purchaser of the property will be allowed to nominate a third party as the eventual purchaser of the property. To be more specific, the Council shall not tolerate any agent bidding on behalf of a principal or any nominee acting on behalf of a legal entity still to be incorporated.*
- (ix) *A caveat will be registered against the title deed of the property to prevent any contravention of these conditions.*
- (x) *Connected parties defined as per the Income and VAT Act will not be permitted to bid for the property to avoid tender rigging.*
- (xi) *The Municipality of Swakopmund shall not accept any responsibility for any upgrading work of the erven.*
- (xii) *Availability services plus the relevant property taxes will be payable by a purchaser for the property he acquired at the Closed Bid Sale as from the month following the allocation of the erf.*

**B. After the matter was considered, the following was:-**

**RECOMMENDED:**

- (a) **That Erf 3398, Mondesa, measuring 2 484m<sup>2</sup> be offered for sale at a closed bid auction on Friday, 29 November 2013 at an upset price of N\$253 368.00 plus 15% VAT.**
- (b) **That Council's standard conditions of sale, and those approved by Council on 27 June 2013 for the sale of business erven in Extension 10 be applicable, i.e.:**
  - (i) ***That a registration fee of N\$5 000.00 be paid per prospective bidder in order to participate;***
  - (ii) ***That the purchase price and 15% VAT be secured by bank guarantee or be paid in cash within 120 days from the date of sale, or from date of Ministerial approval should objections be received; and***

- (iii) Failure to pay the purchase price in cash on the 120<sup>th</sup> day will result in the transaction being cancelled without the need to place the purchaser on terms, should the purchase price be secured by a bank guarantee the transfer must be effected on or before the 120<sup>th</sup> day, else interest will be levied as from the date of allocation until the date of registration of transfer.**
  - (iv) The erven are sold “voetstoots” and in the condition they presently are or shall be at the date of sale. Council gives no warranty or guarantee, whether express or implied, oral or tacit, as to the suitability of the lay-out or situation or subterranean composition of the property or any improvements thereon. Council also does not warrant that the services installed at the property are suitable for the use intended by the purchaser. It is therefore the obligation of the purchaser to verify that the installed electricity, sewage and water connections are suitable for the intended use of the property.**
  - (v) The property may not be alienated within 24 months unless a completion certificate has been issued in respect of the structural improvements of four x the municipal value of the property; prior to the expiry of the said 24 month period. This restraint of alienation is to be registered against the title deed of the property.**
  - (vi) The property shall revert to Council if no completion certificate is issued on the expiry of the 24 months period.**
  - (vii) If the property reverts to Council in terms of (c) above, the compensation payable to the purchaser shall be fixed at the original purchase price +15% VAT plus the value of any improvements.**
  - (viii) Council’s sworn valuator shall determine the value of any improvements on the property. The purchaser shall be liable for the cost of the said sworn valuator.**
  - (ix) In the event that the purchaser is a close corporation, a company or a trust, then, the members interest in the close corporation or shareholding in the company or interest in the trust, as the case may be, may not be changed without the prior written approval of Council.**
  - (x) Council shall not tolerate under any circumstances any process whereby the purchaser of the property will be allowed to nominate a third party as the eventual purchaser of the property. To be more specific, the Council shall not tolerate any agent bidding on behalf of a principal or any nominee acting on behalf of a legal entity still to be incorporated.**
  - (xi) A caveat will be registered against the title deed of the property to prevent any contravention of these conditions.**
  - (xii) Connected parties defined as per the Income and VAT Act will not be permitted to bid for the property to avoid tender rigging.**
  - (xiii) The Municipality of Swakopmund shall not accept any responsibility for any upgrading work of the erven.**
  - (xiv) Availability services plus the relevant property taxes will be payable by a purchaser for the property he acquired at the Closed Bid Sale as from the month following the allocation of the erf.**
-

11.1.3 **SERVICING OF BLOCK 2, TAMARISKIA - EXTENSION 3**  
(C/M 2013/09/05 - G 3/9/2))

**Ordinary Management Committee Meeting of 15 August 2013,**  
Addendum 7.4 page 21 refers.

**A. The following item was submitted to the Management Committee for consideration:**

**INTRODUCTION**

Management Committee on **14 March 2013** under item 10.2 resolved as follows:

- (a) *That the Services designs done by Windhoek Consulting Engineers for Block 2 of Extension 3, Tamariskia be purchased.*
- (b) *That Windhoek Consulting Engineers be requested to submit a quotation for Construction Supervision costs.*
- (c) *That Windhoek Consulting Engineers be requested to include the servicing of Block 2 of Extension 3, Tamariskia in their tender invitations, with the construction costs for Block 2 of Extension 3, Tamariskia be identified separately.*
- (d) *That both the construction costs and construction supervision costs be submitted to the Management Committee for approval.*
- (e) *That the Technician: Water, Sewer and Special Projects (Mr C McClune) be appointed as Employer's representative to this contract as part of his training / experience portfolio.*
- (f) *That the above be tabled to the Tender Board for consideration as it is viewed to be in the best interest of Council and the public.*

**PROGRESS**

(See locality plan **Attachment A**)

Messrs Windhoek Consulting Engineers concluded the tender process and submitted (See **Attachment B**) the results of their tender process as well as the costs for their construction management consulting services.

The necessary contract documents are being compiled and shall be presented for signature immediately after Messrs Tutengeni demonstrates financial status.

**COSTS**

<i>Item</i>	<i>Messrs Tutengeni</i>	<i>Municipality</i>	<i>Total</i>
<i>P&amp;G</i>	<i>729 787.12</i>	<i>676 082.88</i>	<i>1 405 870.00</i>
<i>Water</i>	<i>447 134.88</i>	<i>492 503.09</i>	<i>939 637.97</i>
<i>Sewer</i>	<i>1 094 846.75</i>	<i>918 406.00</i>	<i>2 013 252.75</i>
<i>Roads</i>	<i>2 940 717.70</i>	<i>2 588 060.24</i>	<i>5 528 777.94</i>
<i>Electricity</i>	<i>3 751 500.00</i>	<i>3 751 500.00</i>	<i>7 503 000.00</i>
<i>Road 1</i>	<i>1 448 546.35</i>	<i>1 138 143.56</i>	<i>2 586 689.91</i>
<i>Road 2</i>	<i>677 076.02</i>	<i>677 076.02</i>	<i>1 354 152.04</i>
<i>Contingencies (~10%)</i>	<i>1 108 960.88</i>	<i>1 024 177.18</i>	<i>2 133 138.06</i>
<i>Consulting cost</i>	<i>858 128.76</i>	<i>792 118.85</i>	<i>1 650 247.61</i>
<i>VAT (15%)</i>	<i>1 958 504.77</i>	<i>1 808 710.17</i>	<i>3 767 214.94</i>
<b><i>Total Cost</i></b>	<b><i>15 015 203.23</i></b>	<b><i>13 866 777.99</i></b>	<b><i>28 881 981.22</i></b>

(Note - the discrepancy between the table above and the Messrs Windhoek Consulting Engineers letter appears to be due to error on the part of Messrs Windhoek Consulting Engineers)

**BUDGETARY PROVISION**

Messrs Windhoek Consulting Engineers identified the need to ensure that both Messrs Tutengeni and the Municipality provided sufficient funds to allow completion of the works. To this extent Messrs Tutengeni shall submit a

guarantee to the Contractor (Premier Construction) to confirm the availability of funds to finance the execution of the Works. Proof of the financial guarantee being in place has been requested from Messrs Windhoek Consulting Engineers.

The Management Committee Resolution as indicated above, as well as the approved Budget is sufficient proof of availability of funds by the Municipality, obviating the requirement for a guarantee.

The following table identifies the provision made in the 2013/14 Capital Budget to provide all Services to Block 2 (Tamariskia Ext 2):

<b>SERVICES BLOCK 2 - TAMARISKIA</b>		
<b>Section</b>	<b>Vote</b>	<b>Amount (N\$)</b>
<i>Streets</i>	<i>2015 340 175 00</i>	<i>9 000 000.00</i>
<i>Sewage works</i>	<i>3025 340 165 00</i>	<i>3 000 000.00</i>
<i>Water supply</i>	<i>4020 340 171 00</i>	<i>3 000 000.00</i>
<b>Total amount provided</b>		<b>15 000 000.00</b>

**B. After the matter was considered, the following was:-**

**RECOMMENDED:**

- (a) That Messrs Windhoek Consulting Engineers be appointed to provide the required Construction Management consultation services to the amount of N\$792 118.85 (N\$910 936.68 including VAT).
  - (b) That Messrs Premier Construction be appointed as Construction Contractor for the construction of the works involved in the provision of services to Extension 3 of Block 2, Tamariskia, to the amount of N\$12 058 067.82 (N\$13 866 777.99 including VAT), which amount shall be inclusive of a Contingencies Amount of N\$1 024 177.18 (N\$1 177 803.76 including VAT), with the costs defrayed from the following Votes on the Capital Budget, where sufficient funds are available to finance the cost of the intended works:
    - *Vote 2015 340 175 00 (Streets)* *N\$9 000 000.00*
    - *Vote 3025 340 165 00 (Sewage works)* *N\$3 000 000.00*
    - *Vote 4020 340 171 00 (Water supply)* *N\$3 000 000.00*
  - (c) That the appointment of both Messrs Windhoek Consulting Engineers and Messrs Premier Construction be subject to the submission of proof of an acceptable guarantee by Messrs Tutengeni to Messrs Premier Construction that they shall have sufficient funds available to pay for the cost of the intended construction works.
  - (d) That the Chief Executive Officer be mandated to negotiate with Messrs Erongo RED to supply the electrical services to the value of N\$3 751 500.00 with feedback to Management Committee.
  - (e) That all savings on this project (estimated at ±N\$5 Million) be allocated for additional services to be constructed at the DRC.
  - (f) That the matter be submitted to the Tender Board for information.
-

11.1.4 **APPLICATION TO OPERATE A KINDERGARDEN FROM ERF 207, MONDESA**

(C/M 2013/09/05 - M 207)

**Ordinary Management Committee Meeting of 15 August 2013, Addendum 8.2 page 06 refers.**

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**A. The following item was submitted to the Management Committee for consideration:**

Application was received from Ms A Maletzki for consent to operate a Kindergarten from Erf 207, Mondesa.

Erf 207 is zoned as "*Single Residential*" purposes and in terms of the Swakopmund Town Planning Scheme application can be made for consent to operate a "Place of Instruction" from the property.

Excerpt from the Town Planning Amendment Scheme No.12:

**"PLACE OF INSTRUCTION"** means a school, crèche, college, technical institute, academic lecture hall, or other educational centre, and includes a hostel appertaining thereto, a monastery, convent, public library, art gallery, museum, gymnasium, but does not include a building used or intended to be used wholly or principally as a certified reformatory or industrial school, or as a school for mentally defective children.

The proposed intentions were advertised in terms of Clause 6 of the Swakopmund Town Planning Scheme (**Notice No 31/2013-07-16**) and no objections were received from the general public. All relevant neighbours were contacted and no objections were received.

**B. After the matter was considered, the following was:-**

**RECOMMENDED:**

- (a) That the application of Ms A Maletzki for consent to operate a "*Place of Instruction*" - Kindergarten from Erf 207, Mondesa, be approved.
  - (b) That the applicant registers with the Health Services Department and the standard Health Regulations will apply.
  - (c) That the consent use be subject to the following:
    - *That Council reserves the right, to cancel a consent use should there be valid complaints.*
    - *That the applicant must operate within the Town Planning Scheme regulations.*
    - *That the consent is not transferable.*
    - *That sufficient parking will be provided on the premises.*
    - *That no on street parking will be tolerated.*
-

11.1.5 **APPLICATION FOR PERMISSION TO OPERATE A TOURIST ESTABLISHMENT**

C/M 2013/09/05 - G 2)

Ordinary Management Committee Meeting of 15 August 2013, Addendum 8.3 page 16 refers.

**A. The following item was submitted to the Management Committee for consideration:**

**Attached** application was received for the registration of a tourist establishment in terms of the Swakopmund Town Planning Scheme:

- *Portion 145 (a portion of Portion 40) of the Farm 163, Swakopmund - Asser Haimbodi t/a Messrs Namib Coastal Lodge CC - Tourist Establishment*

The owner of the above-mentioned plot has requested permission from Council to operate a tourist establishment on the property. The property is zoned "Agriculture" and according to the Swakopmund Town Planning Scheme, with special consent from Council a tourist establishment may be allowed.

Excerpt from the Town Planning Amendment Scheme No.12:

**Table B: Erection and use of buildings and use of land**

	<b>ZONE</b>	<b>MAP REFERENCE</b>	<b>PURPOSES FOR WHICH LAND MAY BE USED</b>	<b>PURPOSES FOR WHICH LAND MAY BE USED AND BUILDINGS MAY BE ERECTED AND USED WITH THE SPECIAL CONSENT OF THE COUNCIL ONLY</b>
K	Agriculture	Green outline	Agricultural building	Tourist Facilities, Dwelling Houses, Farm Stall, Place of Instruction, Place of Public Worship, Shop, Tourist Establishment, Private Open Space

**"TOURIST ESTABLISHMENT"** means a building designed and or used as an accommodation establishment which is not a hotel and includes a pension, a caravan park, a guest house, a lodge, a backpackers lodge, a motel and all other establishments referred to in the definitions of 'Accommodation Establishments and Tourism Ordinance, 20 of 1973, as well as the regulations made thereunder, the Liquor Act 6 of 1998 and the Namibian Tourism Act 21 of 2000'.

All adjacent neighbours were contacted and no objections were received. The proposed consent use was also advertised as per Clause 6 of the Swakopmund Town Planning Scheme (**Notice No. 31/2013-07-16**) and no objections were received.

**B. After the matter was considered, the following was:-**

**RECOMMENDED:**

**That the application by Mr A Haimbodi t/a Messrs Namib Coastal Lodge CC for permission to operate a tourist establishment on Portion 145 of the farm 163 be approved subject to the following:**

- *That final approval only be granted once permission from the Namibian Tourism Board has been received.*
- *That the applicant registers with the Health Services Department and the Standard Health Regulations will apply.*
- *That Council reserves the right, to cancel a consent use should there be valid objections.*
- *That they must operate within the Town Planning Scheme Regulations.*
- *That the consent is not transferable should the property be sold.*



11.1.6 **APPLICATION FOR PERMISSION TO OPERATE A RESIDENT OCCUPATION (ADMINISTRATIVE OFFICE)**

(C/M 2013/09/05 - E 3101)

**Ordinary Management Committee Meeting of 15 August 2013,**  
Addendum 8.4 page 32 refers.

**A. The following item was submitted to the Management Committee for consideration:**

**Attached** application was received for the registration of an administrative office in terms of the Swakopmund Town Planning Scheme Regulations:

- *Erf 3101, Ocean View, Swakopmund (1 Nelken Street - Mr J J Smit & Mrs R Smit t/a P A Realtor Swakopmund/Namibia Holiday Services CC - Accounting and Administration Office*

The owners of the above-mentioned erf have requested Council for permission to operate an accounting and administrative office on the property. The property is zoned “*Single Residential*” and according to the Swakopmund Town Planning Scheme, with special consent from Council a resident occupation may be allowed.

**Table B: Erection and use of buildings and use of land**

	<b>ZONE</b>	<b>MAP REFERENCE</b>	<b>PURPOSES FOR WHICH LAND MAY BE USED</b>	<b>PURPOSES FOR WHICH LAND MAY BE USED AND BUILDINGS MAY BE ERECTED AND USED WITH THE SPECIAL CONSENT OF THE COUNCIL ONLY</b>
A	<i>Single Residential</i>	<i>Yellow fill</i>	<i>Dwelling house</i>	<i>Place of Public Worship, Place of Instruction, Resident Occupation, Residential Guest House</i>

Excerpt from the Town Planning Amendment Scheme No.12:

**“RESIDENT OCCUPATION”** means any commercial or industrial use conducted within a dwelling and carried on by the inhabitants thereof, subject to the following:

- The resident occupation shall be confined to one third of the total floor area of the said dwelling;
- The resident occupation must be carried out entirely within the dwelling to include the basement, outbuilding, garage, and/or attic of the dwelling.
- The home occupation must be clearly incidental and secondary to the residential use of the dwelling;
- The residential character and appearance of the dwelling and the property on which it is located shall not be changed in any visible manner. No advertisement of the existence of the resident occupation shall be visible from the dwelling or the erf on which it is located, except for one sign as permitted by this Scheme;
- No materials or products shall be stored on the erf outside in such a manner as to be visible from any adjacent property;
- Display of merchandise or products of the resident occupation for sale may be permitted at the discretion of Council in keeping with subparagraph (iv) above;
- The resident occupation shall not create any objectionable noise, odor, vibration or unsightly conditions;
- The resident occupation shall not create a health or safety hazard;
- The resident occupation shall not create any interference with communication transmission or reception in the vicinity;
- Only products that are substantially manufactured or fabricated in the dwelling solely by the inhabitants thereof shall be sold as part of the resident occupation.

*Products not manufactured or fabricated within the dwelling by the inhabitants may only be sold by catalogue sales and may not be stocked for retail sales within the residence. Incidental sales of products directly associated with the resident occupation may be permitted by Council;*  
(xi) *The resident occupation may employ up to 2 full time employees.*

All adjacent neighbours were contacted and no objections were received. The proposed consent use was also advertised as per Clause 6 of the Swakopmund Town Planning Scheme in the Namib Times on the 21<sup>st</sup> and 28th of **June 2013** and a notice was also placed on the site. No objections were received.

**B. After the matter was considered, the following was:-**

**RECOMMENDED:**

- (a) That the following application for permission to operate an accounting and administration office be approved:
- *Erf 3101, Ocean View, Swakopmund (1 Nelken Street) - Mr J J Smit & Mrs R Smit t/a Messrs P A Realtor Swakopmund/Namibia Holiday Services CC - Accounting and Administration Office*
- (b) That the applicant registers with the Health Services Department and the standard Health Regulations will apply.
- (c) That the consent use be subject to the following:
- *That Council reserves the right, to cancel a consent use should there be valid complaints.*
  - *That the applicant must operate within the Town Planning Scheme regulations.*
  - *That the consent is not transferable.*
  - *That sufficient parking will be provided on the premises.*
  - *That no on street parking will be tolerated.*
-

11.1.7 **APPLICATION FOR PERMISSION TO OPERATE RESIDENT OCCUPATIONS (HOME INDUSTRY)**

(C/M 2013/09/05 - M 89, M 1159)

Ordinary Management Committee Meeting of 15 August 2013, Addendum 8.5 page 49 refers.

**A. The following item was submitted to the Management Committee for consideration:**

**Attached** applications have been received for the registration of a Home Industry in terms of the Swakopmund Town Planning Scheme Regulations:

- Erf 89, Mondesa (520 Mandume Ya Ndemufayo Street) - Mrs Beata Shuumbi Miranda - Home Industry (catering services, traditional food)  
(Notice No. 31/2013-07-16)
- Erf 1159, Ext. 3 Mondesa - Mrs Dina Namubes t/a Messrs Casual Dining Catering Services - Home Industry (cooking and catering services)  
(Notice No. 31/2013-07-16)

The owners of the above-mentioned erven have requested permission from Council to operate home industries on their properties. Both properties are zoned “*Single Residential*” and according to the Swakopmund Town Planning Scheme, with special consent from Council a resident occupation may be allowed.

**Table B: Erection and use of buildings and use of land**

	<b>ZONE</b>	<b>MAP REFERENCE</b>	<b>PURPOSES FOR WHICH LAND MAY BE USED</b>	<b>PURPOSES FOR WHICH LAND MAY BE USED AND BUILDINGS MAY BE ERECTED AND USED WITH THE SPECIAL CONSENT OF THE COUNCIL ONLY</b>
A	<i>Single Residential</i>	<i>Yellow fill</i>	<i>Dwelling house</i>	<i>Place of Public Worship, Place of Instruction, Resident Occupation, Residential Guest House</i>

Excerpt from the Town Planning Amendment Scheme No.12:

**“RESIDENT OCCUPATION”** means any commercial or industrial use conducted within a dwelling and carried on by the inhabitants thereof, subject to the following:

- (i) The resident occupation shall be confined to one third of the total floor area of the said dwelling;
- (ii) The resident occupation must be carried out entirely within the dwelling to include the basement, outbuilding, garage, and/or attic of the dwelling.
- (iii) The home occupation must be clearly incidental and secondary to the residential use of the dwelling;
- (iv) The residential character and appearance of the dwelling and the property on which it is located shall not be changed in any visible manner. No advertisement of the existence of the resident occupation shall be visible from the dwelling or the erf on which it is located, except for one sign as permitted by this Scheme;
- (v) No materials or products shall be stored on the erf outside in such a manner as to be visible from any adjacent property;
- (vi) Display of merchandise or products of the resident occupation for sale may be permitted at the discretion of Council in keeping with subparagraph (iv) above;
- (vii) The resident occupation shall not create any objectionable noise, odor, vibration or unsightly conditions;
- (viii) The resident occupation shall not create a health or safety hazard;
- (ix) The resident occupation shall not create any interference with communication transmission or reception in the vicinity;

- (x) *Only products that are substantially manufactured or fabricated in the dwelling solely by the inhabitants thereof shall be sold as part of the resident occupation. Products not manufactured or fabricated within the dwelling by the inhabitants may only be sold by catalogue sales and may not be stocked for retail sales within the residence. Incidental sales of products directly associated with the resident occupation may be permitted by Council;*
- (xi) *The resident occupation may employ up to 2 full time employees.*

All adjacent neighbours were contacted and no objections were received. The proposed consent use was also advertised as per Clause 6 of the Swakopmund Town Planning Scheme, **Notice No. 31/2013-07-16**. No objections were received.

**B. After the matter was considered, the following was:-**

**RECOMMENDED:**

- (a) **That the following applications for permission to operate home industries be approved:**
- *Erf 89, Mondesa (520 Mandume Ya Ndemufayo Street) - B Miranda - Home Industry (catering services, traditional food)*
  - *Erf 1159, Mondesa - Mrs Dina Namubes t/a Messrs Casual Dining Catering Services - Home Industry (cooking and catering services)*
- (b) **That the applicants register with the Health Services Department and the standard Health Regulations will apply.**
- (c) **That the consent use be subject to the following:**
- *That Council reserves the right, to cancel a consent use should there be valid complaints.*
  - *That the applicant must operate within the Town Planning Scheme regulations.*
  - *That the consent is not transferable.*
  - *That sufficient parking will be provided on the premises.*
  - *That no on street parking will be tolerated.*
-

11.1.8 **APPLICATION FOR PERMISSION TO OPERATE RESIDENT OCCUPATIONS (ADMINISTRATIVE OFFICES)**

(C/M 2013/09/05 - E 520, VS 4091)

**Ordinary Management Committee Meeting of 15 August 2013, Addendum 8.6 page 72 refers.**

**A. The following item was submitted to the Management Committee for consideration:**

**Attached** applications were received for the registration of administrative offices in terms of the Swakopmund Town Planning Scheme Regulations:

- Erf 520, Swakopmund (Swakopmund - (31 Theo-Ben Gurirab Avenue) - Mrs H A Wolf & Mrs C I Hülsmann t/a Messrs Sandals Real Estate - Administrative Office  
(**Notice No. 31/2013-07-16**)
- Erf 4091, Vogelstrand (3 Onyx Street) - Ms M E Naude (manager) t/a Messrs Husab Project JV - Administrative Office  
(**Notice No. 31/2013-07-16**)

The owners of the above-mentioned erven have requested permission from Council to operate administrative offices on their properties. The properties are zoned "*Single Residential*" and according to the Swakopmund Town Planning Scheme, with special consent from Council a resident occupation may be allowed.

**Table B: Erection and use of buildings and use of land**

	Zone	Map Reference	Purposes For Which Land May Be Used	Purposes For Which Land May Be Used And Buildings May Be Erected And Used With The Special Consent Of The Council Only
A	<i>Single Residential</i>	Yellow fill	Dwelling house	Place of Public Worship, Place of Instruction, Resident Occupation, Residential Guest House

Excerpt from the Town Planning Amendment Scheme No.12:

**"RESIDENT OCCUPATION"** means any commercial or industrial use conducted within a dwelling and carried on by the inhabitants thereof, subject to the following:

- (i) The resident occupation shall be confined to one third of the total floor area of the said dwelling;
- (ii) The resident occupation must be carried out entirely within the dwelling to include the basement, outbuilding, garage, and/or attic of the dwelling.
- (iii) The home occupation must be clearly incidental and secondary to the residential use of the dwelling;
- (iv) The residential character and appearance of the dwelling and the property on which it is located shall not be changed in any visible manner. No advertisement of the existence of the resident occupation shall be visible from the dwelling or the erf on which it is located, except for one sign as permitted by this Scheme;
- (v) No materials or products shall be stored on the erf outside in such a manner as to be visible from any adjacent property;
- (vi) Display of merchandise or products of the resident occupation for sale may be permitted at the discretion of Council in keeping with subparagraph (iv) above;
- (vii) The resident occupation shall not create any objectionable noise, odor, vibration or unsightly conditions;
- (viii) The resident occupation shall not create a health or safety hazard;

- (ix) *The resident occupation shall not create any interference with communication transmission or reception in the vicinity;*
- (x) *Only products that are substantially manufactured or fabricated in the dwelling solely by the inhabitants thereof shall be sold as part of the resident occupation. Products not manufactured or fabricated within the dwelling by the inhabitants may only be sold by catalogue sales and may not be stocked for retail sales within the residence. Incidental sales of products directly associated with the resident occupation may be permitted by Council;*
- (xi) *The resident occupation may employ up to 2 full time employees.*

All adjacent neighbours were contacted and no objections were received. The proposed consent use was also advertised as per Clause 6 of the Swakopmund Town Planning Scheme (**Notice No 31/2013-07-16**). No objections were received.

**B. After the matter was considered, the following was:-**

**RECOMMENDED:**

**(a) That the following applications for permission to operate administrative offices be approved:**

- *Erf 520, Swakopmund - (31 Theo-Ben Gurirab Avenue) - Ms H A Wolf & Ms C I Hülsmann t/a Messrs Sandals Real Estate - Administrative Office*
- *Erf 4091, Vogelstrand (3 Onyx Street) - Ms M E Naude (Manager) t/a Husab Project JV - Administrative Office*

**(b) That the applicants register with the Health Services Department and the standard Health Regulations will apply.**

**(c) That the consent use be subject to the following:**

- *That Council reserves the right, to cancel a consent use should there be valid complaints.*
  - *That the applicants must operate within the Town Planning Scheme regulations.*
  - *That the consent is not transferable.*
  - *That they provide sufficient parking on the premises.*
  - *That no on street parking will be tolerated.*
-

11.1.9 **APPLICATION FOR PERMISSION TO OPERATE A RESIDENT OCCUPATION (ADMINISTRATIVE OFFICE)**

(C/M 2013/09/05 - V 964)

Ordinary Management Committee Meeting of 15 August 2013, Addendum 8.7 page 100 refers.

**A. The following item was submitted to the Management Committee for consideration:**

**Attached** application was received for the registration of an administrative office in terms of the Swakopmund Town Planning Scheme Regulations:

- Erf 964, Vineta (45 Fischreiher Street) - Mr B & Mrs K Nebe t/a Messrs Turustone Tours - Administrative Office (Tourism Booking Office)

The owner of the above-mentioned erf has requested permission from Council to operate a small tourism booking office on her property. The property is zoned “*Single Residential*” and according to the Swakopmund Town Planning Scheme, with special consent from Council a resident occupation may be allowed.

**Table B: Erection and use of buildings and use of land**

	<b>ZONE</b>	<b>MAP REFERENCE</b>	<b>PURPOSES FOR WHICH LAND MAY BE USED</b>	<b>PURPOSES FOR WHICH LAND MAY BE USED AND BUILDINGS MAY BE ERECTED AND USED WITH THE SPECIAL CONSENT OF THE COUNCIL ONLY</b>
A	<i>Single Residential</i>	Yellow fill	Dwelling house	Place of Public Worship, Place of Instruction, Resident Occupation, Residential Guest House

Excerpt from the Town Planning Amendment Scheme No.12:

**“RESIDENT OCCUPATION”** means any commercial or industrial use conducted within a dwelling and carried on by the inhabitants thereof, subject to the following:

- The resident occupation shall be confined to one third of the total floor area of the said dwelling;
- The resident occupation must be carried out entirely within the dwelling to include the basement, outbuilding, garage, and/or attic of the dwelling.
- The home occupation must be clearly incidental and secondary to the residential use of the dwelling;
- The residential character and appearance of the dwelling and the property on which it is located shall not be changed in any visible manner. No advertisement of the existence of the resident occupation shall be visible from the dwelling or the erf on which it is located, except for one sign as permitted by this Scheme;
- No materials or products shall be stored on the erf outside in such a manner as to be visible from any adjacent property;
- Display of merchandise or products of the resident occupation for sale may be permitted at the discretion of Council in keeping with subparagraph (iv) above;
- The resident occupation shall not create any objectionable noise, odor, vibration or unsightly conditions;
- The resident occupation shall not create a health or safety hazard;
- The resident occupation shall not create any interference with communication transmission or reception in the vicinity;
- Only products that are substantially manufactured or fabricated in the dwelling solely by the inhabitants thereof shall be sold as part of the resident occupation.

*Products not manufactured or fabricated within the dwelling by the inhabitants may only be sold by catalogue sales and may not be stocked for retail sales within the residence. Incidental sales of products directly associated with the resident occupation may be permitted by Council;*  
(xi) *The resident occupation may employ up to 2 full time employees.*

All adjacent neighbours were contacted and no objections were received. The proposed consent use was also advertised as per Clause 6 of the Swakopmund Town Planning Scheme in the Namib Independent on 13<sup>th</sup> and 20<sup>th</sup> **June 2013** and a notice was also placed on the site. No objections were received.

**B. After the matter was considered, the following was:-**

**RECOMMENDED:**

- (a) That the following application for permission to operate an administrative office be approved:
    - *Erf 964, Vineta - Mr B & Mrs K Nebe t/a Messrs Turustone Tours - Tourism Booking Office*
  - (b) That the applicants register with the Health Services Department and the standard Health Regulations will apply.
  - (c) That the consent use be subject to the following:
    - *That Council reserves the right, to cancel a consent use should there be valid complaints.*
    - *That they 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.*
-



11.1.10 **APPLICATION FOR CONSENT TO CONSTRUCT 9 SECTIONAL TITLE UNITS ON THE FIRST FLOOR ON ERF 1088, MONDESA**  
(C/M 2013/09/05 - M 1088)

**Ordinary Management Committee Meeting of 15 August 2013, Addendum 8.8 page 115 refers.**

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**A. The following item was submitted to the Management Committee for consideration:**

**Attached** application was received from Messrs KB Designs on behalf of their client Mr J P Kouwenhoven for consent to construct 9 sectional title units on the first floor of Erf 1088, Mondesa.

The applicant is requesting Council's permission to construct 9 units on the first floor of Erf 1088 as a residential building/block of flats as a consent use on a "local business" zoned erf. The proposed development will contribute positively to the appearance of the area.

The erf is zoned "*Local Business*" and is  $\pm 1459.2\text{m}^2$  in extent. According to the Swakopmund Town Planning Scheme Regulations, Council may grant consent, should it feel that it would not interfere with the amenities of the neighbourhood.

Excerpt from Town Planning Amendment Scheme No.12, Clause 5/E/1 for convenience.

1. Primary Uses:

*Shops, Office Buildings, Dwelling Houses.*

Consent Uses:

*Place of Public Worship, Place of Instruction, Institutional Building, Blocks of Flats, Residential Building, Place of Assembly, Place of Amusement, Service Stations, Drive in Cafes, Pensions, Bed and Breakfast, Launderettes, Dry Cleaners.*

The surrounding neighbours were contacted and no one objected. Registered mail was also sent to some of the owners of the surrounding properties and no one replied. The intended use was further advertised as per Clause 6 of the Swakopmund Town Planning Scheme and no objections were received.

**B. After the matter was considered, the following was:-**

**RECOMMENDED:**

**That the application for consent to construct 9 sectional title units on the first floor on Erf 1088, Mondesa be approved.**

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11.1.11 **APPLICATION FOR PERMISSION TO OPERATE A DRY CLEANING BUSINESS**

(C/M 2013/09/05 - T 784)

Ordinary Management Committee Meeting of 15 August 2013, Addendum 8.9 page 177 refers.

**A. The following item was submitted to the Management Committee for consideration:**

**Attached** application was received for the registration of a Dry Cleaning Business in terms of the Swakopmund Town Planning Scheme Regulations:

- *Erf 784, Tamariskia (Vrede Rede Street) - Ms CR Goldbeck t/a Messrs Dry Cleaning Excellence*  
(Notice No. 31/2013-07-16)

The applicant is leasing a shop on the abovementioned erf and has requested Council for permission to operate a dry cleaning business from the premises. The property is zoned "General Business" and according to the Swakopmund Town Planning Amendment Scheme with special consent from Council a dry cleanette may be allowed.

Insert from the Town Planning Amendment Scheme No.12:

**Table B: Erection and use of buildings and use of land**

	ZONE	MAP REFERENCE	PURPOSES FOR WHICH LAND MAY BE USED	PURPOSES FOR WHICH LAND MAY BE USED AND BUILDINGS MAY BE ERECTED AND USED WITH THE SPECIAL CONSENT OF THE COUNCIL ONLY
D	General Business	Blue fill	Shops, Office Buildings, Parking Garages, Licensed Hotels, Blocks of Flats, Residential Buildings	Service Stations, Service Industry, Launderettes, Dry-cleanettes, Place of Assembly, Place of Amusement, Institutional Buildings, Drive-in Cafés, Funeral Parlours and Chapels, Warehouses, Liquor Stores, Bed and Breakfast, Pensions.

Adjacent neighbours were contacted and no objections were received. The proposed consent use was also advertised as per Clause 6 of the Swakopmund Town Planning Scheme Regulations (**Notice No. 31/2013-07-16**) and no objections were received.

**B. After the matter was considered, the following was:-**

**RECOMMENDED:**

- (a) That the following application for permission to operate a dry cleaning business be approved:

- *Erf 784, Tamariskia (Vrede Rede Street) - Ms CR Goldbeck t/a Dry Cleaning Excellence - Dry Cleaning*

- (b) That the applicant registers with the Health Services Department and the standard Health Regulations will apply.

- (c) That the consent use be subject to the following:

- *That Council reserves the right, to cancel a consent use should there be valid complaints.*
- *That the applicant must operate within the Town Planning Scheme regulations.*
- *That the consent is not transferable.*

11.1.12 **APPLICATION FOR PERMISSION TO OPERATE A HOME SHOP**  
(C/M 2013/09/05 - M 2248)

**Ordinary Management Committee Meeting of 15 August 2013,**  
Addendum **8.10** page **188** refers.

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**A. The following item was submitted to the Management Committee for consideration:**

**Attached** application was received for the registration of a Home Shop in terms of the Town Planning Scheme Regulations and Council's Shebeen and Home Shop Policy:

- *Erf 2248, Mondesa - Mr E Shivolo t/a Messrs Welcome 2 Mondjila Tuck Shop - Home Shop*  
**(Notice No. 31/2013-07-16)**

The erf is zoned "*Single Residential*" and a Home Shop will be operated from the premises. In order to establish a Home Shop, the applicant must also obtain permission from his/her neighbours and advertise as per Clause 6 of the Town Planning Scheme Regulations for any objections/comments. The building must also conform to the Health and Building Regulations.

Excerpt of Clause 8.21 from the Town Planning Amendment Scheme No.12 for convenience.

- **8.21 HOME BASED GENERAL DEALERS**  
(a) *Council may, subject to the provisions of Clause 6.2 of this Scheme (advertisements for consent use), allow the operation of shebeens or home based general dealers in the following special demarcated areas: to the east of Rakotoka Street, to the north of Winter Street and to the west of the railway reserve.*

The intended use was advertised as per Clause 6 (**Notice No. 31/2013-07-16**) and no objections were received.

The Health Services Department inspected the premises and the report dated **11 July 2013** is **attached**.

**B. After the matter was considered, the following was:-**

**RECOMMENDED:**

- That the application by Messrs Welcome 2 Mondjila Tuck Shop to operate a Home Shop on Erf 2248, Mondesa be approved.**
  - That the applicant registers with the Health Services Department and the standard Health Regulations will apply.**
  - That the consent use be subject to the following:**
    - *That Council reserves the right, to cancel a consent use should there be any valid complaints.*
    - *That the applicant must operate within the Town planning Scheme Regulations, Health Regulations and Shebeen & Home Shop policy.*
    - *That no alcohol will be sold.*
    - *That the consent is not transferable should the property be sold.*
-

11.1.13 **APPLICATION FOR THE RELAXATION OF BUILDING HEIGHT ON ERF 5634, EXTENSION 17, SWAKOPMUND**

(C/M 2013/09/05 - E 5634)

**Ordinary Management Committee Meeting of 15 August 2013, Addendum 8.11 page 203 refers.**

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**A. The following item was submitted to the Management Committee for consideration:**

**Attached** application was received from Messrs KB Designs on behalf of their client Mr C Pieterse for a proposed height relaxation on Erf 5634, Extension 17, Swakopmund.

The applicant is requesting Council's permission to exceed the prescribed height of 8.00m. The new proposed height will be 10.00m as per drawing. The height will contribute positively to the appearance of the building. **Attached** drawings illustrate the height.

The erf is zoned "*Single Residential*" and has a height restriction of 8.00m. According to the Swakopmund Town Planning Scheme Regulations, Council may grant a relaxation, should it feel that it would not interfere with the amenities of the neighbourhood.

Excerpt from Town Planning Amendment Scheme No.12, Clause 5/A /2.3 for convenience.

**2.3 Height**

*No dwelling house shall exceed a height of 8m.*

*Provided that:*

*The Council may relax the maximum height to 10 metres if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.*

The surrounding neighbours were contacted and no one objected. Registered mail was also sent to some of the owners of the surrounding properties and no one replied. The intended use was further advertised as per Clause 6 of the Swakopmund Town Planning Scheme and objections were received.

**Objections raised by Mr Klaus Ultsch, owner of Erf 5644**

**Point 1:** Here is my reason for my objection:

To relax the building line from 3m - 2m on the ground floor and from 5m - 4m on the 1<sup>st</sup> floor would affect my property disadvantageous. Without any doubt such relaxation would decrease the value of my plot.

When I bought the erven I was informed about the building line rules.

The same applies to my objection regarding the height relaxation application. As you may very well imagine, a building with a height of 10m instead of 8m will impair my property strongly.

### **Discussion on Point 1:**

Please take note that for this particular application, the focus will only be on the height relaxation and not the building line relaxation.

We cannot see how the proposed height of the building will create an unsightly building as the height relaxation is limited to a small portion of the house. Furthermore an erf zoned for "*Single Residential*" would usually accommodate buildings with a maximum height of 8 meters which is not much lower than 10 meters. As far as surrounding property values being negatively affected due to an increased height of a portion of the building is highly unlikely.

### **Objections raised by Cymot Holdings (Pty) Ltd, owner of Erf 5641**

**Point 1:** Objection raised as building will be too dominant and as such unsightly.

**Discussion on Point 1:** We cannot foresee how the proposed height increase of the building will create an unsightly building as the height relaxation is limited to a small portion of the house. This will not create a dominate building as mentioned in the objection.

### **Conclusion**

According to the Swakopmund Town Planning Amendment Scheme, all owners of erven have the right to apply for consent for building height relaxation to better optimise their erf.

**B. After the matter was considered, the following was:-**

### **RECOMMENDED:**

- (a) That the application for the relaxation of building height from 8.00m to 10.00m on Erf 5634, Extension 17, Swakopmund be approved.
  - (b) That Mr Klaus Ultsch and Messrs Cymot Holdings (Pty) Ltd be informed of their right to appeal (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister, within 28 days (in respect of resolution (a) above) of this notice against Council's decision, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.
-

11.1.14 **APPLICATION FOR CONSENT FOR THE RELAXATION OF BUILDING LINE ON ERF 6247, EXTENSION 22, SWAKOPMUND**

(C/M 2013/09/05 - E 6247)

**Ordinary Management Committee Meeting of 15 August 2013, Addendum 8.12 page 245 refers.**

**A. The following item was submitted to the Management Committee for consideration:**

**Attached** application was received from Mr M Sevelus & Mr ETG Ngwedha for a proposed building line relaxation on Erf 6247, Swakopmund.

The applicant is requesting Council's permission for consent to relax the rear building line from 3m to 0m. The applicant requested the owners of the neighbouring properties to give consent to relax the building line to which the one neighbour objected.

The erf is zoned "*Single Residential*" and has a building line restriction of 3m. According to the Swakopmund Town Planning Scheme Regulations, Council may grant a relaxation, should it feel that it would not interfere with the amenities of the neighbourhood or area.

Excerpt from Town Planning Amendment Scheme No.12, Clause 5/A /2.4 for convenience.

**2.4 Building Lines**

- (a) *No building, permanent structure or portion thereof, except for boundary walls and fences, may be erected on the site within:*
  - (i) *5 metres from any street boundary;*
  - (ii) *3 metres from any rear boundary;*
  - (iii) *3 metres from any side boundary; and*
  - (iv) *5 metres in the case of a garage from any street boundary or half the height of the building, whichever is greater.*
- (e) *The Council may relax these requirements if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.*

The affected surrounding neighbours were contacted to which one has objected.

**Objections raised by JSF Calitz, owner of Erf 6258**

**Point 1:** Encroachment as to sunlight and visibility.

**Discussion on Point 1:**

We cannot see how the proposed increase of the height of the rear boundary wall will create visibility issues since this wall is at the back of the Erf 6258 and no views are located here. Furthermore an increase of this rear boundary wall will have minimum impact on the amount of sunlight lost.

### **Conclusion**

According to the Swakopmund Town Planning Amendment Scheme, all owners of erven have the right to apply for consent for relaxation of building lines to better optimise their erf.

**B. After the matter was considered, the following was:-**

#### **RECOMMENDED:**

- (a) That the application for relaxation of Rear Building Line from 3m to 0m on Erf 6247, Extension 22, Swakopmund be approved.**
  - (b) That JSF Calitz be informed of his/her right to appeal (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister, within 28 days (in respect of resolution (a) above) of this notice against Council's decision, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.**
-

11.1.15 **APPLICATION FOR THE RELAXATION OF BUILDING HEIGHT ON ERF 4111, EXTENSION 12, VOGELSTRAND**

(C/M 2013/09/05 - VS 4111)

**Ordinary Management Committee Meeting of 15 August 2013, Addendum 8.13 page 257 refers.**

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**A. The following item was submitted to the Management Committee for consideration:**

**Attached** application was received from Messrs KB Designs on behalf of their client Mr S Skoppelitus for a proposed height relaxation on Erf 4111, Extension 12, Vogelstrand, Swakopmund.

The applicant is requesting Council's permission to exceed the prescribed height of 8.00m. The new proposed height will be 9.64m as per drawing. The height will contribute positively to the appearance of the building. **Attached** drawings illustrate the height.

The erf is zoned "*Single Residential*" and has a height restriction of 8.00m. According to the Swakopmund Town Planning Scheme Regulations, Council may grant a relaxation, should it feel that it would not interfere with the amenities of the neighbourhood.

Excerpt from Town Planning Amendment Scheme No.12, Clause 5/A /2.3 for convenience.

**2.3 Height**

*No dwelling house shall exceed a height of 8m.*

*Provided that:*

*The Council may relax the maximum height to 10 metres if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.*

The surrounding neighbours were contacted and no one objected. Registered mail was also sent to some of the owners of the surrounding properties and no one replied. The intended use was further advertised as per Clause 6, **Notice No. 21/2013-05-24** of the Swakopmund Town Planning Scheme and no objections were received.

**B. After the matter was considered, the following was:-**

**RECOMMENDED:**

**That the application for the relaxation of building height from 8.00m to 9.64m on Erf 4111, Extension 12, Vogelstrand, Swakopmund be approved.**

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11.1.16 **APPLICATION FOR CONSENT FOR THE RELAXATION OF BUILDING LINE RESTRICTION ON ERF 1858, MONDESA**

(C/M 2013/09/05 - M 1858)

**Ordinary Management Committee Meeting of 15 August 2013, Addendum 8.14 page 273 refers.**

**A. The following item was submitted to the Management Committee for consideration:**

**Attached** application was received from Mr Keith Wright for a proposed building line relaxation on Erf 1858, Mondesa.

The applicant is requesting Council's permission for consent to relax the lateral and rear building line from 3m to 1.5m and from 5m to 1.5m as well as relaxation of boundary wall height from 3m to 5m. The applicant requested the owners of the neighbouring properties to give consent to relax the building line to which the one neighbour objected.

The erf is zoned "*General Residential 2*" and has a building line restriction of 3m. According to the Swakopmund Town Planning Scheme Regulations, Council may grant a relaxation, should it feel that it would not interfere with the amenities of the neighbourhood or area.

Excerpt from Town Planning Amendment Scheme No.12, Clause 5/C /2.7 for convenience.

**2.7 Building Lines**

- (a) *No building, permanent structure or portion thereof, except for boundary walls and fences, may be erected on the site within:*
  - (i) *5 metres from any street boundary;*
  - (ii) *3 metres from any rear boundary;*
  - (iii) *3 metres from any side boundary; and*
  - (iv) *5 metres in the case of a garage from any street boundary or half the height of the building, whichever is greater.*
- (b) *The three (3) metres requirement for side and rear boundaries shall apply to single storey units and shall increase by two (2) metres for each additional storey; measured from the external walls of the building under construction.*
- (c) *The Council may relax these requirements of sub-clause (a) and (b) if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by the Scheme, will result.*

The affected surrounding neighbours were contacted and have objected.

**Objections raised by Mr Rainer Hauff, owner of Erf 1857**

**Point 1:** The planned height combined with the relaxation of the building line and setback of upper floor will, due to the high humidity on the coast and no more sunlight reaching it, result in causing mildew on my property and loss of value.

### **Discussion on Point 1:**

We cannot see how the proposed height of the building will create so little sunlight that it will lead to mildew and loss of property value. Furthermore an erf zoned for "*General Residential 2*" would usually accommodate buildings with a maximum height of 8 meters.

**Point 2:** By the plan was no cross section plan **attached**.

**Discussion on Point 2:** A building line relaxation technically does not need a cross section plan. The applicant has provided a site plan indicating where he wants to relax the building line as well as a consent form indicating the values of the proposed relaxation. A cross section plan is only required if the applicant applies for a height relaxation.

**Point 3:** An existing boundary wall as indicated on plan does not exist. If you intend to build one the prescribed high should not exceed 2.25 metre.

**Discussion on Point 3:** Whether the boundary wall is existing or not, the applicant has the option to raise his boundary from the prescribe height of 2.25 meters to 5 meters if it does not interfere with the amenities of the neighbourhood and if Council gives their permission.

### **Conclusion**

According to the Swakopmund Town Planning Amendment Scheme, all owners of erven have the right to apply for consent for relaxation of building lines to better optimise their erf.

**B. After the matter was considered, the following was:-**

#### **RECOMMENDED:**

- (a) That the application for relaxation of Lateral Building Line from 3m to 1.5m on Erf 1858, Mondesa be approved.
  - (b) That the application for the height relaxation of the Lateral and Rear boundary wall from 3m to 5m be approved.
  - (c) That Mr Rainer Hauff be informed of his right to appeal (in terms of Clause 8 of the Swakopmund Town Planning Scheme) to the Minister, within 28 days (in respect of resolution (a) above) of this notice against Councils decision, provided that written notice of such an appeal shall be given to the Ministry, as well as Council within the said period.
-

11.1.17 **REQUEST FOR FINANCIAL ASSISTANCE GIANT THOUGHTS**

(C/M 2013/09/05 - D 5)

**Ordinary Management Committee Meeting of 15 August 2013,**  
Addendum 9.1 page 01 refers.

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**A. The following item was submitted to the Management Committee for consideration:**

The Messrs Giant Thoughts Consultant (non-profit organisation) with its partners Messrs The Ndeulipula Hamutumwa Trust and NANSO hosted the 2<sup>nd</sup> Series of the student Leadership Symposium, in Windhoek from **16-17 August 2013**, under a theme "***The Role of ITC and Education in the Molding of Transformational Young Leaders***".

The first series was hosted by Giant Thoughts Consultant from **21-22 June 2013** in Swakopmund under the theme "***Advocating for Transformational Leadership in the 21<sup>st</sup> Century***".

The aim of these workshops is to provide leadership and mentorship training to our youth of various schools, including the Swakopmund Junior Town Council.

At the first series Swakopmund youth has benefit a lot from the workshop.

It is against this background that the Giant Thoughts Consultant is requesting financial assistance of **N\$10 000.00** to make this workshop a success.

**The following youth will benefit from this amount:**

- *Mr Simon Taapopi from Swakopmund Secondary School*
- *Mr Paulus Epfrain from West Side High*
- *Ms Sushmita Mutjavikua from Namib High School*
- *Mr Malcom Mcnab from Swakopmund Secondary School.*

**Attached**, is the letter, budget and business profile and workshop material for your perusal.

**B. After the matter was considered, the following was:-**

**RESOLVED: (For Condonation By Council)**

- (a) That an amount of N\$10 000.00 be donated to Messrs Giant Thoughts Consultant towards the hosting of the workshop scheduled to take place from 16-17 August 2013 in Swakopmund.
  - (b) That the amount of N\$10 000.00 be defrayed from the Mayoral Development Fund Vote 960120408709 where N\$422 636.51 is available.
-

11.1.18 **STREET PAVING PROGRAMME 2013/2014**

(C/M 2013/09/05 - N 8/13/1/4)

**Ordinary Management Committee Meeting of 13 June 2013,**  
Addendum 10.4 page 01 refers.

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**A. The following item was submitted to the Management Committee for consideration:**

**INTRODUCTION**

During the 2012/ 2013 Financial Year, inter alia, the following streets and parking areas were paved:

- *B2 Circle at entrance of Town from East*
- *Nelson Mandela Avenue*
- *Section of Rakotoka street in Mondesa*
- *Woker street - connection to Daniel Kamho Street*
- *Parking extension at Municipal Head Office*
- *Parking at old Traffic Office erf*

(List not exhaustive, nor inclusive of sidewalks, entrance modifications, maintenance and similar small works.)

**PROCEDURE**

Quotes not exceeding N\$50 000.00 were utilised on labour only, with materials, delivery and equipment supplied to execute the work, thus ensuring that it is labour based, with labour coming from Swakopmund population.

The process proceeded well, with the quality assurance and control ensuring that the end result provided surfaces which can be safely used. On completion of the works the surfaces were sealed against moisture by spraying with polymer to ensure extended longevity.

The following complications are recorded:

- *The administration of the several small contracts proved cumbersome and time consuming to the small complement of supervisory personnel*
- *Obtaining acceptable quality kerbs and pavers was a constant complication due to the production rates and quality of the suppliers*

**TOWN DEVELOPMENT IN 2013/2014**

The following town developments will add to the street complement of town during the 2013/2014 Financial Year:

<b>Project</b>	<b>Developer</b>	<b>Locality</b>	<b>Type</b>	<b>Surface</b>	<b>Long (m)</b>	<b>Wide (m)</b>	<b>Area (m<sup>2</sup>)</b>
<i>DRC blocks 1-3 &amp; 8-11 DRC Area</i>	<i>Municipal</i>	<i>Mondesa</i>	<i>Primary</i>	<i>Gypcrete</i>	<i>3100</i>	<i>8</i>	<i>24 800</i>
			<i>Connector</i>	<i>Gypcrete</i>	<i>1800</i>	<i>14</i>	<i>25 200</i>
			<i>Secondary</i>	<i>Gypcrete</i>	<i>5950</i>	<i>8</i>	<i>47 600</i>
			<i>Tertiary</i>	<i>Gypcrete</i>	<i>11235</i>	<i>6.4</i>	<i>71 904</i>
<i>Block 5 Ext 8</i>	<i>Rössing</i>	<i>Mondesa</i>	<i>Secondary</i>	<i>Interlocks</i>	<i>283</i>	<i>14</i>	<i>3 962</i>
			<i>Tertiary</i>	<i>Interlocks</i>	<i>730</i>	<i>6.4</i>	<i>4 672</i>

<i>Extension 10</i>	<i>Municipal</i>	<i>Industrial</i>	<i>Secondary</i>	<i>Interlocks</i>	<i>3254</i>	<i>10</i>	<i>32 540</i>
<i>Erf 138</i>	<i>Municipal</i>	<i>Mondesa</i>	<i>Primary</i>	<i>Interlocks</i>	<i>48</i>	<i>30</i>	<i>1 440</i>
			<i>Secondary</i>	<i>Interlocks</i>	<i>346</i>	<i>7</i>	<i>2 422</i>
<i>Block 3 Ext 3</i>	<i>Tutangeni &amp; Municipal</i>	<i>Tamariskia</i>	<i>Primary</i>	<i>Interlocks</i>	<i>794</i>	<i>14</i>	<i>11 116</i>
			<i>Secondary</i>	<i>Interlocks</i>	<i>604</i>	<i>8</i>	<i>4 832</i>
			<i>Tertiary</i>	<i>Interlocks</i>	<i>2966</i>	<i>6.4</i>	<i>18 982</i>
<i>Block 11 Ext 20</i>	<i>Masadi</i>	<i>Mile 4</i>	<i>Secondary</i>	<i>Interlocks</i>	<i>1028</i>	<i>7.6</i>	<i>7 813</i>
<i>Ext 9</i>	<i>Namgro</i>	<i>Mile 4</i>	<i>Secondary</i>	<i>Bitumen</i>	<i>1468</i>	<i>7.2</i>	<i>10 570</i>
<i>Ext 17 &amp; 18</i>	<i>Dunes</i>	<i>Kramersdorf</i>	<i>Prim &amp; Sec</i>	<i>Bitumen</i>	<i>8357</i>	<i>11</i>	<i>91 927</i>

## STREET PAVING PROGRAMME - PROVISION ON BUDGET 2013/14

The following provision was allowed for on the 2013/2014 Capital Budget:

<i>Description</i>	<i>Amount (N\$)</i>
<i>Paving of streets</i>	<i>10 000 000.00</i>
<i>Cemetery street, Mondesa</i>	<i>550 000.00</i>
<i>Welwitschia Circle (Swimming pool &amp; Indoor Complex)</i>	<i>230 000.00</i>
<i>Paving of Erf 5369, Swakopmund - (Swimming Pool)</i>	<i>730 000.00</i>
<b><i>TOTAL</i></b>	<b><i>11 510 000.00</i></b>

## COST OF PAVING

The work under consideration consist of the following:

<i>Description</i>	<i>Rate</i>
<i>Street preparation rip, roll, grade &amp; sand layer</i>	<i>N\$ 10.00/m<sup>2</sup></i>
<i>Pavers delivered</i>	<i>N\$ 100.00/m<sup>2</sup></i>
<i>Pavers placed incl kerbs</i>	<i>N\$ 50.00/m<sup>2</sup></i>
<i>Street signs incl street names, traffic signals, street marking</i>	<i>Incl</i>
<b><i>Total cost on average</i></b>	<b><i>N\$ 160.00/m<sup>2</sup></i></b>

Given the above construction rate and capital provision, a total area of ±159 500m<sup>2</sup> may be paved.

## STREETS IDENTIFIED FOR PAVING

The following streets are identified to be paved for the technical reasons given: (See **attached** diagrams)

### 1. *Rakotoka & Cemetery - Mondesa*

*Heavy traffic - main arterial for traffic from DRC to Town. The present gypcrete streets require regular maintenance due to the high intensity of traffic. Connecting DRC to Town via streets with surfaces which will sustain such traffic is recommended. This implies that the following sections of streets be paved:*

<i>Street</i>	<i>Length</i>	<i>Width</i>	<i>Area (m<sup>2</sup>)</i>
<i>Rakotoka</i>	<i>400</i>	<i>10</i>	<i>4 000</i>
<i>Mandume Ya Ndemufayo</i>	<i>370</i>	<i>8</i>	<i>2 960</i>
<i>Cemetery Street</i>	<i>250</i>	<i>9</i>	<i>2 250</i>

## 2. Südstrand - Central Business District

*This street forms part of the main circuit used by tourists. Apart from the strategic location for tourism, the street is regularly subject to flooding due to storm water run-off as well as wave action during storms. As such regular complaints / enquiries are received pertaining to surfacing the street.*

*Investigation indicates that three main sewers run along this street - two within the street and one parallel to it in the park on the beach. The sewers are still functional, yet minor upgrading may be required prior to paving the street.*

*Handling storm water drainage was similarly appraised, with the finding that the street, parking and sidewalks should be profiled (cross sectional profile) such that storm water is collected on the parking area and against the sidewalk on the western (seaward) side. Similarly the delineation (slope in length) should be shaped such that all storm water exits the street acceptably fast at one chute towards the sea / beach. A non-return flow mechanism shall be constructed to prevent ingress of water during storms, yet will allow discharge of storm water to sea.*

Street	Length	Width	Area (m <sup>2</sup> )
Alte Brücke to Aquarium	170	10	1 700
Aquarium to Former Hawker's Area	1100	25	27 500

## 3. Immanuel Kamho - Mondesa

*This gypcrete street is used at by frequency by vehicles from DRC to Town*

Street	Length	Width	Area (m <sup>2</sup> )
Immanuel Kamho	430	9	3 870
Hangamba	120	9	1 080
Kambueshe	135	9	1 215
Masilo	70	9	630

## 4. Kühnast - Vineta

*This gypcrete street carries heavy transport with deliveries to the local shopping centre and repair workshop. Regular complaints are received from local inhabitants about the complications caused by the delivery trucks which make U-turns in the street. Considerable damage to the kerbs is prevalent. The SPP school, with the accompanying pedestrian traffic (children) borders onto the street.*

Street	Length	Width	Area (m <sup>2</sup> )
Kühnast Street	350	16	5 600

## 5. Harder (Intersection) - Vineta

*This street regularly suffers storm water damage and carries considerable traffic. It also has a kindergarten bordering onto the street. Though it may be considered preferable to pave the whole street, future storm water drainage may be installed on the western extends, draining the storm water from Schwieterling and Diamond Street, inter alia.*

Street	Length	Width	Area (m <sup>2</sup> )
Harder Street	200	11	2 200

## 6. Tantalite - Tamariskia

*This is the main route into this development and carries considerable volume of traffic. The gypcrete street has a steep delineation leading to high maintenance*

cost due to requiring frequent grading. The street, due to the steep slope, is also subject to storm water damage.

Street	Length	Width	Area (m <sup>2</sup> )
Tantalite Street	360	8	2880

#### 7. Erf 118 & Parking - Central Business District

The paving of this Public Open Space has long been contemplated to allow ordering / structuring the rental of space to the hawkers. Being located opposite one of the main tourist attractions (Old Gaol), it will support tourism as well as allowing direct income from the rental of the space, whilst supporting the hawkers which have by now become a permanent fixture to this area.

Street	Length	Width	Area (m <sup>2</sup> )
Gaol Parking Hawker Site	---	---	4 500

#### 8. Erf 118 & Parking - Central Business District

Funds were separately provided for the paving of this street and the construction of the circle. The main sport attraction in Town, namely the Stadium, Fields, Swimming Pool, Indoor Sport Centrum will all benefit from this street which will carry large volumes of traffic, very often at night.

Street	Length	Width	Area (m <sup>2</sup> )
Swimming Pool Street	400	12	4 800

#### COST

Street	Length	Width	Area (m <sup>2</sup> )	Cost Est (N\$)
Rakotoka	400	10	4 000	640 000.00
Mandume Ya Ndemufayo	370	8	2 960	473 600.00
Cemetery Street	250	9	2 250	360 000.00
Alte Brucke To Aquarium	170	10	1 700	272 000.00
Aquarium To Kavita Park	1 100	25	27 500	4 400 000.00
Immanuel Kamho	755	9	6 795	1 087 200.00
Künast Street	350	16	5 600	896 000.00
Harder Street	200	11	2 200	352 000.00
Tantalite Street	360	8	2 880	460 800.00
Gaol Parking Hawker Site			4 500	720 000.00
Swimming Pool Street	400	12	4 800	768 000.00
<b>TOTAL COST ESTIMATE</b>				<b>10 429 600.00</b>

#### CONSTRUCTION

Given that only 10 months of this Financial Year remains, the Works Section will be heavily taxed to complete the abovementioned works if formal tender procedure is applied.

With regard to the resealing of streets Council on **27 September 2012** under item 11.1.21 resolved as follows:

- (a) That the authority level towards the labour portion for the rehabilitation of tarred roads be delegated as follows:

Authorisation Level	Current (N\$)	Approved (N\$)
Formal Quotation	5 000.00	Unlimited In consultation with the Chief Executive Officer

- (b) That the labour content be exempted from the N\$50 000.00 ceiling for the following streets only:

	STREETS TO BE RE-SEALED	FROM	TO
1	Mandume Ya Ndemufayo Street	Nelson Mandela Avenue (robot, old Mondesa Offices)	Vrede Rede Avenue
2	Independence Street	Mandume Ya Ndemufayo Street	Vrede Rede Avenue
3	Independence Street	Vrede Rede Avenue	Mandume Ya Ndemufayo
4	August Nangolo Street	Mandume Ya Ndemufayo Street	Augustinus Garoeb Street
5	Rakotoka Street	Moses Garoeb Street (Intersection close to the new Municipal Office)	Nelson Mandela Avenue (Intersection at Harry's Garage)
1	Hidipo Hamutenya Street	Moses Garoeb Street (Old prison intersection)	Mandume Ya Ndemufayo (Intersection behind Hotel and Entertainment Centre)
2	Mandume Ya Ndemufayo Street	Moses Garoeb Street (Intersection Fruit&Veg)	Tobias Hainyeko Street (Intersection SPAR)
3	Moses Garoeb Street	Mandume Ya Ndemufayo Street (Intersection Fruit&Veg)	Nathanael Maxuilili Street
4	Ocks Laan	Franziska van Neel Street	Rakotoka Street
5	Tobias Hainyeko Street	Moses Garoeb Street (Intersection close to the new Municipal Office)	Daniel Tjongarero Street (Old Municipal Offices)
6	Daniel Kamho	Circle Vrede Rede Avenue and Daniel Kamho	Sewage Works (where interlocks start)
7	Aldridge Street	Vrede Rede Avenue (Vineta W& Brock Supermarket intersection)	DR Schwietering Street

- (c) That the purchasing level for bitumen for the resealing of streets be increased to N\$150 000.00 only.

- (d) That the above authority levels be submitted to the Tender Board to revise its authority levels delegated to the Chairperson of the Tender Board.

Given the success of the execution of that work, it is thus proposed that the paving of streets be similarly exempted from formal tender procedures to a maximum amount of N\$200 000.00 per quotation. The higher amount is proposed to minimise the administrative burden of the Works Section.

Paving is a labour-intensive exercise, and if supported by free-issue of transport and materials, the construction will support smaller construction entrepreneurs.

## B. After the matter was considered, the following was:-



**RECOMMENDED:**

- (a) That the following sections of the tabled streets / parking areas / intersections be provided with interlock paved surfaces:

<i>Street / Area</i>	<i>Section</i>
<i>Rakotoka</i>	<i>400 m</i>
<i>Mandume ya Ndemufayo</i>	<i>370 m</i>
<i>Cemetery street</i>	<i>250 m</i>
<i>Alte Brucke to Aquarium</i>	<i>170 m</i>
<i>Aquarium to Kavita Park</i>	<i>1 100 m</i>
<i>Immanuel Kamho Street</i>	<i>755 m</i>
<i>Künast Street</i>	<i>350 m</i>
<i>Harder Street</i>	<i>200 m</i>
<i>Tantalite Street</i>	<i>360 m</i>
<i>Gaol Parking Hawker Site</i>	<i>4 500 m<sup>2</sup></i>
<i>Swimming Pool Street</i>	<i>400 m</i>

- (b) That both the labour content and the materials content of the work be exempted from the N\$ 50 000.00 ceiling, with the ceiling increased to not exceed N\$ 200 000.00.
- (c) That the total cost, presently estimated at N\$10 429 600.00 be defrayed from the following Votes:

<i>Description</i>	<i>Approved Amount (N\$)</i>	<i>Vote</i>
<i>Paving Of Streets</i>	<i>10 000 000.00</i>	<i>2015 320 083 00</i>
<i>Construction Of Cemetery Road, Mondesa</i>	<i>550 000.00</i>	<i>2015 316 225 00</i>
<i>Construction Of Welwitschia Circle (Swimming Pool &amp; Indoor Complex)</i>	<i>230 000.00</i>	<i>2015 316 226 00</i>
<i>Paving Of Erf 5369, Swakopmund - (Access To Swimming Pool)</i>	<i>730 000.00</i>	<i>2015 316 227 00</i>
<b><i>TOTAL</i></b>	<b><i>11 510 000.00</i></b>	

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11.1.19 **APPOINTMENT: INTERNAL AUDIT SERVICES**

(C/M 2013/09/05 - D 10/1)

**Ordinary Management Committee Meeting of 15 August 2013,**  
Addendum 10.6 page 00 refers.

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**A. The following item was submitted to the Management Committee for consideration:**

**BACKGROUND:**

Management Committee on **10 March 2011** resolved as follows:

- (a) *That the Chief Executive Officer submits the original submissions dealing with the filling of the vacant position of Internal Auditor.*
- (b) *That the Chief Executive Officer invites proposals for Internal Auditing Services for the next Financial Year 2011/2012 and provides a comparative report in respect of the costs of a private company versus the cost of filling the vacant position.*

**Main purposes of the position of an Internal Auditor:**

As an independent appraisal function working within the organization to provide a pro-active value-added assurance service which helps directly in the achievement of the entity's goals and business objectives, as well as assisting the Council in meeting their responsibilities which include ensuring:

- (a) *The economical and efficient use of resources*
- (b) *The safeguarding of resources*
- (c) *The reliability and integrity of information*
- (d) *The efficient operation of business processes*
- (e) *Fraud prevention controls*
- (f) *Compliance with policies, plans, procedures, laws and regulations*

Management Committee on **18 May 2006** resolved as follows:

*That the Chief Executive Officer submits a report to the Management Committee with guidelines of how the functions of the Internal Auditor will be dealt with until the appointment of a new Internal Auditor.*

Council on **31 May 2006** as part of the annual budget discussions resolved as follows:

*That the position of Internal Auditor be frozen for the next financial year in order to determine whether such a position is still needed or required.*

During 2006 the General Manager : Finance assisted with the function of internal Audit especially with the need to have all "*Cash Points*" checked on a regular basis in order to ensure sound control. The Finance Department then assisted where anomalies were identified, but it would be impossible to execute duties where staff members of departments are not available or capable in the execution thereof.

The problems identified did not reveal any anomalies, but it is difficult to do a proper investigation or check if not familiar with the program. Furthermore the Chief Executive Officer investigated the possibilities to outsource the function of Internal Auditor over a short period of, say three months, which would result in cost savings to Council and which would be a more efficient solution compared to with the appointment of an Internal Auditor.

Council resolved not to fill the position of the Internal Auditor for the time being.

As per Council Resolution the Chief Executive Officer investigated alternatives by inviting offers from private auditing companies to make a comparison based

on cost and service delivery to be able to compare such service with an appointment by Council.

In our demanding environment, Council needs quality advice from sources that can be trusted and that can offer an objective view about the systems and processes and adequacy of internal controls that helps Council to be on the right track. In contrast to external audit, internal audit functions still need to attain the maturity levels. Internal auditors need to focus beyond compliance activities and should be smart enough to detect loopholes at systemic levels and bring improvement in systems and processes that help Council to improve the bottom-line. Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve Council's operations.

The internal audit function is an additional responsibility and often leads to conflict of interest. Although an internal audit function should be independent, it can happen that people are routinely drawn from functional role into the internal audit department. In such scenarios the internal auditor often need to assess functions wherein they have worked earlier. Objective audit in such cases are not practical. Lack of required skills sets acts as dampener to the individual auditor gaining respect and authority leading to the function becoming ineffective.

#### **The benefits of outsourcing internal audit**

Since internal auditor needs to be a professional who is not only independent but also competent to carry out the audit effectively it is in Council's interest to outsource the internal audit function. Few benefits are as follows:

- *Easy to establish authority and independence;*
- *Avoiding conflict situations;*
- *Having specialist person whose core competency is performing internal audit role;*
- *Getting internal auditors with specific knowledge of departments and functions from business services provider based on function being audited;*
- *Ensuring internal audits go as per plan;*
- *Better utilization of internal audit resource since internal audit unlike risk management is not a continuous activity;*
- *Easy placement of internal auditor in case of results not being achieved;*

Management Committee at a special meeting held on **5 July 2011** resolved as follows:

- (a) *That a permanent Internal Auditor not be appointed due to high financial implications.*
- (b) *That the proposal of Messrs NamTech Services not be considered because they did not attend the presentation.*

Council at its Ordinary meeting held **28 July 2011** resolved as follows:

- (a) *That Messrs Ernest & Young Charter be appointed to provide internal audit services to Council for a period of two (2) years and that the agreement not be extended.*
- (b) *That an Internal Audit Committee comprised of all Councillors and the Chief Executive Officer be established.*
- (c) *That the above be financed from the Internal Audit Fees Vote 100510200100 where N\$201 000.00 is available and the Professional Services Vote where sufficient funds are available.*

## **INFORMATION ON CURRENT INTERNAL AUDIT EXECUTED**

During the period **2011 – 2013** the following areas have been covered broadly which resulted to be the best performed internal audit conducted for Council in the last view years:

1. *Tenders*
  - *Compliance with the tender regulations*
2. *General Administration*
  - *Execution of Council Resolution*
  - *Capturing of correspondence and execution thereof*
  - *Correct filling*
  - *Documentation correctly stored*
  - *File control*
  - *Compliance with Archives Act*
  - *Access to archives*
  - *Orbit System (Administrative) Shortcomings*
3. *The Rest Camp*
  - *Cash-ups*
  - *Key deposits*
  - *Payments by guest*
  - *Formal policies and procedures at the Rest Camp*
  - *Key control*
4. *Planning & Building*
  - *Communication between departments*
  - *Building/Application fees*
  - *Procedure of planning & building control*
  - *Delivery of building material not filed*
  - *Building plan approval time*
5. *Halls & Sports Grounds*
  - *Events not recorded*
  - *Inconsistent income balances*
  - *Incorrect tariffs applied*
  - *Operating procedures for Halls & Sports grounds*
  - *Function & custody of keys*
  - *Deposit refunds*
  - *Inspection lists*
6. *Traffic*
  - *Vehicle log forms*
  - *Validity of overtime claimed*
  - *Face value books*
  - *Records Room*
  - *Traffic system*
7. *Erven Sales & Rentals*
  - *Rental not levied promptly*
  - *Missing documents on erven file : sale or lease*
  - *Advertisements placed not on file*
8. *Expenditures & Stores*
  - *Change of orders by staff without GM authorization*
  - *Invoices not executed timely*
  - *Evidence of goods received*
  - *Policies & procedures for ordering and receiving*
  - *Re-order levels not reviewed annually*
9. *Housing Services*
  - *Approval of a housing loan in excess*
  - *Overdue accounts not administered*
  - *Check of monthly statements of housing loan account holders.*
10. *Town Planning, Finance & Corporate Services*
  - *Re-zoning valuations not correctly updated*
  - *Communication between Mun and Valuer*
11. *Revenue*
  - *Compliance with Section 13 of the credit & debt collection policy*
  - *Adjustment to consumer accounts*

Follow-up on findings and status thereof also reviewed already by E&Y

- Cash reconciliations
  - Incorrect assessment tariffs disclosed in the Government Gazette
  - Staff water benefits incorrectly captured
  - Completion and review of control accounts
  - Review for the capturing of new tariffs
  - Shortfall & surpluses not adequately documented
  - Adjustments to staff member water meter readings
12. Water meters
- Meter reading dates not always recorded
13. Payroll & Human Resources
- Excess overtime claims
  - Proof of letter work more than 10 hours
  - Budget of overtime
  - Changes to Payday system be recorded and authorised
  - Compliance to child/student subsidy application system –documents attached
  - Overtime report
  - Adherence to recruitment policy
  - Personnel files
  - Employee data
  - Configurations of PayDay
  - Taxing of Housing Allowance
  - Performance evaluation system
14. Refuse Removal
- Billing of additional Otto Bins not communicated to Finance
  - Procedure of requesting Otto Bins
  - Service plan of vehicles of Health department & documentation
  - Ensure service books are completed
  - Requisition system out dated
  - Fleet management programme proposed
15. Cemeteries, Parks & Gardens
- Functions performed by the Nursery Cashier & Cash deposits
  - Cash Reconciliations
  - Review of reports - Nursery
  - Payment of graves before burials
  - Incorrect tariffs charged for cemetery facilities
  - Formal standard operating procedures for the Cemetery function
  - Incorrect capturing of tariffs on the funeral fee list
  - Inaccurate financial information on Monthly report
  - Grave maintenance fee not practical
  - Absence of a grave plan

Proposals for Internal Auditor Services were called in line with the resolution of Management Committee at its ordinary meeting held on **16 May 2013**:-

*That permission be granted to the Chief Executive Officer to call for proposals for Internal Auditing Services from Auditors operating in Erongo Region for the next Financial Year.*

Only two (2) Companies submitted proposals (full submissions on file), **attached** the estimated costs of the companies that submitted an offer:

**Annexure A** : **Messrs PriceWaterhouse & Coopers**  
**Annexure B** : **Messrs Ernst & Young**

#### **OBSERVATIONS AND COMMENT:**

The quality and scope of work of Messrs Ernst & Young is well known, whilst that of Messrs PriceWaterhouse & Coopers is based mainly only financial matters and if awarded to cover a similar scope of as was performed by Messrs Ernst & Young during 2011 - 2013, Messrs PriceWaterhouse & Coopers will end up being more expensive to Council.

## **CONSIDRATION MADE ON PROPOSALS RECEIVED:**

This leaves Council's Audit & Risk Committee with three options that can be considered:

1. *Appoint Messrs Ernst & Young for one more year, i.e. extend the current appointment. This would be in line with Good Governance.*

*Thereafter call for new proposals for Internal Audit Services, based on a pre-determined framework of audits to be carried out in each department in order to obtain better comparable officers.*

2. *Accept the offer of Messrs Ernst & Young and appoint them to carry out the Internal Audit Services for Council as per their latest offer for the period of three years.*
3. *Call for new proposals based on a pre-determined framework of audits to be carried out in each department.*

The proposals received have been tabled at an **Audit & Risk Management Committee** meeting held on **15 August 2013** and resolved to be recommended as follows:

- (a) *That the offer received from Messrs Ernst & Young be accepted and they be appointed to carry out the Internal Audit Services for Council for the period of (3) three years for the amount of N\$386 545.00, excluding VAT and disbursements for 2013/14 and an annual increase during July of 8%.*
- (b) *That the above be financed from Internal Audit Fees (Vote100510200100).*
- (c) *That, additional funds be identified as the financial year progresses in order to finance the costs as it may occur.*

**B. After the matter was considered, the following was:-**

### **RECOMMENDED:**

- (a) **That the offer received from Messrs Ernst & Young be accepted and they be appointed to carry out the Internal Audit Services for Council for a period of 3 (three) years for the amount of N\$386 545.00, excluding VAT and disbursements for 2013/2014 with an annual increase during July of 8%.**
  - (b) **That the above be financed from Internal Audit Fees Vote100510200100 where N\$341 416.00 is available.**
  - (c) **That, additional funds be identified as the financial year progresses in order to finance the costs as it may occur.**
-