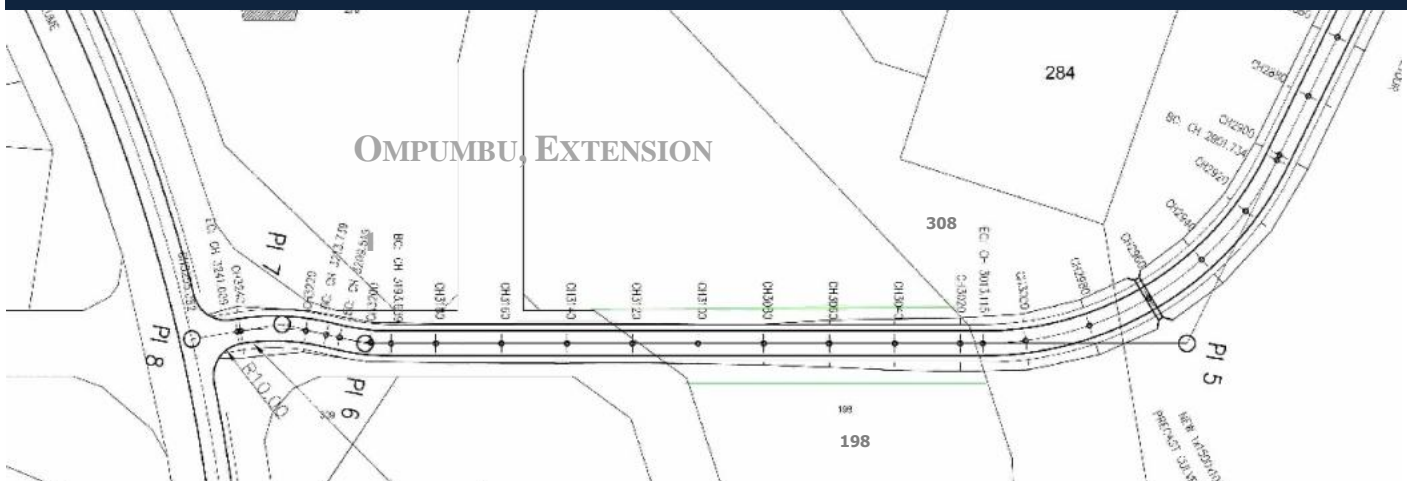



APPLICATION FOR AMENDMENT OF ENVIRONMENTAL CLEARANCE:

**FOR THE AMENDMENTS OF THE CADASTRAL BOUNDARIES OF ERVEN 189, 308 AND
THE CLOSURE OF A PORTION OF PUBLIC OPEN SPACE ON ERF 308, AS A RESULT OF
THE CONSTRUCTION/UPGRADING OF THE MR120 TO BITUMEN STANDARDS –
ENVIRONMENTAL SCOPING ASSESSMENT**



PROONENT: Oshakati Town Council P O Box 5530 OSHAKATI NAMIBIA	CONSULTANT: URBAN DYNAMICS AFRICA P O Box 20837 WINDHOEK NAMIBIA
SUBMISSION: MINISTRY OF ENVIRONMENT AND TOURISM PRIVATE BAG 13306 WINDHOEK NAMIBIA 	MET- Reference: APP-001111 Urban Dynamics Reference: 1180 Enquiries: Allison Anderson Heidri Bindemann-Nel TEL: +264-61-240300 FAX: +264-61-240309

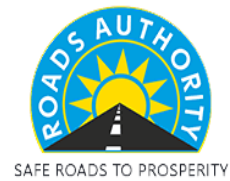
PROPONENT:

OSHAKATI TOWN COUNCIL
P O Box 5530
OSHAKATI
NAMIBIA



DEVELOPMENT ROLE-PLAYERS:

ROADS AUTHORITY
P O Box 0000
WINDHOEK
NAMIBIA



CONSULTING ENGINEERS:

BURMEISTER AND PARTNERS (PTY) LTD
P O Box 15343
OSHAKATI
NAMIBIA



PREPARED BY:

URBAN DYNAMICS AFRICA (PTY) LTD
P O Box 20837
WINDHOEK
NAMIBIA



GENERAL LOCATION DESCRIPTION OF THE DEVELOPMENT AREA:

DESCRIPTOR:	LOCATION SPECIFICS:
NATURE OF ACTIVITIES:	<p>AMENDMENT OF CONDITIONS OF ESTABLISHMENT:</p> <p>Section 5.1 (d), of the Environmental Management Act (Act 7 of 2007) for the rezoning of land from use for nature conservation or zoned open space to any other land use.</p>
REGISTRATION DIVISION:	B
REGION:	Oshana Region
LOCAL AUTHORITY:	Oshakati Town Council
FALL WITHIN:	Oshakati Townlands
NEAREST TOWNS / CITY:	Oshakati
LAND USE:	Road, Civic and Public Open Space
HOMESTEADS/STRUCTURES:	No
HISTORICAL RESOURCE LISTINGS:	No
CEMETERY:	No
ENVIRONMENTAL SIGNIFICANT AREA:	Within a Watercourse/ Flood Line
LATITUDE & LONGITUDE:	
LATITUDE:	-17.752795
LONGITUDE:	15.684785
ERF 196, OMPUMBU EXT 1	
SIZE IN SQM:	19 545.44
ERF 308, OMPUMBU EXT 1	
SIZE IN SQM:	25 717.21

ABBREVIATION:	DESCRIPTION:
am	ANTE MERIDIEM / BEFORE MIDDAY
Av	AVENUE
BID	BACKGROUND INFORMATION DOCUMENT
DEM	DIGITAL ELEVATION MODEL
ER	EMPLOYERS REPRESENTATIVE
EA	ENVIRONMENTAL ASSESSMENT
EC	ENVIRONMENTAL COMMISSIONER
ECO	ENVIRONMENTAL CONTROL OFFICER
EMP	ENVIRONMENTAL MANAGEMENT PLAN
Etc.	ET CETERA / OTHER SIMILAR THINGS
e.g.	EXEMPLI GRATIA
FEMO	FLOOD EMERGENCY MANAGEMENT OFFICE
FRMP	FLOOD RISK MANAGEMENT PLAN
HIV	HUMAN IMMUNODEFICIENCY VIRUS
i.e.	ID EST. / IN OTHER WORDS
I&APs	INTERESTED AND AFFECTED PARTIES
NBD	THE NAMIBIA BIODIVERSITY DATABASE
NHC	NAMIBIAN HEALTH CARE
NAMPAB	NAMIBIAN PLANNING ADVISORY BOARD
pm	POST MERIDIEM / AFTER MIDDAY
SME	SMALL-AND-MEDIUM-SIZED ENTERPRISE
TRRP	TREE REMOVAL AND REPLACEMENT PLAN
TB	TUBERCULOSIS
WMP	WASTE MANAGEMENT PLAN
UNIT SYMBOL:	UNIT DESCRIPTION:
0 ^c	DEGREES CELSIUS
E	EAST
ha	HECTARES
Km	KILOMETRE
m	METER
mm	MILLIMETRE
S	SOUTH
m ²	SQUARE METERS
%	PERCENTAGE

TABLE OF CONTENTS

1	APPOINTMENT	1
2	BACKGROUND	1
3	NATURE OF THE ACTIVITIES	2
4	LEGISLATION	3
5	METHODOLOGY	4
5.1	TOPOGRAPHICAL AND SITE INFORMATION	4
5.2	PUBLIC CONSULTATION	4
6	DESCRIPTION OF THE SITE	5
6.1	LOCATION OF OMPUMBU, EXTENSION 1	5
6.2	LAND USE AND EXISTING STATUS	6
6.3	THE ERVEN'S SIZES.....	6
6.4	ACCESS, SERVICES AND INFRASTRUCTURE.....	7
6.4.1	Access:.....	7
6.4.2	Electrical Supply:	7
6.4.3	Water Connection:	7
6.4.4	Sewerage:	7
6.4.5	Communication:.....	7
6.5	CULTURAL RESOURCES	7
6.6	ENVIRONMENTAL CHARACTERISTICS AND TOPOGRAPHY	7
6.6.1	Habitat on the Site	7
6.6.2	Topography	8
6.6.3	Status of Proposed Area	8
7	PROJECT INTENTION	9
7.1	THE SUBDIVISIONS.....	10
7.1.1	Subdivision of Erf 198	10
7.1.2	Subdivision of Erf 308	11
8	POTENTIAL IMPACTS.....	12
8.1	Benefits of the Project:	12

8.2	Potential Negative Impacts:.....	12
8.2.1	Potential Benefits of the Project:	12
8.2.2	Potential Negative Impacts:	13
8.3	DEALING WITH RESIDUAL IMPACTS.....	13
8.3.1	Residual Social Impacts:.....	13
8.3.2	Residual Environmental Impacts:	13
9	SUMMARY AND APPLICATION	14
9.1	PROJECT IMPACTS, AVOIDANCE MEASURES AND RESIDUAL IMPACTS.....	14
10	CONCLUSION	15
11	BIBLIOGRAPHY	16

FIGURES

Figure 1:	The Locality of the Project	1
Figure 2:	Locality of the Site	5
Figure 3:	The Land Use and Forms of the Erven.....	6
Figure 4:	Flooding on 24 March 2009	8
Figure 5:	Alignment of the Public Road	9
Figure 6:	Proposed Subdivision of Erf 198	10
Figure 7:	Proposed Subdivision of Erf 308	11
Figure 8:	Potential Impacts	12

TABLES

Table 1:	Legislative Framework.....	3
Table 2:	Public Consultation Process.....	4
Table 3:	Current Land Use and Sizes	6
Table 4:	Land Use and Sizes	10
Table 5:	Land Use and Sizes	11

ANNEXURES

ANNEXURE 1:	FORM 1 APPLICATION FOR ENVIRONMENTAL CLEARANCE CERTIFICATE (SECTION 32)
ANNEXURE 2:	CV (OF THE EAP)
ANNEXURE 3:	CONTACT DETAIL OF THE PROPONENT
ANNEXURE 4:	CONTACT DETAIL OF THE CONSULTANT
ANNEXURE 5:	ID (EAP)
ANNEXURE 6:	PERMANENT RESIDENTS PERMIT
ANNEXURE 7:	ENVIRONMENTAL MANAGEMENT PLAN

APPENDIX

APPENDIX A:	APPROVAL FROM THE TOWN COUNCIL
APPENDIX B:	LAYOUTS
APPENDIX C:	PUBLIC CONSULTATION PROCESS
APPENDIX C.1:	NOTES AND ADVERTISEMENTS
APPENDIX C.2:	BID DOCUMENT
APPENDIX C.3:	COPY OF THE STAKEHOLDERS LIST

1 APPOINTMENT

The Oshakati Town Council has appointed Urban Dynamics to facilitate the process of obtaining an Environmental Clearance for the

AMENDMENTS OF THE CADASTRAL BOUNDARIES OF ERVEN 189, 308 AND CLOSURE OF A PORTION OF PUBLIC OPEN SPACE ON PORTION A (A PORTION OF ERF 308), OMPUMBU EXTENSIONS 1, AS A RESULT OF THE CONSTRUCTION/UPGRADING OF THE MR120 TO BITUMEN STANDARDS

The relevant documentation is included in support of our application to the Environmental Commissioner; please refer to the appendices attached hereto.

2 BACKGROUND

Roads Authority appointed Burmeister and Partners (PTY) Ltd to construct the road north of Oshakati (MR 20) that travels in an east-west direction. This can be observed from the Google Image figure 1. The road was linked to the DR3609 district road that is situated west of Ompumbu. However, the road cuts through two erven in Ompumbu, Extension 1.

In order to rectify the cadastral boundaries to accommodate the road, Erven 198 and 308, Ompumbu, Extension 1 needs to be subdivided, and a portion of the Public Open Space on Erf 308 needs to be closed to accommodate the new road.

Figure 1: The Locality of the Project

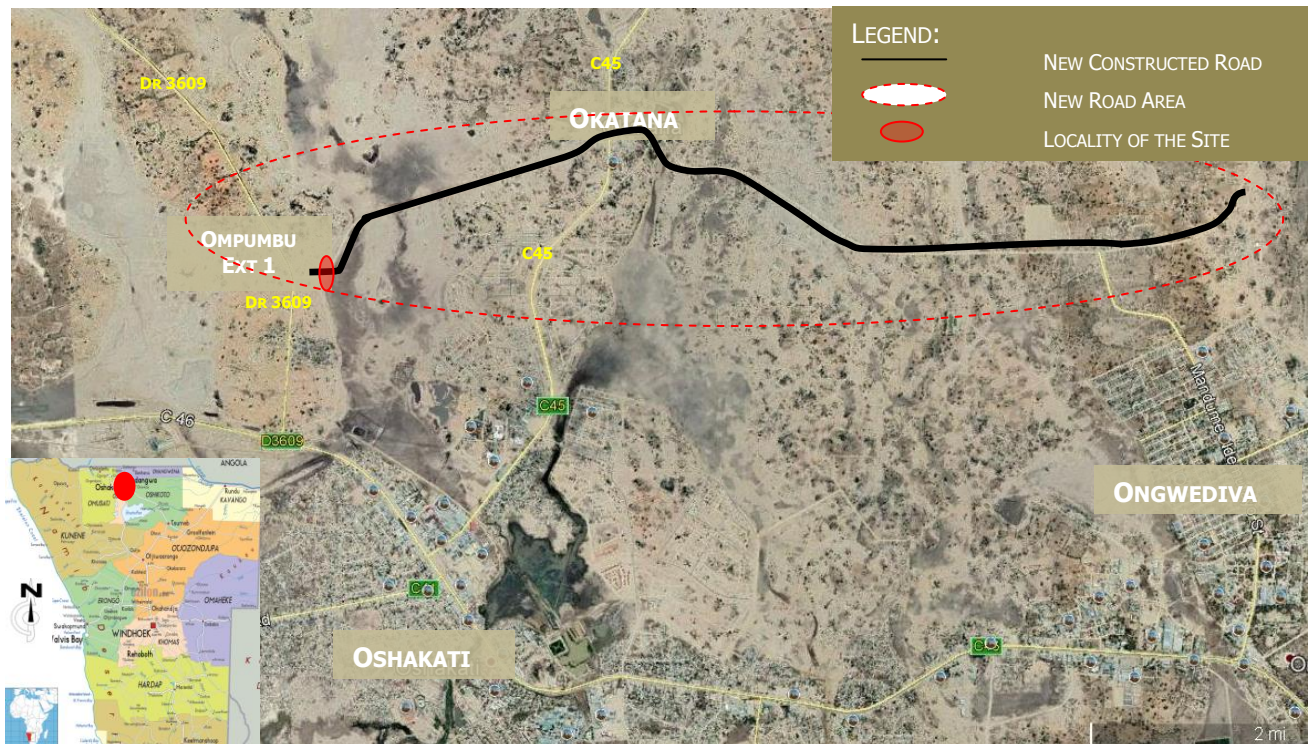


Image source: Google Earth (2019)

Urban Dynamics believes that amendments of the existing cadastral boundaries will not have an adverse environmental impact, since the amendments are done on land part of established townlands.

For the purpose of obtaining approval from the Ministry of Urban and Rural Development through the Townships Board, an amended Environmental Clearance Certificate must first be obtained from the Ministry of Environment and Tourism.

3 NATURE OF THE ACTIVITIES

The purpose of the application is to obtain approval from the Ministry of Environment and Tourism in terms of

Section 5.1 (d), of the Environmental Management Act (Act 7 of 2007) for the rezoning of land from use for nature conservation or zoned open space to any other land use.

This report deals with the nature of the project, identifies the potential impacts that may be expected and the mitigation measures which will be implemented and how the impacts may be dealt with.

4 LEGISLATION

The following table provides the legislative framework within which the applicant should be viewed:

Table 1: Legislative Framework

THEME	LEGISLATION INSTRUMENT	MANAGEMENT REQUIREMENTS
NATIONAL:	The Constitution of the Republic of Namibia, 1990	<i>"The State shall actively promote and maintain the welfare of the people by adopting, inter alia, policies aimed at the following: (l) management of ecosystems, essential ecological processes and biological diversity of Namibia and utilization of living natural resources on a sustainable basis for the benefit of all.</i>
ENVIRONMENTAL:	Environmental Management Act 7 of 2007, 5.1(a) EIA Regulations (EIAR) GN 57/2007 (GG 3812)	Adhere to the land use and development activities: Section 5.1 (d), of the Environmental Management Act (Act 7 of 2007) for the rezoning of land from use for nature conservation or zoned open space to any other land use. The amendment, transfer or renewal of the environmental Clearance Certificate (EIAR s19 & 20).
REZONING:	Town Planning Ordinance Ord. 18 of 1954 as amended.	Adhere to all applicable provisions of the Oshakati Town Planning Scheme regarding the subdivision of land and rezoning.
POLLUTION CONTROL AND WASTE MANAGEMENT BILL:	Pollution Control and Waste Management Bill: This bill aims to promote sustainable development and to prevent and regulate the discharge of pollutants into the environment.	Consider the risk of pollution as a result of the sewer infrastructure in the watercourses.

5 METHODOLOGY

5.1 TOPOGRAPHICAL AND SITE INFORMATION


The topographical and site information was obtained by means of a desktop study. This enabled Urban Dynamics to compile an accurate and up to date base map of the property.

5.2 PUBLIC CONSULTATION

Urban Dynamics notified potentially interested and affected parties of the proposed application and invited them to register as stakeholders. A Background Information Document (Bid) provided background on the nature and location of the activity. It also provides detail on where further information on the applications or activity can be obtained, and the manner in which the person to whom representation in respect of the application may be made.

Two newspaper notices were placed in separate newspapers for two successive weeks, and a notice of intent was placed at the Oshakati Town Council notice board. Find attached the advertisement which was placed as **Appendix "D.2"**.

Table 2: Public Consultation Process

THE PROCESS:	DESCRIPTION OF THE PROCESS:																																																																																																																	
PLANNING PHASE																																																																																																																		
I&APs IDENTIFICATION:	Key Interested and Affected Parties (I&APs) were identified and included in a list of I&APs (Appendix D.2).																																																																																																																	
NEWSPAPER NOTICES:	Notices were placed on the town councils notice board and within the Namibian and the New Era, for two consecutive weeks in two widely circulated newspapers, briefly describing the developments and their locality, inviting the public to register as I&APs (Appendix D.1).																																																																																																																	
INFORMATION PROVISION:	A BID containing essential information about the project was compiled (Appendix D.3).																																																																																																																	
PUBLIC COMMENTS PERIOD:	The public comments period was between 10 January and 7 February 2020. No public comments were received.																																																																																																																	
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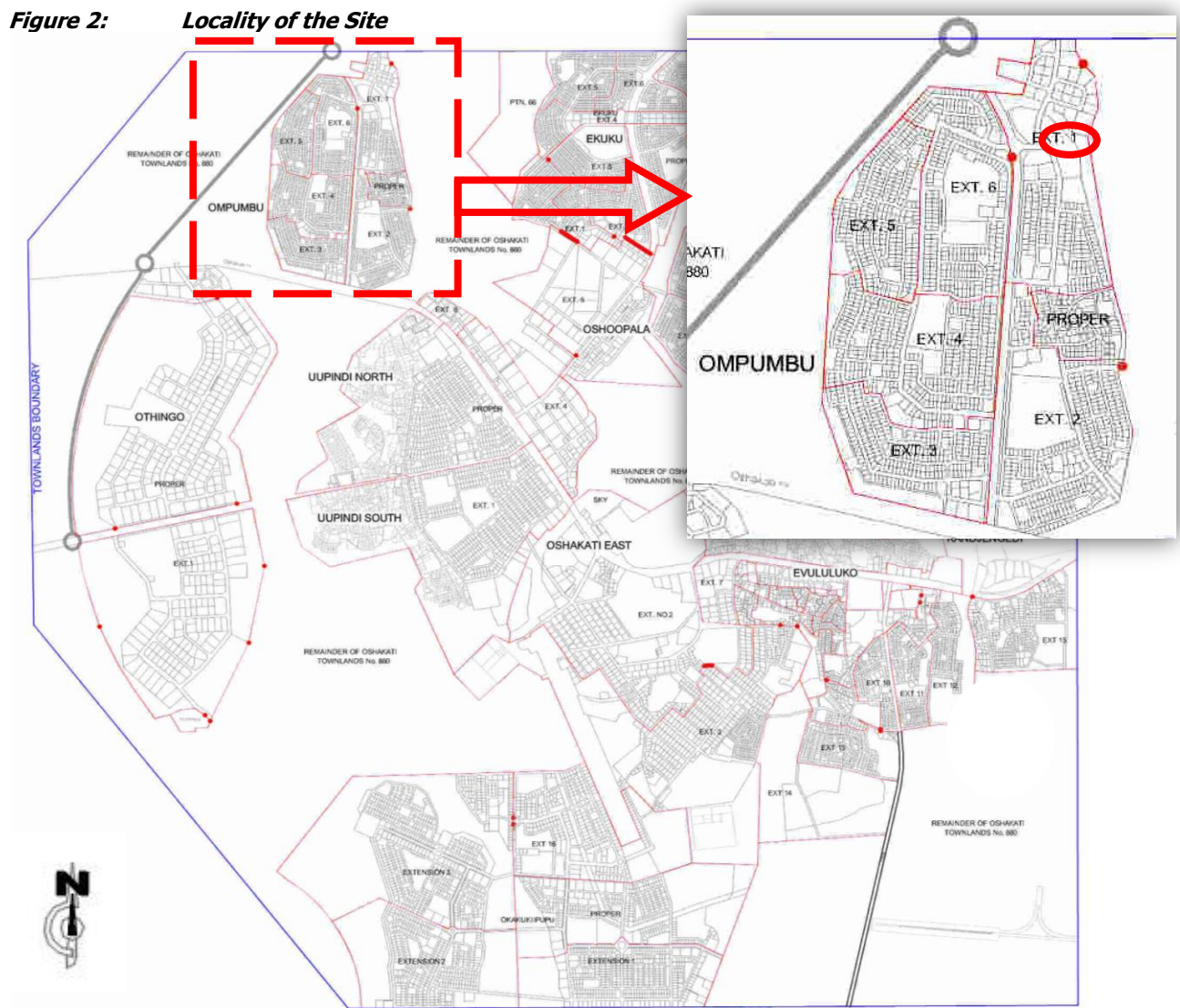
6 DESCRIPTION OF THE SITE

This section provides a planning description of the project site relative to the surrounding urban areas, existing use and settlement, services and other infrastructure, topography, and any other features of the site.

6.1 LOCATION OF OMPUMBU, EXTENSION 1

The project site is situated approximately 4 km north-west of the centre of Oshakati. The project area is situated in an area known as Ompumbu, Extension 1 north of Ompumbu Proper and is locked between the D3609 district road and the west of Ekuku. The site is located at -17.752795 S and 15.684785 E, as depicted in figure 2.

The Project is within the Oshana Region in Registration Division, "B".



6.2 LAND USE AND EXISTING STATUS

Erf 198 is zoned “Local Authority”, and Erf 308 is zoned “Public Open Space”. The Oshakati Town Council is the registered owner of the two erven. The newly constructed road MR 120 runs through the two erven as indicated on figure 3.

Table 3: Current Land Use and Sizes

ERF	LAND USE	ERF SIZE IN SQM
198	LOCAL AUTHORITY	19 545.44
308	PUBLIC OPEN SPACE	25 717.21

6.3 THE ERVEN’S SIZES

Erf 198 is 19 545 m² in extent, and erf 308 is 25 717 m². The forms of the two erven are also indicated on figure 3.

Figure 3: The Land Use and Forms of the Erven



Image source: Google Earth (2019)

6.4 ACCESS, SERVICES AND INFRASTRUCTURE

6.4.1 Access:

Ompumbu, Extension 1 is easily accessible by the D 3609 district road leading from the main road C 46 to the project area.

6.4.2 Electrical Supply:

Ompumbu, Extension 1's electricity supply is from the Oshakati Town Council's OPE distribution network.

6.4.3 Water Connection:

Ompumbu, Extension 1's source of water supply is from the Oshakati Town Council's reticulated network.

6.4.4 Sewerage:

The township is served by a sewerage system consisting of a collection network and pump stations that send sewerage to oxidation ponds located on the southern part of the town.

6.4.5 Communication:

Telecommunication is available by means of cellular services.

6.5 CULTURAL RESOURCES

No graves or other items of historical value were found or could be identified within the site boundaries.

6.6 ENVIRONMENTAL CHARACTERISTICS AND TOPOGRAPHY

6.6.1 Habitat on the Site

The project site is located in an area populated by homesteads, with the surrounding area cleared for croplands and grazing. The remaining open ground demonstrates signs of being severely overgrazed while well-worn paths suggest that it is subject to heavy movement of people and livestock. Therefore, no significant low-level vegetation remains in the area.

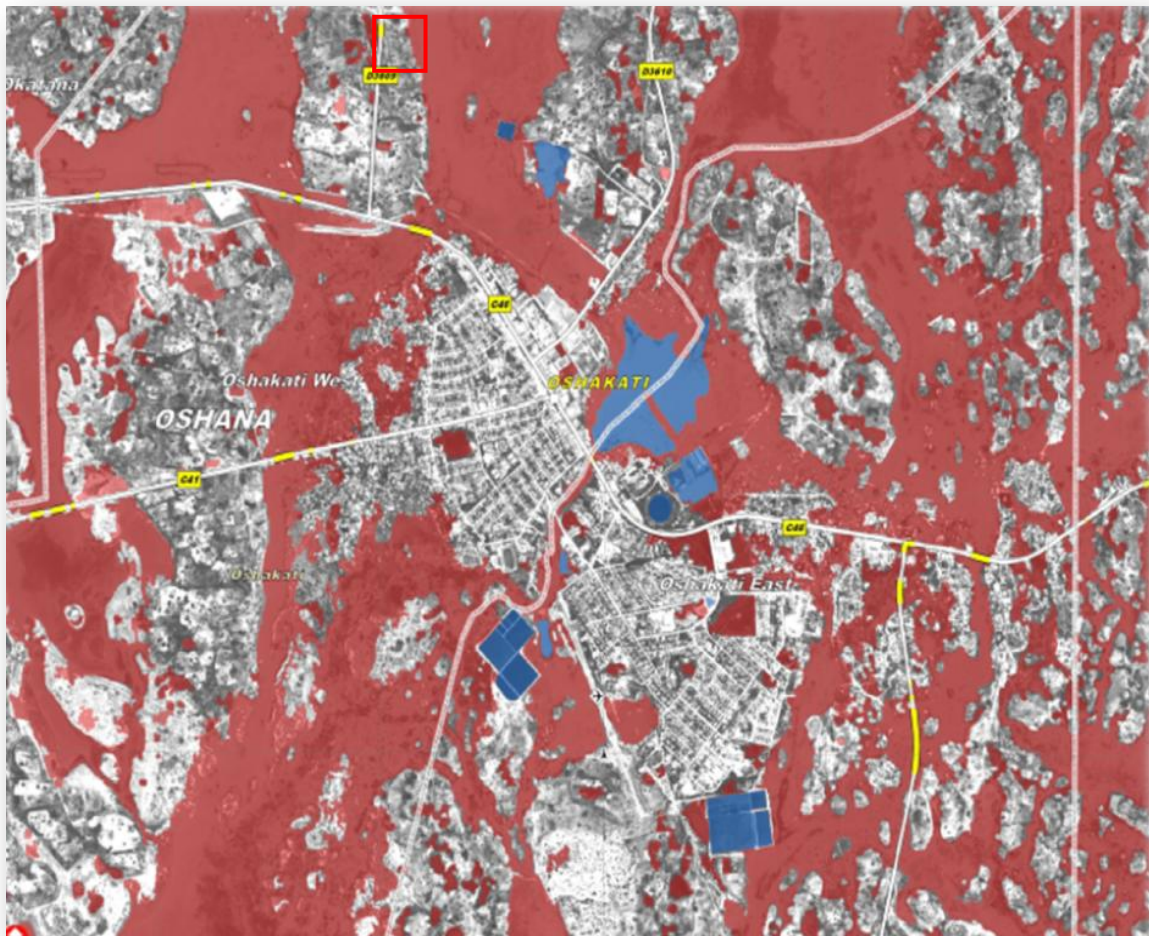
No large wild mammals are resident in the area. Birds, reptiles, season amphibians and invertebrates do occur, but due to the extensive habitat alteration, faunal biodiversity will be an impoverished version that of the regional background and is likely to include mainly euryecious anthropophagic and pioneer species.

6.6.2 Topography

Ompumbu Extension 1 is situated in the Cuvelai delta. The sprawling Cuvelai network of drainage channels first spreads out across southern Angola and then converges through hundreds of meandering oshanas into the Etosha Pan (A profile of north-central Namibia; 2000). From the image below, it is also evident that the project area is regarded as elevated and not within the Cuvelai's natural flow.

Erf 308 is flat and prone to flooding, therefore it's, currently zoned as a "Public Open Space".

Figure 4: Flooding on 24 March 2009



6.6.3 Status of Proposed Area

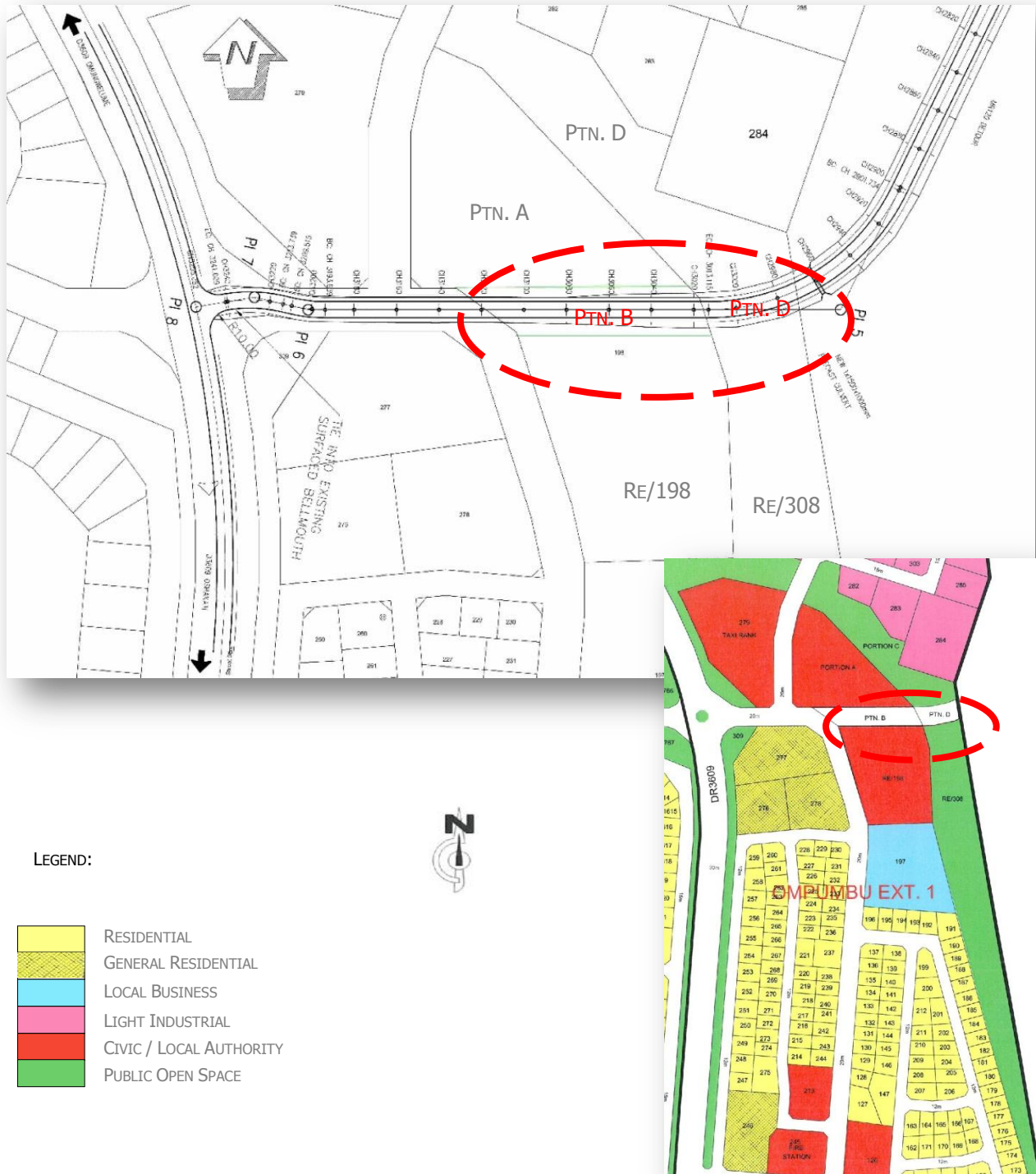
The oshanas/watercourses are the only environmental sensitive areas within the development site.

7 PROJECT INTENTION

The construction of the MR 120 is completed, and Burmeister and Partners (PTY) Ltd intend to amend the cadastral boundaries by subdividing Erven 198 and 308, into four new portions and remainders.

Simultaneously they need to close the "Public Open Space" on the proposed Portion B (a portion of Erf 308), and reserve both new Portions B as "Public Road".

Figure 5: Alignment of the Public Road



7.1 THE SUBDIVISIONS

7.1.1 Subdivision of Erf 198

The proposed subdivision of Erf 198 comprises of the creation of Portions A, B and Remainder. Figure 6 indicates the subdivision layout of Erf 198. Portion A will be 7 270 m² in extent and will be zoned "Local Authority". Portion B will be 945 m² in extent and will be reserved as a "Public Road". The remainder of Erf 198 will be 8 850 m² in extent and the zoning remain "Local Authority".

Figure 6: Proposed Subdivision of Erf 198

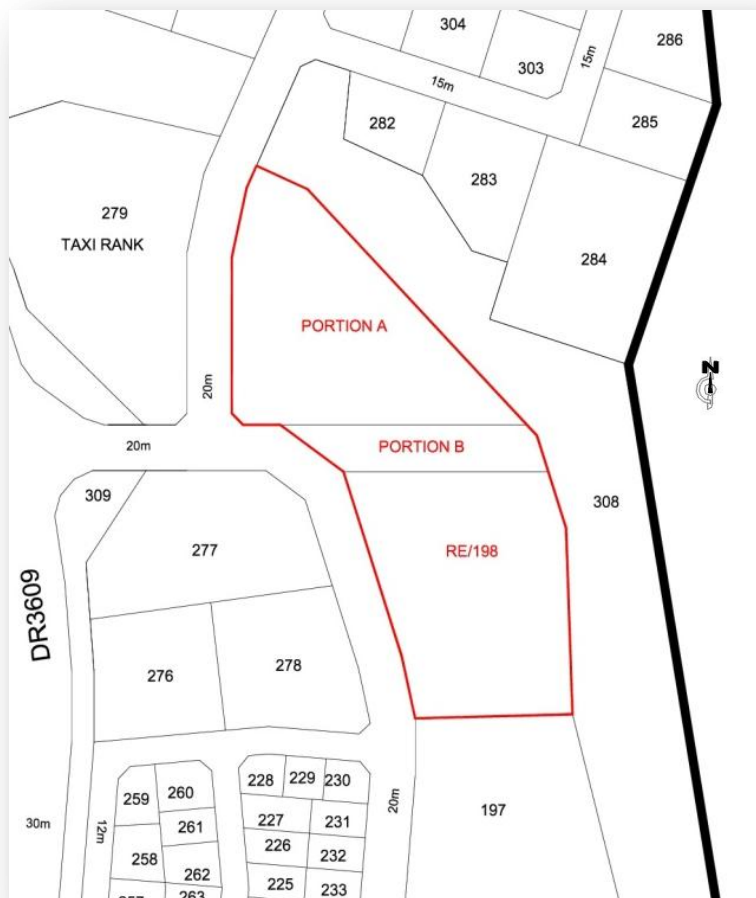


Table 4: Land Use and Sizes

Erf #	Area (m ²)	Zoning
Portion A	±8 553	Civic
Portion B	±2 093	Civic
Re/198	±8 842	Civic
Erf 198	±19 489	Civic

7.1.2 Subdivision of Erf 308

The proposed subdivision of Erf 308 comprises of the creation of Portions A, B and Remainder and the closure of "Public Open Space" on Portion B. The subdivision layout of Erf 308 is indicated on figure 7.

Portion A will be 8 553 m² in extent and will be zoned "Public Open Space". Portion B is 2 098 m² in extent and will accommodate the new "Public Road". The remainder of Erf 308 will be 17 497 m² in extent and the zoning will remain "Public Open Space".

Figure 7: Proposed Subdivision of Erf 308

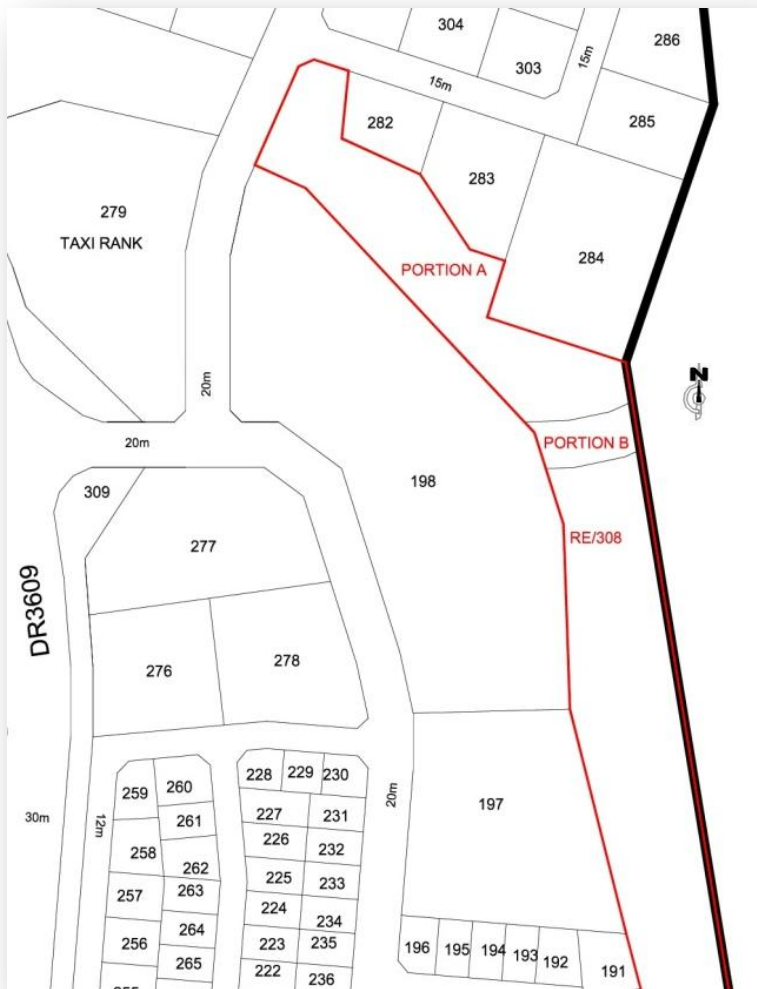


Table 5: Land Use and Sizes

Erf #	Area (m ²)	Zoning
Portion C	±7 272	Public Open Space
Portion D	±947	Public Open Space
Re/308	±17 498	Public Open Space
Erf 308	±25 717.21	Public Open Space

8 POTENTIAL IMPACTS

During the amendments of the cadastral boundaries of Ompumbu, Extension 1 the planners assessed the potential positive and negative impacts of the area. Attempts have been made to enhance and strengthen positive impacts and mitigate and weaken the effects of negative impacts in all cases.

The following section explores each of these impacts in detail, describing and exploring the various ideas integrated into the layout, and assessing alternatives where they seem viable.

8.1 Benefits of the Project:

- No homesteads and structures are impacted;
- Community Wellness; and
- The creation of functional "Public Open Space".

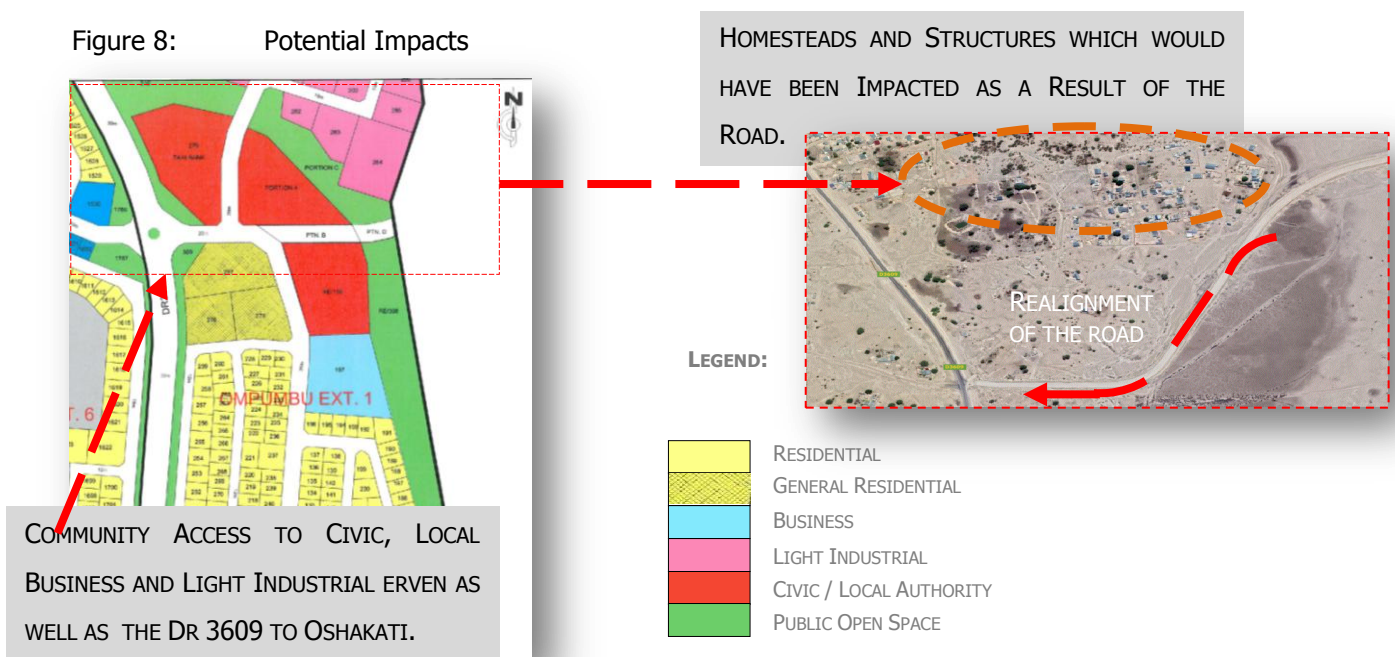
8.2 Potential Negative Impacts:

- Potential environmental impact;
- Potential solid waste impact; and
- Potential traffic safety impact.

8.2.1 Potential Benefits of the Project:

Homesteads and structures: The original layout impacted exiting homesteads and structures within Ompumbu, Extension 1. The amendment of the cadastral boundaries was done to prevent moving existing homesteads and structures within the northern part of Extension 1. Figure 8 shows homesteads or structures which would have been impacted by the road.

Figure 8: Potential Impacts



Community Wellness: The project creates access for the community by providing needed safe pedestrian and road access above the floodline to health facilities, schools and shops.

Providing for functional “Public Open Space”: The road forms a buffer between the oshana /floodwater and Portion A (a portion of Erf 308). As a result, Portion A will be able to be used as a functional Public Open Space during the flood seasons.

8.2.2 Potential Negative Impacts:

Traffic impacts. A lack of traffic control on the new portion can create an unsafe environment for the road users, which also include pedestrians. Mitigation measures are included in the Environmental Management Plan (EMP) to prevent traffic safety impacts on the users and the surrounding community.

Health and safety. A lack of management and waste management at the Public Open Space can create an unsafe environment for the community. Mitigation measures are included in the Environmental Management Plan (EMP) to prevent health and safety impacts on the community.

8.3 DEALING WITH RESIDUAL IMPACTS

8.3.1 Residual Social Impacts:

No residual social impacts exist.

8.3.2 Residual Environmental Impacts:

- Not all safety hazards on the Public Open Space can be prevented by the Environmental Management Plan.
- Not all traffic safety impacts can be prevented.

9 SUMMARY AND APPLICATION

9.1 PROJECT IMPACTS, AVOIDANCE MEASURES AND RESIDUAL IMPACTS

POTENTIAL IMPACT:	MEASURES:			RESIDUAL IMPACTS:
	AVOIDANCE:	MITIGATION:	ENHANCEMENT:	
BENEFITS OF THE PROJECT:				
ACCOMMODATING HOMESTEADS AND STRUCTURES:			Since it is a positive impact of high significance, additional enhancement measures are not proposed.	
PROVIDING FOR FUNCTIONAL "PUBLIC OPEN SPACE":			Portion A will be able to be used as a functional Public Open Space during the flood seasons.	
STIMULATING HEALTH AND WELLNESS:			Provision for pedestrian infrastructure creating a walkable environment during the rainy season.	
NEGATIVE IMPACTS:				
POTENTIAL IMPACT ON SAFETY OF PUBLIC OPEN SPACE.	Avoid no upkeep of the public open space, which can result in an unsafe environment for the community.	The Town Council will need responsible for the long term: <ul style="list-style-type: none"> Waste management; and Maintenance of council infrastructure. 		<i>Not all safety hazards on Public Open Space can be prevented.</i>
THE IMPACT ON HEALTH AND SAFETY OF THE COMMUNITY:	Avoid traffic/road safety impacts on pedestrians and commuters.	Roads Authority will be responsible for : <ul style="list-style-type: none"> Traffic signs; Implementing speed limits; Pedestrian access; and Long term maintenance of the MR 120. 		<i>Not all traffic hazards can be prevented within the new erf.</i>

10 CONCLUSION

In summary, the screening process turned up no significant biodiversity-related issues for the realignment of the road, and there are no aspects that require further investigation.

The application form for an environmental clearance certificate as per section 32 is attached as **Annexure "1"** to this Scoping Report.

Appendix "C" provides advertisements which ensured stakeholder participation. The detailed layout plans have been attached as **Appendix "B"**.

It is recommended that the development proceeds without the need for further assessment, as provided for under articles 33 and 34 of the Environmental Management Act.

11 BIBLIOGRAPHY

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