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S.I. 43 of 2009

GUIDELINES FOR HOUSING DEVELOPMENT IN THE FEDERAL CAPITAL TERRITORY (FCT), ABUJA

[14th October, 2009]

Commence
ment.

EXTRACT FROM CONCLUSIONS OF THE MEETING OF THE FEDERAL EXECUTIVE COUNCIL HELD ON WEDNESDAY, 14TH OCTOBER, 2009

Normal Reference : EC(2009) 39th meeting, conclusion 11

Shortened Form : EC39(09)11

II. REQUEST FOR APPROVAL OF THE IMPLEMENTATION OF THE GUIDELINES FOR THE MASS HOUSING DEVELOPMENT SCHEME IN THE FEDERAL CAPITAL TERRITORY

Council considered memorandum EC(2009)229 by the Minister of Federal Capital Territory.

Council :

- (1) Noted paragraph 6(i) to (v) of memorandum EC(2009)229.
- (2) Approved the implementation of the Guidelines for the Mass Housing Development Scheme in the FCT.

SECTION ONE

The Mass Housing Scheme in the FCT was initiated in year 2000 to provide adequate and affordable housing accommodation for the growing population in the Territory.

*Aims and
Objectives.*

The Scheme is to be realised through the Public Private Partnership Policy of the Federal Government. Under the policy, the FCT will provide the land and the required primary infrastructure to the housing development sites while the developers provide the houses and tertiary infrastructure within the estates as approved by the FCT Authority.

The developer, at the end of the development, will sell the houses to individuals and forward their names to the FCT Authority for issuance of title documents including Certificate of Occupancy (C-of-O). The Lease Agreement between such developer and the FCDA at this stage is deemed to have expired.

SECTION TWO

These guidelines are designed to provide a standard procedure for access to land for Housing Development (land for Mass Housing or Comprehensive Housing development) within the Federal Capital Territory (FCT).

*Preambles to
Guidelines.*

The Guidelines are to be used in conjunction with other manuals and standards applicable in the Federal Capital Territory which include :

- (i) Abuja Development Control Manual.
- (ii) Guidelines for Final Engineering Design of Infrastructure for the Federal Capital City (FCC).
- (iii) Guidelines for Final Design of Engineering Infrastructure for Satellite Towns in the FCT.

SECTION THREE

Pre-qualification Requirements.

The conditions which a prospective Housing Developer is expected to satisfy before the FCT Authority can consider an application for Housing development in the FCT include :

3.1. ASSESSMENT FEE

The Applicant shall pay an assessment fee of ₦250,000.00 (Two Hundred and Fifty Thousand Naira) and will be issued with the following manuals.

- (i) Guidelines for Housing Development in Federal Capital Territory.
- (ii) Abuja Development Control Manual.
- (iii) Guidelines for Final Design of Engineering Infrastructure for Federal Capital City and Satellite Towns.

3.2. LEGAL REQUIREMENTS

(i) Applicant shall be a corporate body duly registered in Nigeria or corporate bodies established by Law ;

(ii) Applicant shall be free from all legal impediments ;

(iii) Applicant shall submit application on FCT specified forms for the purpose ;

(iv) Applicant shall submit certified True Copies of the following documents :

(a) Certificate of Incorporation ;

(b) Memorandum and Articles of Association, Form CO7 and CO2 ;

(c) Three year Tax Clearance Certificate ;

(d) Three Years Company Audited Accounts ;

(v) Corporate bodies established by law shall, instead of (iv) above, submit copies of the statute creating them ;

(vi) Applicant shall also produce a sworn affidavit on commitment to develop, in accordance with the laid down guidelines and within stipulated time limit.

3.3. TECHNICAL STAFF REQUIREMENTS

An applicant shall submit the names and credentials of his key staff especially the Technical staff to be deployed on the site. Such key Technical staff who must be registered members of their professional bodies with not less than six (6) years cognate experience each on similar projects shall include :

(i) An Architect.

(ii) A Builder.

- (iii) A Civil/Structural Engineer.
- (iv) An Electrical Engineer.
- (v) A Planner.
- (vi) A Quantity Surveyor.
- (vii) A Land Surveyor.

3.4. FINANCIAL REQUIREMENTS

These are to provide insight into the financial viability of the applicant at the on set of application, and hence his capability to perform and deliver the project on time. The applicant shall submit the following :

- (i) Project Feasibility study report.
- (ii) Project financial forecast and cash flow projections.
- (iii) Evidence of source(s) of project finance :
 - (a) Memorandum of Understanding (MOU) between the Developer and Project Financiers, or
 - (b) Evidence of self-financing ability.

3.5. DEVELOPMENT PROPOSALS

The Preliminary concepts for the proposed project based on the developer hypothetical layout to be submitted are as follows :

- (i) Conceptual Layout plan of proposed development ;
- (ii) Preliminary Architectural Drawings ;
- (iii) Preliminary Engineering Drawings.

SECTION FOUR

After fulfilling the legal and financial requirements to qualify for consideration as a prospective Housing Developer, an applicant may be recommended for approval to participate in any of the Housing Schemes. The applicant will then proceed with land application procedure, by fulfilling the following requirements.

Land
Application
Requirements
and other
Processes.

4.1. LAND APPLICATION FEE

Applicant shall pay a non refundable processing fee for the required land size as stipulated hereunder or as may, from time to time be stipulated by the Authority :

- (i) Estate/Comprehensive Housing Development (FCC)
 - (a) Large Scale Development (6—10 Ha) ₦ 10,000,000.00
 - (b) Medium Scale Development (3—5 Ha) ₦6,000,000.00
 - (c) Small Scale Development (1—2 Ha) ₦3,000,000.00
- (ii) Mass Housing Development (Satellite Towns)
 - (a) Large Scale Development (11—20 Ha) ₦5,000,000.00
 - (b) Medium Scale Development (6—10 Ha) ₦3,000,000.00
 - (c) Small Scale Development (2—5 Ha) ₦2,000,000.00

4.2. TECHNICAL REQUIREMENTS

Housing Developer to whom land is allocated shall satisfy the following technical requirements before a Leasehold Agreement is signed between the FCDA and the developer.

4.2.1. PLANNING REQUIREMENTS

A developer shall submit to FCDA the following planning documents in appropriate scales and conforming with FCT standards as outlined by the Development Control Manual. These would be scrutinized for consideration and approval by the Department of Mass Housing.

- (i) Site Appraisal.
- (ii) Topographical Maps of the plot.
- (iii) General Land Use Plan.
- (iv) Density Distribution Plan.
- (v) Detailed Site Development Plan.
- (vi) Building Coverage/Block Layout Plan.
- (vii) Planning Report Environmental Impact Assessment/Analysis.

4.2.2. ARCHITECTURAL REQUIREMENTS

The following architectural drawings are to be submitted to FCDA (in appropriate scales) to conform with Development Control Manual for FCT standards for consideration and approval.

- (i) Building plans of House types.
- (ii) Elevations and Sections.
- (iii) Structural Designs of Building types.
- (iv) Services (Mechanical and Electrical) design for building types.
- (v) Blocks Models (where applicable).

4.2.3. ENGINEERING REQUIREMENTS

A developer shall submit engineering infrastructural design in accordance with the Guidelines issued by the FCDA for consideration and approval.

- (i) Design of roads networks, culverts and bridges shall conform with the Federal Capital City (FCC)/Satellite Towns standards of road with right of way as shown below.

Road Type	Right of Way	
	Federal Capital City (m)	Satellite Towns (m)
Arterial Roads Type 1 (6 Lanes)	55	—
Arterial Roads Type 2 (4 Lanes)	48	45
Collector Roads	42	30
Special Important Local Streets	30	20
Important Local Streets	25	—
Local Streets	21	17
Minor Access Road	15	12

(II) The infrastructure design should include the following :

- (a) Water supply network ;
- (b) Wastewater (foul sewer) network ;
- (c) Storm water drainage network ;
- (d) Electrical power supply/distribution network ;
- (e) Telecommunication duct and network.

Land
Application
Requirements
and other
Processes.

4.3. PROJECT COST ESTIMATES

The developer shall submit the following documents for the approval of the Authority :

- (i) Cost of Building.
- (ii) Cost of Secondary and Tertiary Engineering Infrastructure.
- (iii) Based on (i) and (ii) above, proposed selling prices of the housing units.
- (iv) Completion period not exceeding 36 months from date of handing over site.
- (v) Performance bond in the sum of 2.5 per cent of project cost from a reputable bank in Nigeria.

SECTION FIVE

A participant in the FCT Housing Development Schemes shall abide by the following procedures to commence and/or proceed with the implementation. To comply would attract appropriate sanction as would be applicable in these Guidelines and all sets of FCT rules and regulations guiding the operation of the Housing Development Schemes.

Procedure for
Stage
Approvals of
all Works.

These include :

(i) Submission, for approval, by every developer to the appropriate FCT authority of a Preliminary Land Use Plan for the allocated land area that should conform to the general Land use by the Abuja Master Plan :

(ii) Submission, for approval, the Preliminary Engineering Infrastructure design for all engineering services within the allocated area namely—Roads, Water supply network, Sewage network, drainage network, electricity supply network, etc ;

(iii) Submission, for approval, the final Engineering Design and work plan for realisation of all works leading to achievement of at least all road works up to sub-grade level :

(iv) Submission for approval, setting out for road works that allow for roads to attain at least sub-grade level before commencing any building works. This is to ensure that all buildings are done to take care of levels requirements ;

(v) Submission for approval, and commencement of buildings in line with approved hierarchy, setting out/construction works, to follow the Development Control subsequent stage approvals for all building works ;

(vi) Ensuring that engineering services achieve completion levels concurrently with the building works.

SECTION SIX

Implementation
Guide.

This is aimed at ensuring that houses and engineering infrastructure are constructed according to the approved designs and drawings :

(i) Developers shall submit detailed programme of work along with fund projections for each stage of the development for consideration and approval before commencement of site activities.

(ii) Developers shall mobilize on site within six (6) months of signing the Leasehold Agreement. Leasehold is for three (3) year duration.

(iii) Development shall be completed within the three (3) year period of the Leasehold.

(iv) Thirty per cent (30%) completion of the project should be achieved by the developer within the first year of the leasehold.

(v) Developers shall substantially have completed not less than 40% of the approved secondary and tertiary infrastructure within their respective estates before commencement of building construction.

(vi) The developer shall plant trees in the estate in accordance with the requirements of Department of Parks and Recreation.

SECTION SEVEN

Supervision
of Works.

Developers shall be fully responsible for the supervision of construction activities at their sites. In this respect, Developers are to have a Technical Team who shall be held responsible for the quality of the houses and infrastructure being provided.

The Technical Team's key members shall be registered with their respective regulatory and professional bodies, the Technical Heads of the various professions who shall each have not less than 6 years cognate experience on similar projects include :

- (i) An Architect ;
- (ii) A Builder ;
- (iii) A Civil/Structural Engineer ;
- (iv) An Electrical Engineer ;
- (v) A Planner ;
- (vi) A Quantity Surveyor ;
- (vii) A Land Surveyor.

SECTION EIGHT

FCDA

Responsibility.

This section deals with the FCDA responsibility to the Estate/Mass Housing Scheme :

(i) FCDA shall subject to availability of funds provide primary infrastructures to the Estate/Mass Housing sites ;

(ii) FCDA reserve the right to allocate land within the Estate/Mass Housing sites for development of public facilities such as Hospitals, Schools, Police Stations, Fire Stations, Shopping Centres, Cemeteries, Places of Worship, etc.

(iii) FCDA officials are to be fully responsible for oversight supervision and monitoring of the activities at Estate/Mass Housing sites so that approved standards are strictly adhered to by the developers.

SECTION NINE

A Developer shall be sanctioned for either non-performance or non-compliance with approved standards rules, regulations and conditions. Similarly, sanctions shall be brought to bear on FCDA Officials who compromise their position in this regard.

Sanctions.

(i) Sanction against a developer shall be :

(a) Stop work order for non conformity with approved standards and master plan provisions.

(b) Removal of structures not in accordance with approved designs and payment for the cost of removal using the Performance Bond.

(c) Revocation of leasehold for non-performance and or non-compliance with the approved standards.

(d) Reporting the Heads of Technical Teams to their respective professional bodies for further disciplinary action.

(e) Insistence upon removal/replacement of developers staff that are deemed unqualified as per specifications by the guidelines.

(ii) Sanctions against FCDA Officials shall be in accordance with public service rules and regulations.

SECTION TEN

A Developer shall maintain the infrastructure in his estate until completion of development and complete sell-out of the houses.

Management
of Estate
after
Completion.

At this stage, the Lease Agreement would have expired and the ownership of the land reverts to the FCDA.

FCDA shall maintain the services through its Agencies such as Water Board, AEPB, etc. as is now the case in the developed districts.

DEPARTMENT OF MASS HOUSING
Federal Capital Development Authority, Abuja