



# Municipality of Walvis Bay

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Mr Abisai Konstantinus  
Nambaza CC  
P O Box 7227  
Swakopmund  
NAMIBIA

Enquiries	Selma T Satchipia
Phone	+264 (0)64 201 3232
E-mail	ssatchipia@walvisbaycc.org.na
Date	12 December 2022

Dear Mr Konstantinus

**Subject:** Application to lease Portion of Farm 38  
**Ref. No.** Farm 38

We are pleased to inform you that Council at its Ordinary Council Meeting, which was held on 29 November 2022 resolved under item 11.11, inter alia, as follows:

- (1) That conditional approval be granted that an area measuring 15 Ha of land at Farm 38 be reserved for Nambaza CC (the applicant) for the envisaged Truck Port Facility.
- (2) That the applicant attends to subdivision of 15 Ha of a Portion of Farm 38 at own cost.
- (3) That the applicant at its own risk and on its own cost conduct Environmental Impact Assessment (EIAs), Environmental Management Plans (EMPs), Risk Management Plans (RMPs) and any other statutory assessment, studies, and processes, and obtained clearance from the Environmental Commissioner.
- (4) That the applicant submits within twelve (12) months after this conditional approval the following, failing in which this conditional approval be nullified:
  - (i) The Environmental Clearance
  - (ii) Feasibility study whether the project is viable
  - (iii) Financial capability that funds are available to start with the project
- (5) That the method of sale/lease and all other conditions including but not limited to price, only be considered with the submission for final approval.
- (6) That the applicant updates the Council through the Office of the Chief Executive Officer on the progress of the project every three months.
- (7) That, in the event the applicant fails to perform in accordance with (2), (3), (4) and (6) above, this conditional approval be regarded as null and void and of no further force and effect.

page 1 of 2



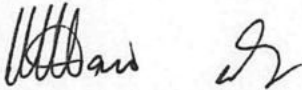
Please address all correspondence to the Chief Executive Officer

- (8) That once (2) and (4) above has been completed, a further comprehensive report with recommendations be submitted to Council for consideration.

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

During the transfer process of the properties, it was picked up by the Conveyancing Attorneys that Farm 51 which is Government land was part of the land offered to the applicant. The sizes of the erven indicated on the deed of sale were as follows:

- Erf 4743 W - 94,538 Hectares (Inclusive of Farm 51)
- Erf 4746 W - 13,3673 Hectarès (Inclusive of Farm 51)

The abovementioned sizes of the erven were erroneous as it included Farm 51 which was not part of Council land but Government. Farm 51 was offered to the Municipality through a land swap transaction and at the time the deed of sale was signed with Wakuna Investment CC, the transfer of the said land to Council was still pending. Moreover, the consolidation of Farm 51 and erven 4746 and 4743 Walvis Bay was done on paper but never officially Gazetted in the Government Gazette. This has prompted for the transfer process not to go ahead, and as a result Farm 51 was only transferred to the Municipality of Walvis Bay on 18 December 2020.

In the meantime, since the agreement of sale was signed, the rates and taxes were charged and has accrued for the past 6 years. Furthermore, various meetings were also held with the applicant as per the attached email correspondence, but no consensus could be reached on the matter. Hence, the applicant's request for discussions with Council to resolve the rates and taxes matter with the applicant. The first informal meeting in which Wakuna Investment CC presented their case to Council was held on 21 September 2021. Subsequently the technical departments had a meeting with Wakuna Investment CC on 4 March 2022 to again investigate the matter especially the fact that they have loss of opportunities on the development and professional fees due to the transfer delays over the past seven (7) years.

**RECOMMENDED:**

- (1) That a detailed report on the rates, taxes and other service charges and interest due and payable, and amounts revered already, on Erven 4746 and 4743 Walvis Bay and Farm 51, be prepared through the office of the Chief Executive Officer, and that it be submitted to the Management Committee.
- (2) That, to fast-track the infrastructure development of the erven and housing units thereon, the issuing of a clearance certificate be consented to by the Council

**11.11 Application for acquisition of Municipal Land: Portion of Farm 38 for the construction of a truck port (Add. 6; M/C Meeting 23/11/2022; File: Farm 38)**

The purpose of this report is to recommend that conditional approval be granted for 36 Ha of land at Remainder Farm 38 for Nambaza CC (the applicant) for the envisaged Truck Port in Walvis Bay.

In their application dated 11 July 2022, the applicant indicated that they want to establish a Truck Port facility in Walvis Bay. The applicant further indicates that they require 36 ha of land for the project.

The applicant with the support of the National Petroleum Corporation of Namibia (NAMCOR) has expressed their interest to develop a much-needed Truck Port facility in Walvis Bay. The proposed Truck Port Facility will inter alia include the following:

- A NAMCOR branded fuel station and convenient store
- Tyre repair and truck repair services
- Accommodation and ablution facilities
- Parking spaces for 300 trucks
- Wellness Clinic
- Cargo warehouse and other supporting facilities

The preliminary planning and conceptual design for Farm 38 was done and it will be required from the applicant to attend to Town planning matters and other related matters such as Environmental Assessment Study and feasibility of the project.

Therefore, what is being sought from Council is the conditional approval and reservation of 36 Ha of land at Farm 38 for the applicant.

Walvis Bay has been experiencing significant growth over the last six years and this is expected to continue. The Government of Namibia in terms of NDP 5 has identified Walvis Bay as the growth point for industrialization. The traffic to and from the Port of Walvis Bay is increasing monthly and hence required a fully-fledged trucking area in Walvis Bay.

From an economic development point of view the above is a clear indication that a heavy industrial park that will contribute hugely to employment creation and poverty alleviation in Walvis Bay is a must to happen.

It is further important to note that the company after the land has been allocated will apply for the license.

It is therefore recommended that conditional approval be granted that 36 Ha of land at Farm 38 be reserved for Nambaza CC (the applicant) for the envisaged Truck Port Facility in Walvis Bay.

**RECOMMENDED:**

- (1) That conditional approval be granted that an area measuring 15 Ha of land at Farm 38 be reserved for Nambaza CC (the applicant) for the envisaged Truck Port Facility.
- (2) That the applicant attends to subdivision of 15 Ha of a Portion of Farm 38 at own cost.
- (3) That the applicant at its own risk and on its own cost conduct Environmental Impact Assessment (EIAs), Environmental Management Plans (EMPs), Risk Management Plans (RMPs) and any other statutory assessment, studies and processes, and obtained clearance from the Environmental Commissioner.
- (4) That the applicant submits within twelve (12) months after this conditional approval the following, failing in which this conditional approval be nullified:
  - (i) The Environmental Clearance
  - (ii) Feasibility study whether the project is viable
  - (iii) Financial capability that funds are available to start with the project
- (5) That the method of sale/lease and all other conditions including but not limited to price, only be considered with the submission for final approval.
- (6) That the applicant updates the Council through the Office of the Chief Executive Officer on the progress of the project every three months.
- (7) That, in the event the applicant fails to perform in accordance with (2), (3), (4) and (6) above, this conditional approval be regarded as null and void and of no further force and effect.
- (8) That once (2) and (4) above has been completed, a further comprehensive report with recommendations be submitted to Council for consideration.