

ENVIRONMENTAL ASSESSMENT OF THE PROPOSED
OTJIMBINGWE EXTENSION 1 ON ERF 287
OTJIMBINGWE

ENVIRONMENTAL AND SOCIAL
MANAGEMENT PLAN



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1 INTRODUCTION

What is an Environmental and Social Management Plan (ESMP)?

An ESMP is a register of management actions and guidelines needed to ensure that undue or reasonably avoidable adverse impacts of the planning, construction, operation, and decommissioning of a project are prevented; and that the positive benefits of the project are enhanced. It assigns responsibilities and is used as a checklist to monitor compliance at the site.

Purpose

This ESMP is submitted for the purpose of obtaining Environmental Clearance and will be a contract with the Ministry of Environment and Tourism. This implies that its contents will be legally binding on the Erongo Regional Council. This organisation is solely responsible for implementing the actions in this document.

Focus

An ESMP is traditionally focussed on the construction phase of a project. At this stage, the upgrading of services such as water, sewerage, roads and electricity to the new area is still being planned. A separate Environmental Clearance Application/s will be prepared for these projects.

This ESMP focuses on the immediate risks associated with the planning of the settlement upgrading and with the sustainability of it. It gives direction on how to go about the next steps when the service upgrading is being planned.

Stages of the development covered

There are three stages identified for this settlement upgrading. They are mentioned separately but may overlap.

- 1) Planning and design stage of the overall development. This is the stage during which a multi disciplinary team considers alternatives for service provision that will be feasible and sustainable. During this phase, all planning applications are being submitted to the authorities for approval, followed by gazetting the new township and surveying of the erven.
- 2) Resettlement phase. The structures of households that encroach on erf boundaries need to be moved in this phase. This goes along with much consultation with those involved. Compensation needs to be organised and implemented.

- 3) Construction stage of the services and individual houses. Services are constructed by the ERC and occupants erect their structures on each erf.
- 4) Operational phase of the development. Each property owner is responsible for upkeeping their property according to the requirements of the ERC. The Municipality is responsible for the upkeep of the public grounds such as the parks, the streets, waste management, etc. Therefore the ERC should integrate this ESMP into their overall system.

This ESMP covers each of these stages.

Responsibilities

The overall responsibility for the implementation of this ESMP during design and construction will lie with the ERC.

When construction of services is contemplated, then planning should be done for delegating some of the responsibilities to the Contractor/s.

2 LEGAL AND PERMIT REQUIREMENTS

Table 1 below contains a list of the legal requirements that need to be adhered to during the project planning, construction and operation. These requirements are the environmentally focussed ones and do not include all legal requirements pertaining to the project.

Table 1: Relevant legislated permit requirements

THEME	LEGAL INSTRUMENT	MANAGEMENT REQUIREMENTS	CONTACT PERSON
Environmental	Environmental Management Act 7 of 2007 EIA Regulations (EIAR) GN 57/2007 (GG 3812)	The amendment, transfer or renewal (after three years) of the Environmental Clearance Certificate (EIAR s19 & 20). Activities of the project which still require clearance certificates: <ul style="list-style-type: none"> • Construction of roads and associated borrow pits • Construction of sewerage, water and electrical supply lines • Construction of bulk infrastructure, if any • Waste disposal site <p>This particular clearance application will be valid for three years, after which it is due for renewal.</p>	Ms Saima Angula Tel: 061 284 2751
Protected trees	Forestry Act	<ul style="list-style-type: none"> • Permits are required for the removal of protected trees (Camelthorn, Shepherd's Tree, Wurm Cure Tree) 	
Labour	Labour Act 11 of 2007 Health and Safety Regulations (HSR) GN 156/1997 (GG 1617).	Adhere to all applicable provisions of the Labour Act and the Health and Safety regulations.	Labour Law Advice: Tel: 061 309 957
Water	Water Resources Management Act 13 of 2013	A permit is required for any water treatment facility.	

THEME	LEGAL INSTRUMENT	MANAGEMENT REQUIREMENTS	CONTACT PERSON
General Health	General Health Act	Activities on plots governed in terms of the General health Act – fitness certificates are issued by the Ministry of Health and Social Services for non-residential activities to ensure health standards are being met.	

3 PLANNING DESIGN AND RESETTLEMENT PHASE

Responsibilities

This phase is the responsibility of the Erongo Regional Council, with delegated authorities to those appointed for the various aspects of the development.

Goals

- To ensure that the design of all aspects of the facilities aim at environmental sustainability in the use of resources.

Table 2: Management requirements for the Planning and Design phase

ASPECT	MANAGEMENT ACTIONS
Resettlement	<ul style="list-style-type: none"> • Finally identify the households to be resettled and the terms of compensation. • Communicate continually to avoid and resolve any conflict.
Awareness campaign	<ul style="list-style-type: none"> • Create awareness among the recipient households of the following: <ul style="list-style-type: none"> ○ Lease amounts to be paid, and how defaulters will be dealt with. ○ The importance of trees and vegetation, to be conserved. ○ Conservation of drainage lines - to be kept free of obstructions, litter, waste, spills, rubble, etc. Structures not to be erected in them. ○ Erven to be kept clear of waste and litter – health risk. ○ Awareness campaign to be extended as infrastructure is upgraded to include topics such as payment for services and avoiding defaulting, demand management, water conservation, keeping sewerage lines clear of obstructions, waste disposal, etc.
Planning of infrastructure	<ul style="list-style-type: none"> • Conduct a feasibility study to determine the affordability levels of the community vs. the contributions from the ERC. Determine the services levels that can be afforded. • Conduct the above study in consultation with the community in order to instil an understanding of affordability, ability to pay, ownership of services, sustainability, maintenance and upkeep requirements, etc.
Design of infrastructure	<ul style="list-style-type: none"> • The design of the infrastructure should be geared towards affordability and long term sustainability principles. • An environmental assessment should be conducted for the design and implemented of the roads, water pipelines, sewerage and electrical lines, with bulk supply facilities as needed. The assessment should include a brief environmental assessment, construction and operational management plan – including the following: <ul style="list-style-type: none"> ○ Consult with the community to confirm that they are satisfied with the level of service being planned and that they understand affordability issues, long term maintenance, etc.

ASPECT	MANAGEMENT ACTIONS
	<ul style="list-style-type: none"> ○ Consider how affordability levels have been addressed ○ Establish where the vegetation of the area will be impacted
Existing trees	<ul style="list-style-type: none"> • Survey the trees on the erven and communicate to the occupants that they are not to be removed.
Drainage lines	<ul style="list-style-type: none"> • Identify drainage lines on erven and ensure structures are erected on of their way. Drainage lines should not be obstructed.

4 CONSTRUCTION TENDER PREPARATION PHASE

All those actions required during the tender preparation phase are included below. Environmental management requirements need to be made legal in all agreements with contractors. Because the project is however still in its planning phase, construction still far ahead and this list therefore indicative, these requirements need to be revised closer to actual construction date, incorporating the Environmental Management Plan specifically for the construction of the services.

Table 3: Construction tender preparation phase management requirements

ASPECT	MANAGEMENT REQUIREMENTS
EMP implementation	<p>Include the ESMP for the construction of the services in the construction contracts. Ensure that the contractor has made financial provision for the implementation of the EMP.</p>

5 OPERATION AND MAINTENANCE PHASE

The operation and maintenance phase will be the responsibility of the Erongo Regional Council .

This section of the ESMP needs to be revised and updated when the lease of erven is being prepared.

Table 4: Operation and maintenance phase mitigation measures

ASPECT	MITIGATION MEASURE
Construction/maintenance	Should any construction/maintenance works be carried out, such contractor should adhere to at least the following, written into their contracts: <ol style="list-style-type: none"> 1) Health and Safety Regulations adhered to 2) Sound waste disposal and clean up 3) Spills and leakages prevention 4) Water pollution prevention 5) Protection of vegetation – vegetation removal only when absolutely necessary. 6) No poaching in the area 7) Fire prevention 8) Proper rehabilitation and clean up after works.
Post-construction environmental training and awareness	All contractors appointed for maintenance work on the respective services infrastructure must ensure that all personnel are aware of necessary health, safety and environmental considerations applicable to their respective work.
Awareness raising among residents	Maintain the awareness raising started during planning, and address matters as they arise.
Defaulting	Monitor defaulting cases and address as they arise.
Waste and littering	The area should be incorporated into Otjimbingwe's Waste Management system. Note: the waste disposal site requires an Environmental Clearance Certificate.
Water management and conservation	The area should be subject to water conservation and water demand management principles.