

[Special Municipal Council Minutes: 2020-02-19]

5.4

**SOP.1 [HPH] RELOCATIONS OF HOUSEHOLDS
FROM THE MONTE CRISTO ROAD RESERVE
IN HAVANA AND PORTIONS IN GOREANGAB
TO PAVE WAY FOR NEW RESIDENTIAL
DEVELOPMENT AT FARM ONGOS NO. 38
(ONGOS VALLEY PHASE 1) AND GOREANGAB
EXTENSION 5 (GOREANGAB
WATERFRONT DEVELOPMENT)
(L/Ptn. A/Farm 1030)**

On proposal by Councillor M Shiikwa, it was

RESOLVED

- 1 That the relocation of households from Monte Cristo Road reserve and portions affected by the extension of Independence Avenue into the Goreangab Waterfront Development, be noted and supported.

Relocation of households from the Monte Cristo Road reserve

- 1.1 That it be noted that the continued encroachment of households and businesses on the Monte Cristo Road reserve is a violation of the Windhoek Town Planning Scheme and serious impediment to the flow of traffic, safe pedestrian movement, conveyance of municipal services and use of the road reserve for its intended purpose in general.
- 1.2 That it be noted that Monte Cristo Road is critical to the development of Phase 1 of the Ongos Valley Development as it provides the shortest and most practical road access route to the development, and further that bulk water and electricity supply to the development is secured through the same road reserve.
- 1.3 That households, including a church encroaching on Monte Cristo Road reserve, be relocated to proposed Portion A (a portion of Farm No. 1030 being a portion of the Remainder of Farm No. 508) where a layout was purposely prepared to accommodate the households, including the church.
- 1.4 That the draft layout plans for the subdivision of the proposed Portion A (a portion of Farm No. 1030 being a portion of the Remainder of Farm No. 508), attached as pages 38 - 40 to the agenda, be noted and supported as a relocation site for households encroaching on the Monte Cristo Road reserve. [A town planning application motivating the need and desirability for the subdivision will be submitted separately as part of the town planning procedure.]
- 1.5 That the list of project beneficiaries, attached as pages 53 - 58 to the agenda, to which a total of two hundred and fifty six (256) households are recorded as being directed affected by the project including forty eight (48) households located at the site of the proposed 'Monte Cristo Community Market and Taxi Rank', be noted. [Places on the attached list

where the structure numbers appear but beneficiary's name is missing, means the structure was locked at the time of the site visit but confirmation from the local leadership is that the structure is occupied.]

- 1.6 That to ensure expedited relocation, the Developer provide basic services at the relocation site being 'Proposed Portion A (a portion of Farm No. 1030 of the Remainder of Farm No. 508) in line with the layout at own cost and donate the infrastructure to the City of Windhoek free of costs in line with relevant laws.
- 1.7 That it be noted that the services shall be provided at Development Level 2 (low income individual services) in line with the Development and Upgrading Policy approved by Council per Resolution 171/07/2019, attached as page 66 to the agenda. [Guidance on the Development and Upgrading Policy shall, on request by the Developer, be provided by the Acting Strategic Executive: Housing, Property Management and Human Settlement, Ms S Simpson.]
- 1.8 That as part of the part of the solution to resolve a traffic bottleneck at the intersection of Monte Christo Road and Matshitshi Street, the Developer construct at own cost and donate to the City of Windhoek, a fully functional community market with a taxi rank and adequate parking space.
- 1.9 That the draft 'Monte Christo Community Market and Taxi Rank', attached as pages 41 – 52 to the agenda, as designed by the Developer's Architect, be noted as a draft design.
- 1.10 That the Developer engage all relevant internal Stakeholders on the draft design for their input. [The final architectural drawing of the 'Monte Christo Community Market and Taxi Rank' shall meet approval of the relevant internal Stakeholders.]
- 1.11 That the construction of the market be done in such a way that informal traders continue to trade at, or near the periphery of the construction site, while construction is ongoing to ensure that they have access to their clients.
- 1.12 That construction of the services as well as that of the 'Monte Christo Community Market and Taxi Rank' meet the standards and approval of the City of Windhoek.
- 1.13 That due to an attempted and ongoing attempt to invade 'Proposed Portion A (a portion of Farm No. 1030 of the Remainder of Farm No. 508), the relocation process to the site be implemented expeditiously.
- 1.14 That the relocated households including a church (as juristic person) enter into Lease Agreements with the City of Windhoek.

Extension of Independence Avenue and Relocation of Households

- 2 That it be noted that Council supported the extension of Independence Avenue through the approval of the layout motivating the development of Goreangab Waterfront Development.
- 2.1 That it be noted that the extension of Independence Avenue from its terminal point at Otjomuise Road to the Goreangab Waterfront Development is passing through Erven 3329 and R/420, Goreangab affecting a total of nineteen (19) households excluding a Caretaker's house built with permanent building material on Erf R/420 which will have to be demolished and a new house constructed at an alternative site.

- 2.2 That the list of affected households on Erf R/420, Goreangab, attached as page 64 to the agenda, be noted and further, that the affected households on Erf 3329 are members of a saving group affiliated to the Shack Dwellers Federation of Namibia (SDFN) whose record is easily obtainable from the group's leadership and umbrella body.
- 2.3 That it be noted that the Developer's Town Planner prepared a provisional layout, attached as page 65 to the agenda, for consideration by the City of Windhoek. [The Acting Strategic Executive: Housing, Property Management and Human Settlement, Ms S Simpson, will amend the layout and circulate a revised version to service divisions for comments.]
- 2.4 That once the revised layout is agreed upon with the service divisions and necessary approvals obtained, the Developer provide basic services at the relocation site in line with the revised layout at own cost and donate the infrastructure to the City of Windhoek, free of costs, in line with relevant laws.
- 2.5 That as part of the preparatory work for relocation, a network of sewer lines converging at Erf R/420, Goreangab be re-routed accordingly by the Developer at own cost.
- 2.6 That the services be provided at Development Level 2 (low income individual services) in line with the Development and Upgrading Policy approved by Council per Resolution 171/07/2019, attached as page 66 to the agenda. [Guidance on the Development and Upgrading Policy shall, on request by the Developer be provided by the Acting Strategic Executive: Housing, Property Management and Human Settlement, Ms S Simpson.]
- 2.7 That the construction of the services meet the standards and approval of the City of Windhoek.
- 2.8 That due to the exposure of Erf R/420, Goreangab to further land invasion, the relocation and reorganisation, be implemented expeditiously in line with the new layout.
- 2.9 That the relocated and reorganised households enter into Lease Agreements with the City of Windhoek.
- 2.10 That the municipal Caretaker's house built with permanent building material, be demolished and replaced by the Developer at own cost.
- 2.11 That the department to whom the Caretaker report, be the contact person for all activities related to the demolition and construction of a new house.
- 2.12 That the Developer ensure that the Caretaker and his/her household members be accommodated properly during the demolition and construction process.
- 2.13 That the demolition and construction meet the approval of the City of Windhoek.

Environmental clearance

- 3 That the Strategic Executive: Economic Development and Community Services seek guidance and assistance from the Environmental Commissioner on how to expedite the environmental assessment in the face of a looming land invasion.
- 4 That in an event the Environmental Commissioner settle on a full environmental

assessment, the Developer's Environmental Consultants make use of existing information such as the Environmental Impact Assessment Reports conducted for Goreangab Extension 5, Farm Kupferberg No. 33 Residential Development and Ongos Valley Development in order to expedite the process.

- 5 That no construction activities commence without the issuance of the Environmental Management Clearance Certificate from the Environmental Commissioner.

Further conditions

- 6 That the Chief Executive Officer (Corporate Legal Adviser) draft an Agreement between the City of Windhoek and the two (2) Developers capturing the above and other related issues.
- 7 That the Developers accept the conditions of the resolutions in writing within twenty one (21) working days from the date of the letter communicating the Council Resolution to be issued by the Acting Strategic Executive: Housing, Property Management and Human Settlement, Ms S Simpson.
- 8 That the resolution be implemented prior to confirmation of the minutes.

RESOLUTION 20/02/2020
