



Municipality of Walvis Bay

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The Chairperson
Backyard Tenants Investments CC
Walvis Bay
NAMIBIA

Enquiries	Jack R Manale
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Date	03 April 2024

backyardtenants@yahoo.com

Dear Mr Kandonga

Subject: Application to purchase Portion 19 of Farm 37 Walvis Bay: Walvis Bay
Backyard Tenants Group
Ref. No. Farm 37

I am pleased to inform you that Council, at its Ordinary Council Meeting held on 26 March 2024, resolved under item 11.9, inter alia, as follows:

- (1) "That $\pm 464,754 \text{ m}^2$ of unserviced/unsurveyed Portion 19 of Farm 37, be sold by private transaction to Backyard Tenants Investment CC (the applicant), at N\$5.00/m².
- (2) That all erven not zoned single residential erven revert back to Council.
- (3) That the applicant be reimbursed for these erven to revert back to Council based on actual development cost, to be verified by the General Manager: Roads and Building Control.
- (4) That the applicant, at its own cost, advertises the sale by private transaction for objections in terms of the provisions of Section 63(2)(b) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended.
- (5) That, in terms of Section 30(1)(t) of the Local Authorities Act, 1992 (Act 23 of 1992), as amended, and Section 63 of the Local Authorities Amendments Act, 2018 (Act 3 of 2018), the approval of the Minister of Urban and Rural Development be obtained.
- (6) That the applicant submits the necessary Environmental Impact Assessment Study (EIAS) and Environmental Clearance Certificate, in terms of Section 56 of the Environmental Management Act, Act 7 of 2007, from the Ministry of Environment, Forestry and Tourism, Directorate: Environment Affairs, for the development of Portion 4 of Remainder Farm 37.
- (7) That after all approvals have been obtained, the agreement of sale be signed and a 10% deposit of the purchase price be paid on the date of sale, and the balance be paid within 36 months from the date of sale as per the Sale/ Lease of Land Policy of Council.



- (8) That, the applicant pays 10% of the purchase price towards the landscaping fund at the date of sale.
- (9) That the applicant contributes to the actual cost of the provision of bulk services, where the Department Roads and Building Control determines the exact contribution when final designs of bulk services are approved.
- (10) That the applicant, at own cost, do all and/or or any required ground works, provides all outstanding services and adheres to the guidelines/standard requirements for all services, i.e. water connection, water/sewerage/electrical reticulation, tarred roads and that such services be donated to Council, free of charge.
- (11) That electrical requirements/services and/or any other information in this regard, be taken up with ERONGO RED.
- (12) That the applicant shall commence with development within twenty- four (24) months from the date of transfer in the Deeds Office, and that such development be completed within thirty-six (36) months from such date of transfer; failing to comply would result in the undeveloped erf/erven to revert back to Council at the cost of the applicant.
- (13) That the applicant be informed that the business relationship and transaction can only be concluded and become effective once Section 21 of the Financial Intelligence Act, 2012 (Act No.13 of 2012) read together with Section 26 of the said Act, is complied with, and that it is required from the applicant to provide such information at such time and in such format as instructed by the Anti-Money Laundering Compliance Officer of the Municipality of Walvis Bay.
- (14) That the applicant enters into a development agreement with the Council whereby the above requirements are captured".

Seeing that the land is to be sold by private transaction, section 63(2)(b) of the Local Authorities Act, 1992 (Act 23/1992), as amended, requires that a notice be published in at least two newspapers circulating in Walvis Bay on one occasion in a week for two consecutive weeks.

MUNICIPALITY OF WALVIS BAY

Notice is hereby given in terms of section 63(2)(b) of the Local Authorities Act, 1992 (Act 23/1992), as amended, that the Council of the Municipality of Walvis Bay intends to sell by private transaction Portion 19 of Farm 37 to Backyard Tenants Investment CC.

<u>DESCRIPTION</u>	<u>AREA</u>	<u>PURCHASE PRICE</u>
Portion 19 of Farm 37	±464,754m ²	N\$2,323,770.00

Full particulars pertaining to the sale will lie for inspection by interested persons until ***Tuesday, 23 April 2024** at room 29, Municipal Offices, Kuisebmond. For more information Mrs S Satchipia can be contacted at telephone (064) 2013232 during office hours.

Written objections, duly motivated, to the intended transaction must be received by the undersigned before or at 12:00 ***Friday, 26 April 2024**.

P VAN NIEKERK
ACTING GENERAL MANAGER:
COMMUNITY & ECONOMIC DEVELOPMENT

Municipal Offices
Civic Centre
Nangolo Mbumba Drive
Private Bag 5017
WALVIS BAY

Fax: (064) 209714

*** EXAMPLE**



[For example publication in newspapers A and B on Friday 05 April 2024 and again on Friday 12 April 2024]

Full particulars pertaining to the sale will lie for inspection at our offices for a period of not less than seven (7) days (Saturdays and Sundays excluded) after the last date of the second publication.

[For example until Tuesday 23 April 2024]

Interested persons are called upon to lodge any objections to such sale with the Municipality in writing within a period of not less than ten (10) days after the last date of the second publication.

[For example before or at 12:00 Friday 26 April 2024]

An example of the notice to be published is attached for your convenience. You must arrange the notices and copies of the publications thereof must be furnished to this office. It is of the utmost importance that you bring to the attention of the relevant newspapers to send their accounts to you for settlement and not to the Municipality of Walvis Bay.

You are requested to acknowledge receipt and accept the conditions of this letter within fourteen (14) days from date thereof.

Should you require further information or clarity in this matter please feel free to contact Mrs S Satchipia at telephone 064 - 2013294 during office hours.

Yours faithfully



John Esterhuizen
Acting Chief Executive Officer

