




***ENVIRONMENTAL IMPACT ASSESSMENT
TO OBTAIN AN ENVIRONMENTAL
CLEARANCE FOR THE REZONING OF
ERF 8305, WINDHOEK (KHOMAS
REGION) FROM 'PRIVATE OPEN
SPACE' TO 'BUSINESS'***

2023

App - 230404001258

Project Name:	ENVIRONMENTAL IMPACT ASSESSMENT TO OBTAIN AN ENVIRONMENTAL CLEARANCE FOR THE REZONING OF ERF 8305, WINDHOEK FROM 'PRIVATE OPEN SPACE' TO 'BUSINESS'
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EXECUTIVE SUMMARY

Green Earth Environmental Consultants were appointed by the Proponent, PG Demiljo and K Demiljo, to conduct an Environmental Impact Assessment to obtain an Environmental Clearance to rezone Erf 8305, Windhoek from 'private open space' to 'business' with a bulk of 1.0. Erf 8305, Windhoek has already been developed and is currently used for business purposes for a restaurant. The provisions of the Windhoek Town Planning Scheme do not allow a 'business use' on an erf zoned 'private open space'. To finalise the rezoning of Erf 8305, Windhoek from 'private open space' to 'business', an Environmental Clearance is required. The land within the immediate vicinity of the project site is predominately characterized by sports fields and clubs. In terms of the Regulations of the Environmental Management Act (No 7 of 2007) an Environmental Impact Assessment must be done to address the following 'Listed Activities':

LAND USE AND DEVELOPMENT ACTIVITIES

5.1 *The rezoning of land from:*

(d) *use for nature conservation or zoned open (perceived as a public space) space to any other land use.*

The key characteristics/environmental impacts of the proposed project are as follows:

Impact on environment	Nature of impact
More efficient and intensive use of land.	Positive for the City of Windhoek and Namibia in general.
Creation of employment and transfer of skills.	Positive as employment will be created during operation.
Impact on utilization of municipal and other infrastructure and facilities.	Positive due to the better utilization of existing municipal infrastructure.
There will be an impact on traffic.	Negative during operational as it will result in the increase in traffic in the city and on the main roads in the area.
The creation of noise.	On par with the noise levels associated with the neighbouring uses.
Possible impact on cultural/heritage aspects.	No items of archeologic value or graves were observed during the site visit which means the impact will be low. If any items or graves are found during construction, the impact will be high and irreversible.
Impact on fauna and flora.	All vegetation and plants were already removed when the facility was constructed therefore no additional vegetation, trees, plants or bushes will be removed.
There might be a possible visual impact.	Limited new infrastructure will be constructed on the site, the buildings will mostly remain as it is.
Impact on groundwater, surface water and soil.	The impact will be negative in case of spilling of hazardous materials during

	operation. The facility is linked with the municipal sewer system.
Impact on health and safety.	Low if mitigated during operations.

Erf 8305, Windhoek is already used for business purposes. No further negative impacts on the vegetation and the natural drainage systems are expected. The noise and dust during operation are in line with the activities from the neighbouring erven which are used as sports fields and sport clubs. However, mitigation measures will be provided that can control the extent, intensity, and frequency of these named impacts in order not to have substantial negative effects or results.

The type of activities that will be carried out on the site will not negatively affect the amenity of the locality and the activities do not adversely affect the environmental quality of the neighbouring erven or areas. None of the potential impacts identified are regarded as having a significant impact to the extent that the proposed project should not be allowed. However, the operational activities further on need to be controlled and monitored by the assigned subcontractors and the proponent.

The Environmental Impact Assessment which follows upon this paragraph was conducted in accordance with the guidelines and stipulations of the Environmental Management Act (No 7 of 2007) meaning that all possible impacts have been considered and the details are presented in the report. Based upon the conclusions and recommendations of the Environmental Impact Assessment Report and Environmental Management Plan following this paragraph, the Environmental Commissioner of the Ministry of Environment, Forestry and Tourism is herewith requested to:

1. Accept the Environmental Impact Assessment;
2. Approve the Environmental Management Plan;
3. Issue an Environmental Clearance to rezone Erf 8305, Windhoek from 'private open space' to 'business' with a bulk of 1.0 and for the following "listed activities":

LAND USE AND DEVELOPMENT ACTIVITIES

5.1 The rezoning of land from:

(d) use for nature conservation or zoned open (perceived as a public space) space to any other land use.

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LIST OF ABBREVIATIONS

CAN	Central Area of Namibia
EC	Environmental Clearance
ECO	Environment Control Officer
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
I&APs	Interested and Affected Parties
MEFT	Ministry of Environment, Forestry and Tourism
SQM	Square Meters

1. INTRODUCTION

The Proponent, PG Demiljo and K Demiljo, appointed Green Earth Environmental Consultants to conduct an Environmental Impact Assessment and develop an Environmental Management Plan to obtain an Environmental Clearance to rezone Erf 8305, Windhoek from 'private open space' to 'business' with a bulk of 1.0.

The Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 in GG 4878 of 6 February 2012) stipulates that an Environmental Impact Assessment (EIA) report and management plan is required as the following 'Listed Activities' are involved:

LAND USE AND DEVELOPMENT ACTIVITIES

5.1 The rezoning of land from:

(d) use for nature conservation or zoned open (perceived as a public space) space to any other land use.

The Environmental Impact Assessment below contains information on the proposed project and the surrounding areas, the proposed activities, the applicable legislation to the study conducted, the methodology that was followed, the public consultation that was conducted, and the receiving environment's sensitivity and any potential ecological, environmental, and social impacts.

2. TERMS OF REFERENCE

To be able to implement the proposed project, an Environmental Impact Assessment and Environmental Clearance is required. For this environmental impact exercise, Green Earth Environmental Consultants followed the terms of reference as stipulated under the Environmental Management Act.

The aim of the environmental impact assessment was:

- To comply with Namibia's Environmental Management Act (2007) and its regulations (2012).
- To ascertain existing environmental conditions on the site to determine its environmental sensitivity.
- To inform I&APs and relevant authorities of the details of the proposed development and to provide them with an opportunity to raise issues and concerns.
- To assess the significance of issues and concerns raised.
- To compile a report detailing all identified issues and possible impacts, stipulating the way forward and identify specialist investigations required.
- To outline management guidelines in an Environmental Management Plan (EMP) to minimize and/or mitigate potentially negative impacts.

The tasks that were undertaken for the Environmental Impact Assessment included the evaluation of the following: climate, water (hydrology), vegetation, geology, soils, socio economic impact, cultural heritage, groundwater, sedimentation, erosion, biodiversity, sense of place, socio-economic environment, health, safety and traffic.

The EIA and EMP from the assessment will be submitted to the Environmental Commissioner for consideration. The Environmental Clearance will only be obtained (from the DEA) once the EIA and EMP has been examined and approved for the listed activity.

The public consultation process as per the guidelines of the Act has been followed. The methods that were used to assess the environmental issues and alternatives included the collection of data on the project site and surrounding area, info obtained from the proponent and the Ministry of Environment, Forestry and Tourism and identified and affected stakeholders. Consequences of impacts were determined in five categories: nature of impact, expected duration of impact, geographical extent of the event, probability of occurring and the expected intensity.

All other permits, licenses or certificates that are further on required for the operation of the proposed project still needs to be applied for by the proponent.

3. NEED, DESIRABILITY AND MOTIVATION

It is believed that there is a need for the business use (a restaurant) on Erf 8305, Windhoek. It is located next to the Windhoek Municipal Pool in Olympia, Windhoek and the site is surrounded by various sports fields and clubs offering a variety of sporting and recreational activities. It is also located close to the Olympia Residential Area which confirms the need for a restaurant.

The site is also desirable due to its location close to these sports fields which also creates a buffer between the erf and the residential area of Olympia. Using the erf as restaurant will thus not be of any nuisance to the Olympia residents in the form of after-hour noise or traffic. Parking is also provided onsite, and access is not taken through the residential area but from Tennis Street which provided access to the surrounding sport fields. The site is thus suitable for the proposed activities and the activities will have a limited impact on the receiving environment.

Determining what the impact of the operations would be are broken down into different categories and environmental aspects and dealt with in the Environmental Management Plan (EMP). As per the ISO 14001 definition: *an environmental aspect is an element of an organization's activities, products and/or services that can interact with the environment to cause an environmental impact e.g., land degradation or land deterioration among others, that will cause harm to the environment.*

All concerns and potential impacts raised during the public participation process and consultative meetings were evaluated. Predictions were made with respect to their magnitude and an assessment of their significance was made according to the following criteria:

The Nature of the activity: The possible impacts that may occur are that water will be used in the operational phase, wastewater will be produced that will be handled either by the Municipality or by the proponent, land will be used for the proposed activities, a sewage system will be constructed, and general construction activities will take place, namely the building of infrastructure.

The Probability of the impacts to occur: The probability of the above-named impacts to occur and have a negative or harmful impact on the environment and the community is small since the Environmental Management Plan will also guide these activities. Water will still be used, and wastewater produced, however guidelines will be set that will ensure the impact is minimum.

The Extent of area that the project will affect: The specific project will most likely only have a small impact on the proposed project site itself and not on the surrounding or neighbouring land except for noise, traffic, roads, electricity and dust and there may be a visual impact because of the size of the proposed development. Therefore, the extent that the project will have a negative impact on is not extensive.

The Duration of the project: The duration of the project is uncertain. Water will still be used, and waste produced on a continuous basis and the structures that were constructed will remain and may be visually unpleasing to surroundings.

The Intensity of the project: The intensity of the project is mostly limited to the site however for the above-named items/processes where the intensity of the project will be felt outside the borders of the project site.

According to the information that was present while conducting the Environmental Impact Assessment for the construction and operation of the project, no high-risk impacts were identified and therefore it is believed that the operations will be feasible in the short and long run. Most of the impacts identified were characterized as being of a low impact on the receiving and surrounding environment and with mitigation measures followed, the impacts will be of minimum significance or avoided.

4. BACKGROUND INFORMATION ON PROJECT

4.1. PROPOSED PROJECT

Erf 8305, Windhoek is in Tennis Street next to the Olympia Municipal Swimming Pool. The erf is 148 m² in extent. The erf is fully developed with an existing fast-food restaurant known as Corner Pub and Grill although it is still zoned 'private open space'. The fast-food restaurant has been in operation for several years already. To be able to continue to use Erf 8305, Windhoek for a fast-food restaurant it must be rezoned to 'business' with a bulk of 1.0 in order to align the use with stipulations of the Windhoek Town Planning Scheme.

The approval to use Erf 8305 for business purposes was given by Windhoek City Council in November 2008 but the formal rezoning process was not completed. Windhoek City Council in Council Resolution 421/11/2008 recommended that the erf be rezoned to 'business' to accommodate business opportunities. Willie Schutz Town Planning Consultants (WSTRPC) was appointed by the Proponent to attend to the town planning procedures to rezone Erf 8305. The Environmental Impact Assessment and obtaining the Environmental Clearance is therefore required to finalise the rezoning of the Erf to accommodate the existing business use. See map and photo showing the locality of Erf 8305, Windhoek below:

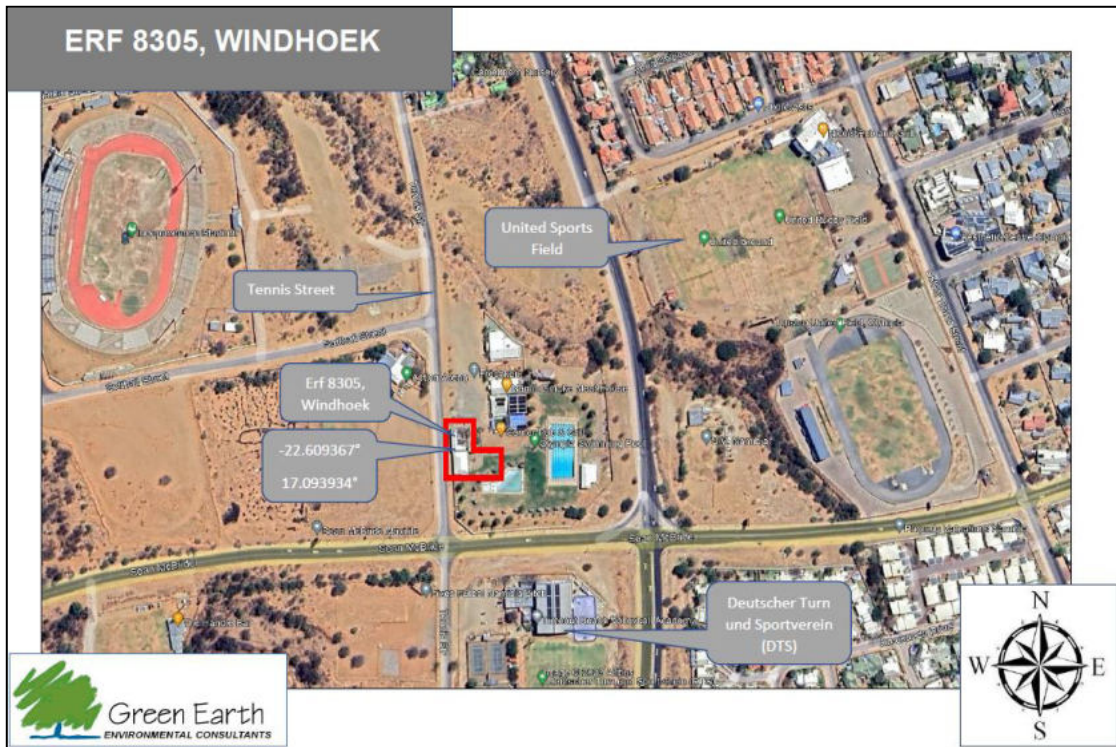


Figure 1: Locality of Project Site

The terrain can be considered flat, as most of it has been levelled to accommodate the buildings of the restaurant. The availability of developable land however is sufficient for the proposed uses. See below zoning maps:

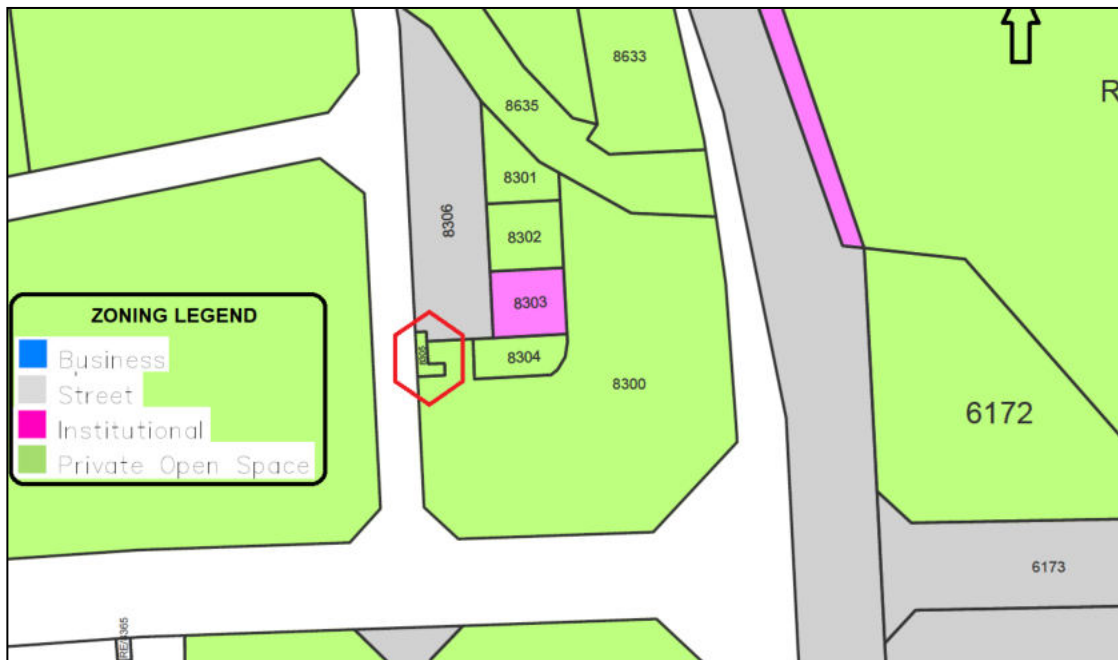


Figure 2: Current Zoning namely 'private open space'

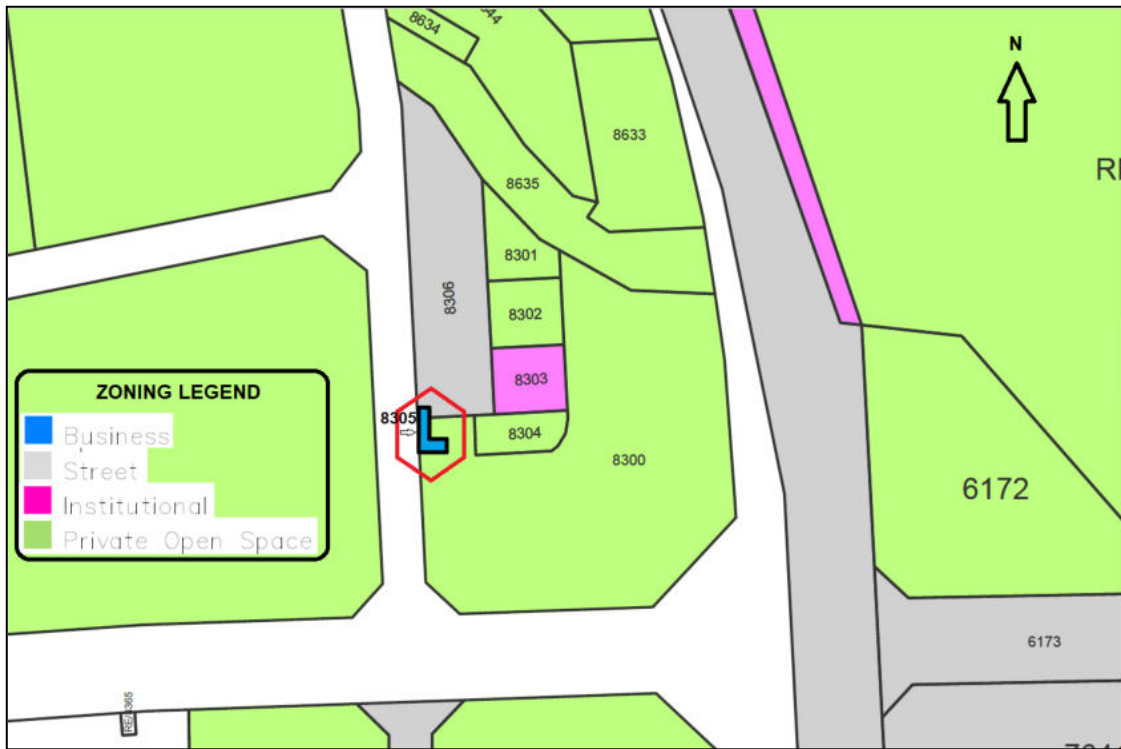


Figure 3: Future Zoning namely 'business' with a bulk of 1



Figure 4: Outside sitting area of Project Site



Figure 5: Entrance at site

5. APPROVALS OBTAINED

5.1. CITY OF WINDHOEK – RECOMMENDATIONS

Windhoek City Council under Paragraph 5 of Council Resolution 421/11/2008 recommended that Erf 8305, Windhoek be rezoned from 'private open space' to 'business' with a bulk of 1.0. See copy of Council Resolution 421/11/2008 below:

8.3.19 BRB.20 [EDC] DEVELOPMENT OF A NEW RECREATIONAL COMPLEX ON ERF R/6344, OLYMPIA (L/R/6344/W)

On proposal by Councillor Ms E Trepper, it was

RESOLVED

- 1 That Erf R/6344, Windhoek be subdivided into Portions 1 to 9 and the Remainder, irrespective of any withdrawal or cancellation by an applicant.
- 2 That Portions 1, 2, 4, 5, 6, 7, 8 and 9 of Erf R/6344, Windhoek remain 'private open space'.
- 3 That Portion 3 be rezoned from 'private open space' to 'undetermined' and that consent be granted for a nursery and its ancillary activities only, such as an office and coffee shop.
- 4 That consent be granted that Portion 5 be used for a gymnasium not exceeding a floor area with a bulk of 1.0.
- 5 That Erf 8305 (148 m²) be rezoned from 'private open space' to 'business' not exceeding a floor area with a bulk of 1.0.
- 6 That the Remainder of Erf 6344, Windhoek be reserved as 'street' (parking 7 149 m²).
- 7 That the following allocation of portions and portion sizes of the Erf R/6344, Windhoek and applicants be approved for lease or purchase:

Area	Applicant	Size	Option	Valuation 2005 (NS)	Valuation 2008 (NS)
Portion 1	Namibia Darts Association	300 m ²	Lease p/m	150.00	190.00
Portion 2	! Na Recreation Centre	5 232 m ²	Purchase	627 840.00	796 600.00
Portion 3	Camel Thorn Nursery	8 013 m ²	Purchase	961 560.00	1 220 000.00
Portion 4	Windhoek Beachfront & Sports	5 261 m ²	Purchase	631 320.00	799 672.00
Portion 5	Nucleus Health & Fitness Club CC	2 077 m ²	Purchase	249 240.00	316 300.00
Portion 6	Franchise Namibia CC	2 563 m ²	Lease p/m	1 281.50	1 625.96
Portion 7	Kidz Fun	4 000 m ²	Lease p/m	2 000.00	2 537.59
Portion 8	Water Slide	600 m ²	Lease p/m	300.00	380.64
Erf 8301	Namibia Canoe Club	1 050 m ²	Purchase	27 300.00	34 700.00
Erf 8305	Derks - Line Shops	148 m ²	Purchase	17 760.00	22 496.00
			Total purchases		3 189 768.00
			Total leases p/m		4 734.19

- 8 That it be noted that the Strategic Executive: Economic Development and Community Services negotiated with nine (9) of the applicants and that the latter submitted full business plans.
- 9 That it be noted that at the Councillors' meeting with the applicants some of the applicants indicated that the business plans need revision with regard to the size and location of the allocated portions.

- 10 That it be noted that Camel Thorn Nursery (Mr J de Waal, Portion 3) has an existing Lease Agreement with the City, but expressed interest to purchase.
- 11 That it be noted that the Lease Agreement is still in the name of Mr J de Waal, but it was confirmed that the latter would be forming a Close Corporation, should approval be granted to purchase Portion 3.
- 12 That approval be granted to the Chief Executive Officer to draft the long-term leases for ten (10) years and Deed of Sale with individual applicants.
- 13 That the rentals escalate annually with the Namibia Inflation Rate.
- 14 That it be noted that in order to have a uniform looking recreational complex, it be a condition in the lease and purchase agreements:
 - 14.1 That the buildings constructed by the applicants be to the same building (finishing) specifications as used at the new swimming pool complex;
 - 14.2 That the boundary walls and entrances to the different developments from Tennis Street be to the same (finishing) specifications as used at the new swimming pool.
- 15 That the City be responsible for all town planning and cadastral procedures, i.e. application to the Townships Board, land surveying and registration, but that the applicants/purchasers pay for the registration of the portions.
- 16 That it be noted that the survey cost would be additional to the selling price as reflected in the submission and for the account of the applicants/purchasers.
- 17 That the standard reverting and restrictive resale conditions as per Council Policy be registered in favour of Council, against the titles of the newly registered erven.
- 18 That Ministerial approval be obtained in terms of section 30(1) (t) of the Local Authorities Act, 1992 (Act 23 of 1992) to lease Portions 1 to 8 of the remainder of Erf 6344, as well as Erf 8301 and 8305 Windhoek to the applicants.
- 19 That no access be obtained from Frank Fredericks Drive.
- 20 That approval be granted to the Strategic Executive: Finance to create the necessary item numbers and transfer the funds needed from funds available for Township Development to:
 - 20.1 Construct the parking area;
 - 20.2 Supply and installation of water infrastructure to the portions;
 - 20.3 Supply and installation of sewer infrastructure to the portions;
 - 20.4 Supply and installation of electrical infrastructure to the portions, including street lights; and
 - 20.5 Contingencies.
- 21 That it be noted that the application of the Namibia Canoe Club is dealt with in terms of the regulations relating to sport clubs.

22 That it be noted that each applicant will be responsible for providing ablution facilities.

23 That it be noted that each applicant will be responsible for his/her own security arrangements.

Financial implications

Funds required

	N\$
Completion of eastern boundary wall (Frankie Fredericks Drive)	700 000.00
Construction of parking area	1 912 960.00
Supply and installation of water infrastructure	90 000.00
Supply and installation of sewer infrastructure	130 000.00
Supply and installation of electrical infrastructure, including street lights	558 615.00
Contingencies	300 000.00
Town planning	650.00
Registration	<u>5 000.00</u>
Total	<u>3 697 225.00</u>

Funds available

Township development (Windhoek Unappropriated) – N\$3 697 225.00

RESOLUTION 421/11/2008

6. BULK SERVICES AND INFRASTRUCTURE

The following bulk services are already present on the site:

6.1.ACCESS REQUIREMENTS

The erf obtains access from the private open space Erf 8306, Windhoek which is accessed from Tennis Street.

6.2.WATER SUPPLY

Water to the Erf is obtained from the City of Windhoek's water reticulation network.

6.3.ELECTRICITY

Electricity is obtained from the City of Windhoek's electrical supply grid.

6.4.SEWAGE DISPOSAL

Only household sewer is generated on site from the toilet facilities for the staff, kitchen facilities and clients. This sewer is connected to the sewer system of the City of Windhoek.

6.5.SOLID WASTE

The solid waste generated on the site is collected by the City of Windhoek through their weekly waste collection and management system and disposed of at their approved landfill site.

6.6.FIRE PROTECTION

The Proponent installed the necessary fire protection infrastructure / extinguishers as per City of Windhoek's requirements. It is advised that a specialist Fire Protection Specialist is contracted to introduce a proper fire protection plan with the required infrastructure and to oversee the annual auditing and maintenance of the infrastructure.

6.7.STORMWATER

The natural flow of storm water and drainage must be minimally disturbed, and the natural flow accommodated where possible. Provision must be made for the accommodation of surface water/stormwater management as it may endanger infrastructure.

7. APPROACH TO THE STUDY

The assessment included the following activities:

a) Desktop sensitivity assessment

Literature, legislation and guidance documents related to the natural environment and land use activities available on the site and area in general were reviewed to determine potential environmental issues and concerns.

b) Site assessment (site visit)

The proposed project site and the immediate neighbourhood and surrounding area were assessed through several site visits to investigate the environmental parameters on site to enable further understanding of the potential impacts on site.

c) Public participation

The public was invited to give input, comments and opinions regarding the proposed project. Notices were placed in the Namibian and New Era (see Appendix) on two consecutive weeks (8 and 15 February 2023) inviting public participation and comments on the proposed project. The closing date for any questions, comments, inputs or information was 24 February 2023.

d) Scoping

Based on the desk top study, site visit and public participation, the environmental impacts were determined in five categories: nature of project, expected duration of impact, geographical extent of the event, probability of occurring and the expected

intensity. The findings of the scoping have been incorporated in the environmental impact assessment report below.

e) Environmental Management Plan (EMP)

To minimize the impact on the environment, mitigation measures have been identified to be implemented during planning, construction, and implementation. These measures have been included in the Environmental Management Plan to guide the planning, construction and operation of the development which can also be used by the relevant authorities to ensure that the project is planned, developed, and operated with the minimum impact on the environment.

8. ASSUMPTIONS AND LIMITATIONS

It is assumed that the information provided by the proponent (PG Demiljo and K Demiljo), Willem Schutz Town and Regional Planning Consultant and the City of Windhoek is accurate. No alternative erven for the proposed project were examined. The site was visited several times and any happenings after this are not mentioned in this report. (The assessment was based on the prevailing environmental conditions and not on future happenings on the site.) However, it is assumed that there will be no significant changes to the proposed project, and the environment will not adversely be affected between the compilation of the assessment and the implementation of the proposed activities.

9. ADMINISTRATIVE, LEGAL AND POLICY REQUIREMENTS

To protect the environment and achieve sustainable development, all projects, plans, programs and policies deemed to have adverse impacts on the environment require an EIA according to Namibian legislation. The administrative, legal and policy requirements to be considered during the Environmental Assessment are the following:

- The Namibian Constitution
- The Environmental Management Act (No. 7 of 2007)
- The Windhoek Town Planning Scheme and Council's Policies
- Other Laws, Acts, Regulations and Policies

THE NAMIBIAN CONSTITUTION

Article 95 of Namibia's constitution provides that:

"The State shall actively promote and maintain the welfare of the people by adopting, inter alia, policies aimed at the following:

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 Namibians, both present and future; in particular, the Government shall provide measures against the dumping or recycling of foreign nuclear and toxic waste on Namibian territory." This article recommends that a relatively high level of environmental protection is called for in respect of pollution control and waste management.

Article 144 of the Namibian Constitution deals with environmental law and it states:

“Unless otherwise provided by this Constitution or Act of Parliament, the general rules of public international agreements binding upon Namibia under this Constitution shall form part of the law of Namibia”. This article incorporates international law, if it conforms to the Constitution, automatically as “law of the land”. These include international agreements, conventions, protocols, covenants, charters, statutes, acts, declarations, concords, exchanges of notes, agreed minutes, memoranda of understanding, and agreements (Ruppel & Ruppel-Schlichting, 2013). It is therefore important that the international agreements and conventions are considered (see section 4.9).

In considering these environmental rights, PG Demiljo and K Demiljo (the Proponent) should consider the following in devising an action plan in response to these articles:

- Implement a “zero-harm” policy at that would guide decisions.
- Ensure that no management practice or decision result in the degradation of future natural resources.
- Take a decision on how this part of the Constitution will be implemented as part of the Proponent’s Environmental Control System (ECS).

ENVIRONMENTAL MANAGEMENT ACT (NO. 7 OF 2007)

The Environmental Impact Assessment Regulations (GN 30 in GG 4878 of 6 February 2012) of the Environmental Management Act (No. 7 of 2007) that came into effect in 2012 requires/recommends that an Environmental Impact Assessment and an Environmental Management Plan (EMP) be conducted for the following listed activities to obtain an Environmental Clearance Certificate:

LAND USE AND DEVELOPMENT ACTIVITIES

5.1 The rezoning of land from:

(d) use for nature conservation or zoned open (perceived as a public space) space to any other land use.

Cumulative impacts associated with the development must be included as well as public consultation. The Act further requires all major industries and mines to prepare waste management plans and present these to the local authorities for approval.

The Act, Regulations, Procedures and Guidelines have integrated the following sustainability principles. These need to be given due consideration, particularly to achieve proper waste management and pollution control:

Cradle to Grave Responsibility

This principle provides that those who handle or manufacture potentially harmful products must be liable for their safe production, use and disposal and that those who initiate potentially polluting activities must be liable for their commissioning, operation and decommissioning.

Precautionary Principle

It provides that if there is any doubt about the effects of a potentially polluting activity, a cautious approach must be adopted.

The Polluter Pays Principle

A person who generates waste or causes pollution must, in theory, pay the full costs of its treatment or of the harm, which it causes to the environment.

Public Participation and Access to Information

In the context of environmental management, citizens must have access to information and the right to participate in decisions making.

CONCLUSION AND IMPACT

Some of the surrounding erven have been cleared from vegetation and structures have been constructed on the sites or are in the process of being constructed. The proposed activity will thus fit in with the surrounding activities and not have a negative impact on the prevailing environment. It will be ensured that all protected trees and plant species will be retained where possible.

THE WINDHOEK TOWN PLANNING SCHEME AND COUNCIL'S POLICIES

The Windhoek Town Planning Scheme (as amended in Windhoek Amendment Scheme No. 96 – promulgated 30 January 2018) applies to the area as indicated on the scheme maps and corresponds with the Townlands Diagram for Windhoek Town and Townlands.

The general purpose of this Scheme is the coordinated and harmonious development of the area of Windhoek (including, where necessary, the reconstruction and redevelopment of any part which has already been subdivided whether there are buildings on it or not) in such a way as will most effectively tend to promote health, safety, order, amenity, convenience and general welfare as well as efficiency and economy in the process of development and improvement of communications, and where it is expedient in order to promote proper planning or development, may provide for the suspending the operation of any provision of law or any bylaw or regulation made under such law, in so far as such provision is similar to or inconsistent with any of the provisions so the Scheme.

A business use is not allowed under the zoning 'private open space'. To be able to continue to use the erf for business purposes as a restaurant, Erf 8305, Windhoek must be rezoned to 'business'. Finalising the rezoning will bring the current use in line with the stipulations of the Windhoek Town Planning Scheme.

In terms of the Town Planning Scheme's provisions as well as other supporting policies, the City of Windhoek supports the proposed uses on the Erf. Council has various Policies guiding the development which was consulted in the assessment process.

CONCLUSION AND IMPACT

The proposed project has been considered under the stipulations of the Windhoek Town Planning Scheme and the Local Authorities Act. The project is in line with City of Windhoek's Town Planning Scheme and will not have a negative impact on the surrounding environment. Finalising the rezoning of the erf is subject to obtaining an ECC.

OTHER LAWS, ACTS, REGULATIONS AND POLICIES

The laws, acts, regulations, and policies listed below have also been considered during the Environmental Assessment.

Table 1: Laws, Acts, Regulations and Policies

Laws, Acts, Regulations & Policies consulted:		
Electricity Act (No. 4 of 2007)	In accordance with the Electricity Act (No. 4 of 2007) which provides for the establishment of the Electricity Control Board and provide for its powers and functions; to provide for the requirements and conditions for obtaining licenses for the provision of electricity; to provide for the powers and obligations of licenses; and to provide for incidental matters: the necessary permits and licenses will be obtained.	The Proponent must abide to the Electricity Act.
Pollution Control and Waste Management Bill (guideline only)	The Pollution Control and Waste Management Bill is currently in preparation and is therefore included as a guideline only. Of reference to the mining, Parts 2, 7 and 8 apply. Part 2 provides that no person shall discharge or cause to be discharged, any pollutant to the air from a process except under and in accordance with the provisions of an air pollution license issued under section 23. Part 2 also further provides for procedures to be followed in license application, fees to be paid and required terms of conditions for air pollution licenses. Part 7 states that any person who sells, stores, transports or uses any hazardous	The Proponent must adhere to the Pollution Control and Waste Management Bill.

	<p>substances or products containing hazardous substances shall notify the competent authority, in accordance with sub-section (2), of the presence and quantity of those substances. The competent authority for the purposes of section 74 shall maintain a register of substances notified in accordance with that section and the register shall be maintained in accordance with the provisions. Part 8 provides for emergency preparedness by the person handling hazardous substances, through emergency response plans.</p>	
<p>Water Resources Management Act</p>	<p>The Water Resources Management Act (No. 11 of 2013) stipulates conditions that ensure effluent that is produced to be of a certain standard. There should also be controls on the disposal of sewage, the purification of effluent, measures should be taken to ensure the prevention of surface and groundwater pollution and water resources should be used in a sustainable manner.</p>	<p>The Act must be consulted. Fresh water abstraction and waste-water discharge permits should be obtained when required.</p>
<p>Solid and Hazardous Waste Management Regulations: Local Authorities 1992</p>	<p>Provides for management and handling of industrial, business and domestic waste.</p>	<p>The Proponent must abide to the solid waste management provisions.</p>
<p>Hazardous Substances Ordinance (No. 14 of 1974)</p>	<p>The Ordinance applies to the manufacture, sale, use, disposal and dumping of hazardous substances, as well as their import and export and is administered by the Minister of Health and Social Welfare. Its primary purpose is to prevent hazardous substances from causing injury, ill-health or the death of human beings.</p>	<p>The Proponent must abide to the Ordinance's provisions.</p>
<p>Atmospheric Pollution Prevention Ordinance of</p>	<p>Part 2 of the Ordinance governs the control of noxious or offensive gases. The Ordinance prohibits anyone from carrying on a</p>	<p>The proponent should adhere to the stipulations of the Atmospheric Pollution Prevention Ordinance.</p>

Namibia (No. 11 of 1976)	scheduled process without a registration certificate in a controlled area. The registration certificate must be issued if it can be demonstrated that the best practical means are being adopted for preventing or reducing the escape into the atmosphere of noxious or offensive gases produced by the scheduled process.	
Nature Conservation Ordinance	The Nature Conservation Ordinance (No. 4 of 1975) covers game parks and nature reserves, the hunting and protection of wild animals, problem animals, fish and indigenous plant species. The Ministry of Environment, Forestry and Tourism (MEFT) administer it and provides for the establishment of the Nature Conservation Board.	The proposed project implementation is not located in a demarcated conservation area, national park or unique environments.
Forestry Act	The Forestry Act (No. 12 of 2001) specifies that there be a general protection of the receiving and surrounding environment. The protection of natural vegetation is of great importance, the Forestry Act especially stipulates that no living tree, bush, shrub or indigenous plants within 100m from any river, stream or watercourse, may be removed without the necessary license.	No removal of protected tree species or removal of mature trees should happen. The Ministry of Environment, Forestry and Tourism should be consulted when required.
Labour Act	The Labour Act (No. 11 of 2007) contains regulations relating to the Health, Safety and Welfare of employees at work. These regulations are prescribed for among others safety relating to hazardous substances, exposure limits and physical hazards. Regulations relating to the Health and Safety of Employees at Work are promulgated in terms of the Labour Act 6 of 1992 (GN156, GG1617 of 1 August 1997).	The proponent and contractor should adhere to the Labour Act.
Traditional Authorities Act (No. 17 of 1995)	The Traditional Authorities Act (No. 17 of 1995) provide for the establishment of traditional authorities, the designation and recognition of traditional leaders; to define their functions, duties	Traditional Authorities should be consulted when required.

	and powers; and to provide for matters incidental thereto.	
Public and Environmental Health Act	The Public and Environmental Health Act (No. 1 of 2015) provides with respect to matters of public health in Namibia. The objects of this Act are to: (a) promote public health and wellbeing; (b) prevent injuries, diseases and disabilities; (c) protect individuals and communities from public health risks; (d) encourage community participation in order to create a healthy environment; and (e) provide for early detection of diseases and public health risks.	The proponent and contractor should adhere to the Public and Environmental Health Act.
National Heritage Act (No. 27 of 2004)	All protected heritage resources discovered need to be reported immediately to the National Heritage Council (NHC) and require a permit from the NHC before it may be relocated. This should be applied from the NHC.	The National Heritage Council should be consulted when required.
National Monuments Act of Namibia (No. 28 of 1969) as amended until 1979	No person shall destroy, damage, excavate, alter, remove from its original site or export from Namibia: (a) any meteorite or fossil; or (b) any drawing or painting on stone or a petroglyph known or commonly believed to have been executed by any people who inhabited or visited Namibia before the year 1900 AD; or (c) any implement, ornament or structure known or commonly believed to have been used as a mace, used or erected by people referred to in paragraph; or (d) the anthropological or archaeological contents of graves, caves, rock shelters, middens, shell mounds or other sites used by such people; or (e) any other archaeological or palaeontological finds, material or object; except under the authority of and in accordance with a permit issued under this section.	The proposed site for development is not within any known monument site both movable or immovable as specified in the Act, however in such an instance that any material or sites or archeologic importance are identified, it will be the responsibility of the developer to take the required route and notify the relevant commission.
Public Health Act (No. 36 of	Under this act, in section 119: "No person shall cause a nuisance or	The proponent will ensure that all legal requirements of

1919)	shall suffer to exist on any land or premises owned or occupied by him or of which he is in charge any nuisance or other condition liable to be injurious or dangerous to health.”	the project in relation to protection of the health of their employees and surrounding residents is protected and will be included in the EMP. Relevant protective equipment shall be provided for employees in construction. The development shall follow requirements and specifications in relation to water supply and sewerage handling and solid waste management so as not to threaten public health of future residents on this piece of land.
Soil Conservation Act (No. 76 of 1969)	The objectives of this Act are to: Make provisions for the combating and prevention of soil erosion; Promote the conservation, protection and improvement of the soil, vegetation, sources and resources of the Republic;	Only the area required for the operations should be cleared from vegetation to ensure the minimum impact on the soil through clearance for construction.
Air Quality Act (NO. 39 of 2004)	The Air Quality Act (No. 39 of 2004) intends to provide for national norms and standards regulating air quality monitoring, management and control by all spheres of government; for specific air quality measures; and for matters incidental thereto.	The proponent and contractor should adhere to the Air Quality Act.
Vision 2030 and National Development Plans	Namibia’s overall development ambitions are articulated in the Nation’s Vision 2030. At the operational level, five-yearly national development plans (NDP’s) are prepared in extensive consultations led by the National Planning Commission in the Office of the President. Currently the Government has so far launched a 4th NDP which pursues three overarching goals for the Namibian nation: high and sustained economic growth; increased income equality; and employment creation.	The proposed project is an important element in employment creation.

CONCLUSION AND IMPACT

It is believed the above administrative, legal and policy requirements which specifically guide and governs development will be followed and complied with in the planning, implementation and operations of the activity.

A flowchart indicating the entire EIA process is shown in the *Figure* below.

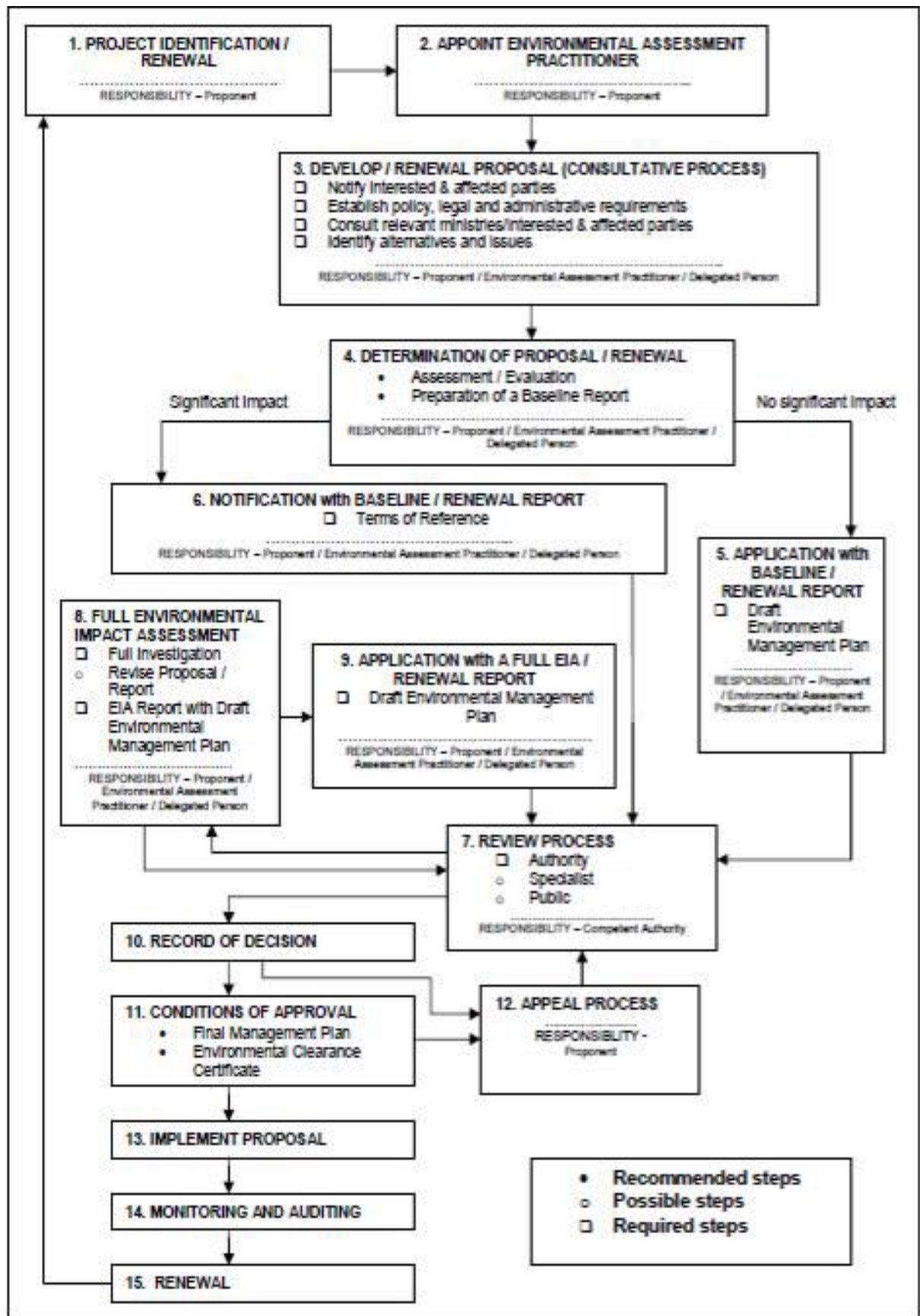


Figure 6: Flowchart of the Impact Process

10. AFFECTED RECEIVING ENVIRONMENT

10.1. BIODIVERSITY AND VEGETATION

Erf 8305, Windhoek forms part of the Tree and Shrub Savannah Biome (specifically the Highland Savannah). The project site has however been cleared of vegetation when the restaurant has been constructed.

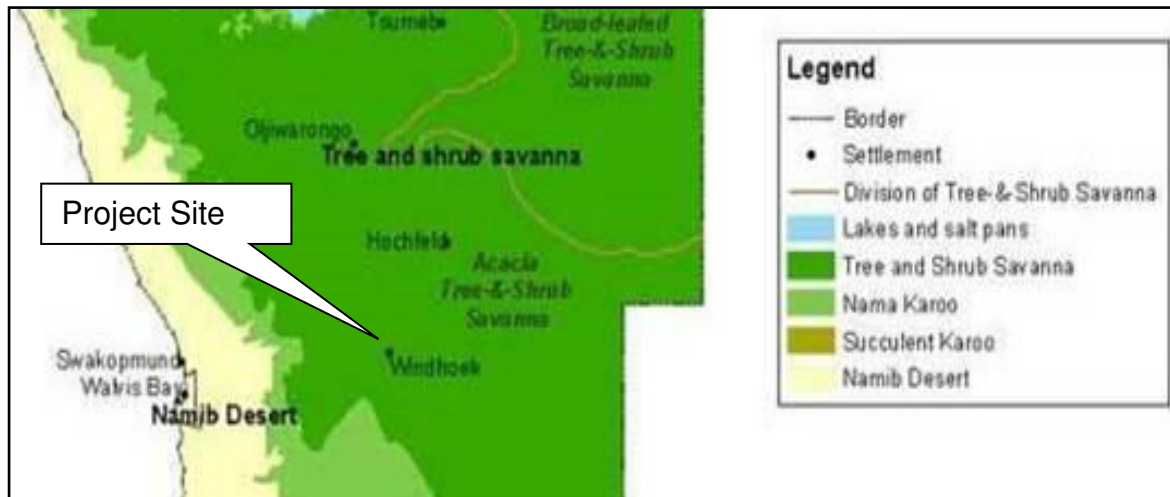


Figure 7: Biomes in Namibia (Atlas of Namibia, 2002)

The natural characteristics of the project site namely the vegetation clearance and the destruction of habitats is expected to further on have no impact on the environment.

10.2. GEOLOGY AND SOILS

Erf 8305, Windhoek is located in the Khomas Trough on a geological area classified as Damara Supergroup and Gariiep Complex. See Map below:

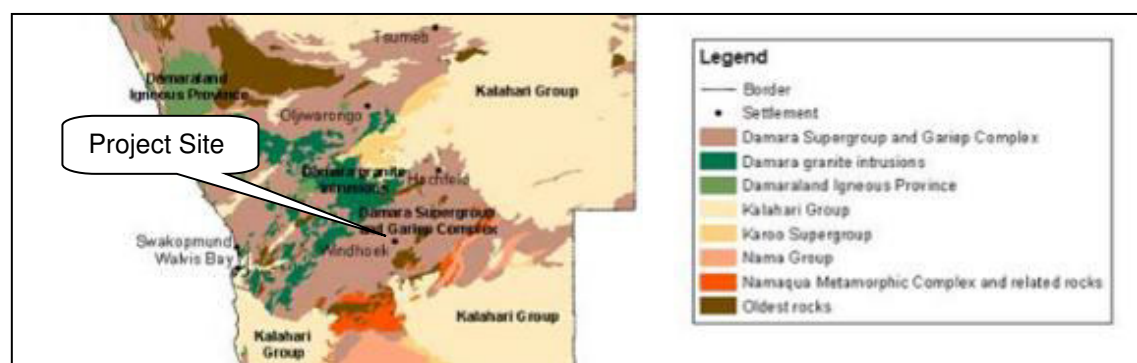


Figure 8: Geology of Namibia (Atlas of Namibia Project, 2002)

The Khomas Trough was formed during sedimentation of the Late Proterozoic Damara Sequence. The basin that was filled by a thick sequence, now preserved as metagreywackes and pelites of the Kuiseb Formation, which were subsequently

multiply deformed and thrust during the Damaran Orogeny. Minor lithologies included are graphite schists, calc-silicates and scapolite schists (*Grunert, 2003*).

The project site has already been developed. No further construction is intended which will have an impact on the geology and soils of the site. Natural slopes are seen near natural drainage courses on the project site although the current structures and use of the site does not have an impact on it. No further clearing of soil is intended. Unnecessary clearing of soil might lead to erosion (*Grunert, 2003*).

10.3. SOCIO ECONOMIC ENVIRONMENT

Erf 8305 is located next to the Windhoek Municipal Pool in Olympia and the site is surrounded by various sports fields and clubs offering a variety of sporting and recreational activities. It is also located close to the Olympia Residential Area which confirms the need for a restaurant.

The restaurant has been in operation for several years and is supported by the people visiting and using the surrounding sports fields and residing in the residential areas.

The restaurant has a positive impact on the socio-economic environment. Positive impacts associated with the project are in the form of providing job opportunities, skills and technology transfer and providing convenience to people.

10.4. CLIMATE

No specific climate data is available for Erf 8305, Windhoek however Windhoek and surroundings in general is characterized with a semi-arid highland savannah climate typified as extremely hot in summer and moderate dry in winter. The highest temperatures are measured in December with an average daily temperature of maximum 31°C and a minimum of 17°C. The coldest temperatures, conversely, are measured in July with an average daily maximum of 20°C and minimum 6°C (*Weather - the Climate in Namibia, 1998 – 2012*). The area therefore has low frost potential.

Rainfall in the form of thunderstorms is experienced in the area during the summer months between October and April. The annual average rainfall for Windhoek and surroundings is 350mm to 400mm however the average evaporation rate is 3 400mm a year (*Weather - the Climate in Namibia, 1998 – 2012*). Over 70% of the rainfall occurs in the in the summer months' period between November and March. Rainfall in the area is typically sporadic and unpredictable however the average highest rainfall months are January to March.

The prevailing wind direction is expected to prevent the spread of any nuisance namely noise and smell. The predominant wind in the region is easterly with westerly winds from September to December (*Weather - the Climate in Namibia, 1998 – 2012*). Extreme winds are experienced in the months of August and September and thus significant wind erosion on disturbed areas is visible.

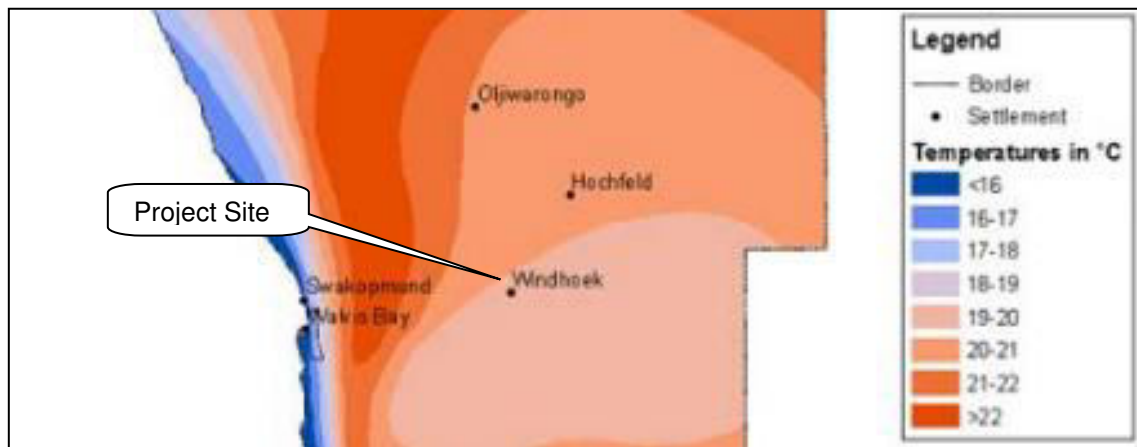


Figure 9: Average annual temperatures in Namibia (Atlas of Namibia, 2002)

The restaurant is already in operation and has a limited impact on the climate.

10.5. HYDROLOGICAL COMPONENT

The area where the project site is located has generally an average groundwater potential from a permeability and yield perspective (Grunert, 2003). However, groundwater is one of the important water sources and the protection thereof should be regarded as a high priority. The main uses of water in the area are for business, institutional, recreational and domestic purposes and activities.

Although most of the surface water evaporates, runoff can be expected due to the impermeability of soils (Grunert, 2003). The storage and accumulation of substances, which might pollute river courses or basins because of surface water drainage, should be prevented. No potential pollutants should be channelled or directed towards any rivers.

From the hydrological assessment perspective, no major geological structures that will enhance groundwater recharge or flow are evident on the project site.

10.6. CULTURAL HERITAGE

The proposed project site is not known to have any historical significance prior to or after Independence in 1990. The specific area does not have any National Monuments and the specific site has no record of any cultural or historical importance or on-site resemblance of any nature. No graveyard or related article was found on the site.

11. IMPACT ASSESSMENT AND EVALUATION

The Environmental Impact Assessment sets out potential positive and negative environmental impacts associated with the proposed project, which is located on Erf 8305, Windhoek. The following assessment methodology will be used to examine each impact identified, see Table below:

Table 1: Impact Evaluation Criterion (DEAT 2006)

Criteria	Rating (Severity)	
Impact Type	+	Positive
	O	No Impact
	-	Negative
Significance of impact being either	L	Low (Little or no impact)
	M	Medium (Manageable impacts)
	H	High (Adverse impact)

Probability:	Duration:
5 – Definite/don't know	5 - Permanent
4 – Highly probable	4 – Long-term (impact ceases)
3 – Medium probability	3 – Medium term (5 – 15 years)
2 – Low probability	2 – Short-term (0 – 5 years)
1 – Improbable	1 - Immediate
0 - None	
Scale:	Magnitude:
5 – International	10 – Very high/don't know
4 – National	8 - High
3 – Regional	6 - Moderate
2 – Local	4 - Low
1 – Site only	2 - Minor
	0 - None

The impacts on the receiving environment are discussed in the paragraphs below:

11.1. IMPACTS DURING THE OPERATIONAL PHASE

11.1.1. ECOLOGICAL IMPACTS

Staff and visitors should only make use of walkways and existing roads to minimise the impact on vegetation. Minimise the area of disturbance by restricting movement to the designated working areas during maintenance and drives.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Ecology Impacts	-	1	2	4	2	L	L

11.1.2.DUST POLLUTION AND AIR QUALITY

Vehicles transporting goods and staff will contribute to the release of hydrocarbon vapours, carbon monoxide and sulphur oxides into the air. Possible release of sewer odour, due to sewer system failure of maintenance might also occur. All maintenance of bulk services and infrastructure at the project site has to be designed to enable environmental protection.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Dust & Air Quality	-	2	2	4	4	M	L

11.1.3.CONTAMINATION OF GROUNDWATER

Spillages might also occur during maintenance of the sewer system. This could have impacts on groundwater especially in cases of large sewer spills. Proper containment should be used in cases of sewerage system maintenance to avoid any possible leakages. Oil and chemical spillages may have a health impact on groundwater users. Potential impact on the natural environment from possible polluted groundwater also exists.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Groundwater contamination	-	2	2	4	2	L	L

11.1.4.GENERATION OF WASTE

Household waste from the activities at the site and from the staff working at the site will be generated. This waste will be collected, sorted to be recycled and stored in on site for transportation and disposal at an approved landfill site.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Waste Generation	-	1	2	2	2	M	L

11.1.5.FAILURE IN RETICULATION PIPELINES

There may be a potential release of sewage, stormwater or water into the environment due to pipeline/system failure. As a result, the spillage could be released into the environment and could potentially be health hazard to surface and groundwater. Proper reticulation pipelines and drainage systems should be installed. Regular bulk services infrastructure and system inspection should be conducted.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Failure of Reticulation Pipeline	-	1	1	4	2	M	L

11.1.6.FIRES AND EXPLOSIONS

Food will be prepared on stoves. There should be sufficient water available for firefighting purposes. Ensure that all fire-fighting devices are in good working order and are serviced. All personnel have to be trained about responsible fire protection measures and good housekeeping such as the removal of flammable materials on site. Regular inspections should be carried out to inspect and test firefighting equipment by the contractor.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Fires and Explosions	-	2	1	4	2	M	L

11.1.7.HEALTH, SAFETY AND SECURITY

The safety, security and health of the labour force, employees and neighbours are of great importance, workers should be orientated with the maintenance of safety and health procedures and they should be provided with PPE (Personal Protective Equipment). Workers should be warned not to approach or chase any wild animals occurring on the site. No open flames, smoking or any potential sources of ignition should be allowed at the project location. Signs such as 'NO SMOKING' must be prominently displayed in parts where inflammable materials are stored on the premises.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Safety & Security	-	1	2	4	2	M	L

11.2. CUMULATIVE IMPACTS

These are impacts on the environment, which results from the incremental impacts of the construction and operation of the proposed project when added to other past, present, and reasonably foreseeable future actions regardless of what person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. In relation to an activity, it means the impact of an activity that in it may not become significant when added to the existing and potential impacts resulting from similar or diverse activities or undertakings in the area.

Possible cumulative impacts associated with the proposed project include sewer damages/maintenance, vegetation and animal disturbance, uncontrolled traffic and destruction of the natural environment. These impacts could become significant especially if it is not properly supervised and controlled. This could collectively impact on the environmental conditions in the area. Cumulative impacts could occur in both the operational and the construction phase.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Cumulative Impacts	-	1	3	4	3	L	L

12. ENVIRONMENTAL MANAGEMENT PLAN

The Environmental Management Plan (EMP) provides management options to ensure impacts of the proposed construction are minimised. An EMP is an environmental management tool used to ensure that undue or reasonably avoidable adverse impacts of the operations are prevented, and the positive benefits of the projects are enhanced.

The objectives of the EMP are:

- ✓ to include all components of the proposed project.
- ✓ to prescribe the best practicable control methods to lessen the environmental impacts associated with the project.
- ✓ to monitor and audit the performance of the project personnel in applying such controls.

- ✓ To ensure that appropriate environmental training is provided to responsible project personnel.

The EMP acts as a document that can be used during the various phases of the proposed project. The contractor as well as the management and staff should be made aware of the contents of the EMP. See Appendix for EMP.

13. CONCLUSION

The EIA has been completed in line with the requirements of the Environmental Management Act, 2007 and Regulations and it is concluded and recommended that the specific site identified namely Erf 8305, Windhoek, has the full potential to be used for the proposed activities. The identified environmental and social impacts can be minimized and managed through implementing preventative measures and sound management systems. It is recommended that the environmental performance be monitored regularly to ensure compliance and that corrective measures be taken if necessary.

In general, the construction and operation of the proposed project would pose limited environmental risks, provided that the EMP for the activity is used properly. The EMP should be used as an onsite tool during the construction and operation of the project. Parties responsible for non-conformances of the EMP should be held responsible for any rehabilitation that has to be undertaken. After assessing all information available on this project, Green Earth Environmental Consultants are of the opinion that the proposed project site is suitable for the proposed activities. The accompanying EMP will focus on mitigation measures that will remediate or eradicate the negative or adverse impacts.

14. RECOMMENDATION

It is therefore recommended that the Ministry of Environment, Forestry and Tourism through the Environmental Commissioner support and approve the Environmental Clearance to finalize the town planning procedures to rezone Erf 8305, Windhoek from 'private open space' to 'business' with a bulk of 1.0 and to issue an Environmental Clearance for the following 'Listed Activities':

LAND USE AND DEVELOPMENT ACTIVITIES

5.1 The rezoning of land from:

(d) use for nature conservation or zoned open (perceived as a public space) space to any other land use.

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Legal Notice

IN THE HIGH COURT OF WINDBOEK MAIN DIVISION - WINDBOEK
 CASE NO. HC-MD-CV-ACT-CON-202106183

In the matter between:
 CHINA TOWN PROPERTIES (PTY) LTD EXECUTION CREDITOR

and
 AFRINAM INVESTMENTS (PTY) LTD FIRST EXECUTION DEBTOR

FANUEL ALEXANDER SECOND EXECUTION DEBTOR

NOTICE OF SALE IN EXECUTION

A SALE IN EXECUTION will be held via live webcast on MONDAY the 27th of FEBRUARY 2023 at Auction. Erf 49 Properties are of Michelle Mdoeni & Platinum Street, Prosperita, Windhoek, online at <https://auctor.auctionstarts.co.za> during which there will be 500 in execution as a result of an attachment made on the 22 November 2022 under a writ of Execution issued on the 27 June 2022 by the above-named CHINA TOWN PROPERTIES (PTY) LTD (First Execution Debtor) against AFRINAM INVESTMENTS (PTY) LTD (1st Execution Debtor) and FANUEL ALEXANDER (2nd Execution Debtor).

1 X JBL SPEAKER
 1 X ROD SYSTEM
 1 X FLAT SCREEN TV SANJULI
 1 X DEEP FREEZER
 2 X PLASTIC CHAIRS
 3 X ROUND TABLE + 3 CHAIRS
 8 X TABLES
 31 X PLASTIC CHAIRS BLACK
 2 X BIG TV STANDERS
 1 X SUPER 16 SOUND SYSTEM
 4 X WOODEN CHAIRS
 1 X BLACK BIG SPEAKER
 4 X GAS HEATERS
 4 X RED CHAIRS
 1 X FRIDGE GRILLER
 18 X BAK CHAIRS
 2 X SMALL FRIDGEZ
 1 X MICRO SCALE BND
 1 X GAS STOVE
 1 X DEEP FREEZER
 1 X STAINLESS STEEL TABLE
 1 X VACUUM CLEANER
 1 X ARCHIVE-CLEANER PRESSURE WASHING

TERMS: "VOETSTOOTS" - CASH TO THE HIGHEST BIDDER

Dated at Windhoek on the 02ND day of FEBRUARY 2023

APPOLOS SHIMAKLEMI LAWYERS LEGAL PRACTITIONERS FOR EXECUTION CREDITOR/PLAINTIFF

NO 3674 WATT STREET, WINDBOEK

Legal Notice

FORM 3
 Rule 15(1)
 SUBSTITUTED SERVICE
 IN THE HIGH COURT OF NAMIBIA (Main Division)

CASE NUMBER: HC-MD-CV-ACT-CON-202200415

In the matter between:
 LUSAKA TELECOM SOLUTIONS LIMITED PLAINTIFF

and
 FILTRATE INVESTMENTS (PROPRIETARY) LIMITED 1st DEFENDANT
 DANISUS NELUMBO 2nd DEFENDANT

To: DANISUS NELUMBO a major male businessman, chairman, director and chief executive officer of the First Defendant, FILTRATE INVESTMENTS (PROPRIETARY) LIMITED, formerly carrying on business as NUMBER 48, SARD STREET, KHOMASDAL, WINDBOEK, REPUBLIC OF NAMIBIA, but whose present whereabouts are unknown.

TAKE NOTICE that by summons issued out of this court, you have been called upon to give notice, within 10 days after the publication of this notice, to the registrar and to the plaintiff's legal practitioner of your intention to defend (if any) or an action wherein the plaintiff claims:

1. Cancellation of the agreement between the parties;
2. An order declaring that the Second Defendant is personally liable for the debt of the First Defendant to the Plaintiff of the amount of 38 578 90 USD;
3. Payment in the amount of 38 578 90 USD;
4. Interest on the amount of 38 578 90 USD at the rate of 20% from 11 November 2021 to date of payment;
5. Costs of suit;
6. Further and/or alternative relief.

The particulars so provided remain binding on the party to which they relate and may be used by the court or by the other party in effect service of any notice or document on such party or to give notice to such party.

TAKE FURTHER NOTICE that as soon as the managing judge has given notice of a case planning conference in terms of rule 23(1), you as defendant will be required to attend such conference in order to agree a case plan in terms of rule 23(3) for submission to the managing judge for the exchange of pleadings and the time within which you will deliver your plea and counterclaim if any will be determined by the court having regard to such plan and if you fail to cooperate in submitting such a plan, the court will determine the time within which you must deliver your plea and counterclaim, if any and you as defendant must comply with such order.

DATED AT WINDHOEK on this day of FEBRUARY 2023

KOER & PARTNERS LEGAL PRACTITIONERS FOR PLAINTIFF
 PIER & KARLAHNE
 33 SOMAKEN ROAD
 WINDBOEK
 (PREF: 061) 208 19414
 REGISTRAR OF THE HIGH COURT
 MAIN DIVISION
 HIGH COURT BUILDING
 WINDHOEK

Legal Notice

NOTICE OF INTENTION IN TERMS OF THE URBAN AND REGIONAL PLANNING ACT OF 2018 (ACT 5 OF 2018): SUBDIVISION OF ERF 5811, S WAKOPMUND, EXTENSION 18, INTO PORTION A AND REMAINDER; AND THE SUBSEQUENT ZONING OF PROPOSED PORTION A, FROM GENERAL RESIDENTIAL 1 WITH A DENSITY OF 1:100M² TO PARATASAL

Please take note that Van Der Westhuizen Town Planning and Properties CC, on behalf of our client, intends to apply to the Swakopmund Municipal Council for the Subdivision of Erf 5811, Swakopmund into Portion A and Remainder and the subsequent zoning of proposed Portion A, from General Residential with a density of 1:100m² to Paratatal.

Erf 5811, Swakopmund, currently measures 8 363m² in extent and is located on the corner of Chobe Streets in Extension 18 (Dunes Development), East of Kramerderf. The property is currently standing vacant and is not being utilized for any purpose. It is to be subdivided into two parcels and the newly created Portion A (100m²) for an electrical substation. It is thus required and necessary to formally apply to the Local Authority and the Ministry of Urban and Rural Development for the proposed rezoning of the property.

Please further take note that -

- (i) All plans of the site to be reviewed at the Public Notice Board of the Swakopmund Municipality located on the corner of Rakuska Street & Daniel Kameho Avenue.
- (ii) Any person having objections to the proposed rezoning or who wants to comment thereon, may lodge such objections and comments, together with the grounds thereon, in writing to the Municipality and the applicant within 14 days of the last publication of this notice.

Please be advised that the written objection must be forwarded within the prescribed time as required by the Urban and Regional Planning Act of 2018. Such written objection or comment must therefore be submitted by no later than 17:00 on 28 FEBRUARY 2023.

Applicant: Van Der Westhuizen Town Planning & Properties cc
Contact Persons:
 A van der Westhuizen
 Cell: 0811224661
 Email: andrew@vdrwp.com
 P.O. Box:1593, Swakopmund, Namibia

Legal Notice

CALL FOR PUBLIC PARTICIPATION/COMMENTS ENVIRONMENTAL IMPACT ASSESSMENT AND ENVIRONMENTAL MANAGEMENT PLAN TO OBTAIN AN ENVIRONMENTAL CLEARANCE TO FINALISE THE TOWN PLANNING PROCEDURES FOR THE REZONING OF PORTION 31 OF FARM DOBBA NO. 49

Green Earth Environmental Consultants have been appointed to attend to and complete an Environmental Impact Assessment and Environmental Management Plan (EMP) to obtain an Environmental Clearance Certificate as per the requirements of the Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 in GG 4578 of 6 February 2012) to finalise the town planning procedures for the rezoning of Portion 31 of Portion 5 of Farm Dobba No. 49 from 'residential' 1 sha to 'restricted business' with a bulk of 0.75.

Name of proponent: Zeal Properties Nine hundred and Five Close Corporation

Project location and description: Portion 31 of Portion 5 of Farm Dobba No. 49 is situated in Döbba, Windhoek Municipal Area and is located in the north eastern area of the developed section of Döbba, east of the Döbba Road (D 1473) and north of the Nampower Erf (Portion Remainder 117 of Braakwater) is the intention of the owner to establish warehousing facilities on the site. To be able to use the Portion for warehousing it must be rezoned from 'residential' 1 sha to 'restricted business' with a bulk of 0.75. The Portion is 5 027 hectare in extent. A locality plan of the site is displayed on the Town Planning Notice Board at the Customer Care Centre, Main Municipal Offices, Rev. Michael Scott Street, Windhoek or can be obtained from Green Earth Environmental Consultants at Bridgeway Offices, No. 4 Dr. Kwame Nkrumah Avenue, Klein Windhoek.

Interested and affected parties are hereby invited to register in terms of the assessment process to give input, comments, and opinions regarding the proposed project. A public meeting will be held only if there is enough public interest. Only I&APs that registered will be notified of the possible public meeting to be held.

The last date for comments and/or registration is 24 February 2023.

Contact details for registration and further information:
 Green Earth Environmental Consultants
 Contact Person: Charlie Du Walt
 Tel: 0811272145
 E-mail: carlen@greenearthnamibia.com

Legal Notice

CALL FOR PUBLIC PARTICIPATION/COMMENTS ENVIRONMENTAL IMPACT ASSESSMENT AND ENVIRONMENTAL MANAGEMENT PLAN TO OBTAIN AN ENVIRONMENTAL CLEARANCE FOR THE REZONING OF ERF 8305, WINDHOEK FROM 'PRIVATE OPEN SPACE' TO 'BUSINESS'

Green Earth Environmental Consultants have been appointed to attend to and complete an Environmental Impact Assessment and Environmental Management Plan (EMP) to obtain an Environmental Clearance Certificate as per the requirements of the Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 in GG 4578 of 6 February 2012) to rezzone Erf 8305, Windhoek from 'private open space' to 'business' with a bulk of 1.0.

Name of proponent: Trigon Mining Namibia Pty Ltd Environmental Consultant: Excel Dynamic Solutions (Pty) Ltd

Members of the public are invited to register as interested and Affected Parties (I&APs) in order to comment/raise concerns or receive further information on the Environmental Assessment process.

Public consultation meeting details will be communicated with all the registered I&APs in due course. Registration requests should be forwarded to Excel Dynamic Solutions (Pty) Ltd on the contact details below, before or on the 28 February 2023.

Contact: Mr. Silas David
 Email: public@edsnamibia.com
 Tel: + 264 (0) 61 259 530

Legal Notice

NOTICE OF ENVIRONMENTAL SCOPING ASSESSMENT (ESA) FOR: THE PROPOSED EXPLORATION ACTIVITIES ON EXCLUSIVE PROSPECTING LICENCE (EPL) NO. 8838 LOCATED SOUTH WEST OF OPUWO, KUNENE REGION

Under the Environmental Management Act No. 7 of 2007 and its 2012 Environmental Management Assessment (EA) Regulations, an Environmental Clearance Certificate (ECC) will be submitted to the Environmental Commissioner. The project is a listed activity that cannot be undertaken without an ECC from the Department of Environmental Affairs and Forestry (DEAF).

Project Type & Location:
 The proposed prospecting & exploration of Base & Rare Metals, Industrial Minerals and Precious Metals on EPL-8598. The 59 943 0184 hectares (ha) EPL is located about 43.68 km southwest of Opuwo, Kunene Region.

Proponent:
 Trigon Mining Namibia Pty Ltd
 Environmental Consultant: Excel Dynamic Solutions (Pty) Ltd

Members of the public are invited to register as interested and Affected Parties (I&APs) in order to comment/raise concerns or receive further information on the Environmental Assessment process.

Public consultation meeting details will be communicated with all the registered I&APs in due course. Registration requests should be forwarded to Excel Dynamic Solutions (Pty) Ltd on the contact details below, before or on the 28 February 2023.

Contact: Mr. Silas David
 Email: public@edsnamibia.com
 Tel: + 264 (0) 61 259 530

Notice

Legal Notice

NOTICE

Take note that Suberbach Planning Consultants cc has applied to the Keetmanshoop Municipality, on behalf of the owner of Portions 82 and 83 portions of the Keetmanshoop Town and Townlands No 150 and intends on applying to the Urban and Regional Planning Board for the following:

- Layout design and Township Establishment on Portion 83 a portion of Keetmanshoop Town and Townlands No. 150 to become known as Quiver Tree Industrial Park Extension 1 comprising approximately 32 erven and Remainder.
- Incorporation of Portion 82 a portion of Keetmanshoop Town and Townlands No. 150 into Quiver Tree Industrial Park Extension 1 as a street.

Portions 82 and 83 portions of the Keetmanshoop Town and Townlands No. 150 are located adjacent to one another. The portions are located east of the railway line and north of the B4 trunk road. Portion 82 a portion of the Keetmanshoop Town and Townlands No. 150 measures approximately 6603 of 6683 hectares in extent while Portion 83 a portion of Keetmanshoop Town and Townlands No. 150 measures approximately 40 035, hectares in extent. Both portions are zoned as 'Industrial'.

The purpose of the subject application is to expand the current industrial area, copy of the application, maps and its accompanying documents are available for inspection during normal office hours at the Keetmanshoop Municipality and HC Office, 45 Felt Street, Windhoek. Please take note that any person seeking to the proposed change in land use as set out above may lodge such objections/comments together with their hands signed, with the Keetmanshoop Municipality and the applicant (SPC) in writing before the Wednesday, 8 March 2023 (14 days after the last publication of this notice).

Applicant:
 Suberbach Planning Consultants cc
 P.O. Box 4146
 Acting Chief Executive Officer
 Keetmanshoop Municipality
 Private Bag 2125
 Windhoek
 Tel: (061) 25 1189
 E-mail: suber@shop
 P-Ref: W15019

Legal Notice

IN THE HIGH COURT OF NAMIBIA (Main Division -Windhoek)
 CASE NO. HC-MD-CV-ACT-CON-202102380

In the matter between:
 DEVELOPMENT BANK OF NAMIBIA LIMITED EXECUTION CREDITOR

and
 AFRICA CIVIL ENGINEERING CLOSED CORPORATION (First Execution Debtor) and PETRUS HASHOTULI POMBILI KAPULU 2ND EXECUTION DEBTOR

NOTICE OF SALE IN EXECUTION

A SALE IN EXECUTION will be held by public auction on THURSDAY the 23rd of FEBRUARY 2023 via live webcast at <https://auctor.auctionstarts.co.za> at 09H00 at Auction. Erf 49, cor. of Michelle Mdoeni & Platinum Street, Prosperita, Windhoek, Namibia, during which there will be a sale in execution as a result of an attachment made on 04 December 2022 under a Writ of Execution issued on the 08 October 2021 by the above-named DEVELOPMENT BANK OF NAMIBIA LIMITED (Execution Creditor) against AFRICA CIVIL ENGINEERING CLOSED CORPORATION (First Execution Debtor) and PETRUS HASHOTULI POMBILI KAPULU (Second Execution Debtor).

TERMS: "VOETSTOOTS" - CASH TO THE HIGHEST BIDDER

DATED AND SIGNED AT WINDHOEK on the 2ND day of FEBRUARY 2023.

APPOLOS SHIMAKLEMI LAWYERS LEGAL PRACTITIONER FOR PLAINTIFF

NO 3674 WATT STREET, WINDHOEK NORTH WINDHOEK

Legal Notice

NOTICE OF INTENTION IN TERMS OF THE URBAN AND REGIONAL PLANNING ACT OF 2018 (ACT 5 OF 2018): SUBDIVISION OF ERF 5811, S WAKOPMUND, EXTENSION 18, INTO PORTION A AND REMAINDER; AND THE SUBSEQUENT ZONING OF PROPOSED PORTION A, FROM GENERAL RESIDENTIAL 1 WITH A DENSITY OF 1:100M² TO PARATASAL

Please take note that Van Der Westhuizen Town Planning and Properties CC, on behalf of our client, intends to apply to the Swakopmund Municipal Council for the Subdivision of Erf 5811, Swakopmund into Portion A and Remainder and the subsequent zoning of proposed Portion A, from General Residential with a density of 1:100m² to Paratatal.

Erf 5811, Swakopmund, currently measures 8 363m² in extent and is located on the corner of Chobe Streets in Extension 18 (Dunes Development), East of Kramerderf. The property is currently standing vacant and is not being utilized for any purpose. It is to be subdivided into two parcels and the newly created Portion A (100m²) for an electrical substation. It is thus required and necessary to formally apply to the Local Authority and the Ministry of Urban and Rural Development for the proposed rezoning of the property.

Please further take note that -

- (i) All plans of the site to be reviewed at the Public Notice Board of the Swakopmund Municipality located on the corner of Rakuska Street & Daniel Kameho Avenue.
- (ii) Any person having objections to the proposed rezoning or who wants to comment thereon, may lodge such objections and comments, together with the grounds thereon, in writing to the Municipality and the applicant within 14 days of the last publication of this notice.

Please be advised that the written objection must be forwarded within the prescribed time as required by the Urban and Regional Planning Act of 2018. Such written objection or comment must therefore be submitted by no later than 17:00 on 28 FEBRUARY 2023.

Applicant: Van Der Westhuizen Town Planning & Properties cc
Contact Persons:
 A van der Westhuizen
 Cell: 0811224661
 Email: andrew@vdrwp.com
 P.O. Box:1593, Swakopmund, Namibia

Legal Notice

CALL FOR PUBLIC PARTICIPATION/COMMENTS ENVIRONMENTAL IMPACT ASSESSMENT AND ENVIRONMENTAL MANAGEMENT PLAN TO OBTAIN AN ENVIRONMENTAL CLEARANCE TO FINALISE THE TOWN PLANNING PROCEDURES FOR THE REZONING OF PORTION 31 OF FARM DOBBA NO. 49

Green Earth Environmental Consultants have been appointed to attend to and complete an Environmental Impact Assessment and Environmental Management Plan (EMP) to obtain an Environmental Clearance Certificate as per the requirements of the Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 in GG 4578 of 6 February 2012) to finalise the town planning procedures for the rezoning of Portion 31 of Portion 5 of Farm Dobba No. 49 from 'residential' 1 sha to 'restricted business' with a bulk of 0.75.

Name of proponent: Zeal Properties Nine hundred and Five Close Corporation

Project location and description: Portion 31 of Portion 5 of Farm Dobba No. 49 is situated in Döbba, Windhoek Municipal Area and is located in the north eastern area of the developed section of Döbba, east of the Döbba Road (D 1473) and north of the Nampower Erf (Portion Remainder 117 of Braakwater) is the intention of the owner to establish warehousing facilities on the site. To be able to use the Portion for warehousing it must be rezoned from 'residential' 1 sha to 'restricted business' with a bulk of 0.75. The Portion is 5 027 hectare in extent. A locality plan of the site is displayed on the Town Planning Notice Board at the Customer Care Centre, Main Municipal Offices, Rev. Michael Scott Street, Windhoek or can be obtained from Green Earth Environmental Consultants at Bridgeway Offices, No. 4 Dr. Kwame Nkrumah Avenue, Klein Windhoek.

Interested and affected parties are hereby invited to register in terms of the assessment process to give input, comments, and opinions regarding the proposed project. A public meeting will be held only if there is enough public interest. Only I&APs that registered will be notified of the possible public meeting to be held.

The last date for comments and/or registration is 24 February 2023.

Contact details for registration and further information:
 Green Earth Environmental Consultants
 Contact Person: Charlie Du Walt
 Tel: 0811272145
 E-mail: carlen@greenearthnamibia.com

Legal Notice

CALL FOR PUBLIC PARTICIPATION/COMMENTS ENVIRONMENTAL IMPACT ASSESSMENT AND ENVIRONMENTAL MANAGEMENT PLAN TO OBTAIN AN ENVIRONMENTAL CLEARANCE FOR THE REZONING OF ERF 8305, WINDHOEK FROM 'PRIVATE OPEN SPACE' TO 'BUSINESS'

Green Earth Environmental Consultants have been appointed to attend to and complete an Environmental Impact Assessment and Environmental Management Plan (EMP) to obtain an Environmental Clearance Certificate as per the requirements of the Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 in GG 4578 of 6 February 2012) to rezzone Erf 8305, Windhoek from 'private open space' to 'business' with a bulk of 1.0.

Name of proponent: Trigon Mining Namibia Pty Ltd
 Environmental Consultant: Excel Dynamic Solutions (Pty) Ltd

Members of the public are invited to register as interested and Affected Parties (I&APs) in order to comment/raise concerns or receive further information on the Environmental Assessment process.

Public consultation meeting details will be communicated with all the registered I&APs in due course. Registration requests should be forwarded to Excel Dynamic Solutions (Pty) Ltd on the contact details below, before or on the 28 February 2023.

Contact: Mr. Silas David
 Email: public@edsnamibia.com
 Tel: + 264 (0) 61 259 530

Legal Notice

NOTICE OF ENVIRONMENTAL SCOPING ASSESSMENT (ESA) FOR: THE PROPOSED EXPLORATION ACTIVITIES ON EXCLUSIVE PROSPECTING LICENCE (EPL) NO. 8833 LOCATED NORTH EAST OF ARANDIS, ERONGO REGION

Under the Environmental Management Act No. 7 of 2007 and its 2012 Environmental Management Assessment (EA) Regulations, an Environmental Clearance Certificate (ECC) will be submitted to the Environmental Commissioner. The project is a listed activity that cannot be undertaken without an ECC from the Department of Environmental Affairs and Forestry (DEAF).

Project Type & Location:
 The proposed prospecting & exploration of Base & Rare Metals, Industrial Minerals, Dimension Stones and Precious Metals on EPL- 8633. The 5058 1786 hectares (ha) EPL is located about 17 km north east of Arandis, Erongo Region.

Proponent:
 Trigon Mining Investments (Pty) Ltd
 Environmental Consultant: Excel Dynamic Solutions (Pty) Ltd

Members of the public are invited to register as interested and Affected Parties (I&APs) in order to comment/raise concerns or receive further information on the Environmental Assessment process.

Public consultation meeting details will be communicated with all the registered I&APs in due course. Registration requests should be forwarded to Excel Dynamic Solutions (Pty) Ltd on the contact details below, before or on the 28 February 2023.

Contact: Mr. Stefanus L. Johannes
 Email: public@edsnamibia.com
 Tel: + 264 (0) 61 259 530

Legal Notice

NOTICE OF INTENTION IN TERMS OF THE URBAN AND REGIONAL PLANNING ACT OF 2018 (ACT 5 OF 2018): SUBDIVISION OF ERF 5811, S WAKOPMUND, EXTENSION 18, INTO PORTION A AND REMAINDER; AND THE SUBSEQUENT ZONING OF PROPOSED PORTION A, FROM GENERAL RESIDENTIAL 1 WITH A DENSITY OF 1:100M² TO PARATASAL

Please take note that Van Der Westhuizen Town Planning and Properties CC, on behalf of our client, intends to apply to the Swakopmund Municipal Council for the Subdivision of Erf 5811, Swakopmund into Portion A and Remainder and the subsequent zoning of proposed Portion A, from General Residential with a density of 1:100m² to Paratatal.

Erf 5811, Swakopmund, currently measures 8 363m² in extent and is located on the corner of Chobe Streets in Extension 18 (Dunes Development), East of Kramerderf. The property is currently standing vacant and is not being utilized for any purpose. It is to be subdivided into two parcels and the newly created Portion A (100m²) for an electrical substation. It is thus required and necessary to formally apply to the Local Authority and the Ministry of Urban and Rural Development for the proposed rezoning of the property.

Please further take note that -

- (i) All plans of the site to be reviewed at the Public Notice Board of the Swakopmund Municipality located on the corner of Rakuska Street & Daniel Kameho Avenue.
- (ii) Any person having objections to the proposed rezoning or who wants to comment thereon, may lodge such objections and comments, together with the grounds thereon, in writing to the Municipality and the applicant within 14 days of the last publication of this notice.

Please be advised that the written objection must be forwarded within the prescribed time as required by the Urban and Regional Planning Act of 2018. Such written objection or comment must therefore be submitted by no later than 17:00 on 28 FEBRUARY 2023.

Applicant: Van Der Westhuizen Town Planning & Properties cc
Contact Persons:
 A van der Westhuizen
 Cell: 0811224661
 Email: andrew@vdrwp.com
 P.O. Box:1593, Swakopmund, Namibia

Employment

Madawa Investment (Pty) Ltd would like to invite suitably qualified candidates for the following vacancies:

- 1. General Manager**

Requirements:

- Bachelors' degree (NQF Level 8) in Civil Engineering or construction related degree
- At least 10 years' experience in construction management level
- Must be fluent in English

- 2. Construction Project Manager**

Requirements:

- Bachelors' degree in Project Management
- At least 10 years' experience in project management
- Fluent in English

- 3. Accountant**

Requirements:

- Degree in Accounting
- At least 5 years' experience
- Fluent in English
- Knowledge on pastel and quick books

Applications must be sent to molschen@madawa.com
 Contact number: 0811 546111
 Please note that only short listed candidates will be contacted
 Due date: 06 March 2023

Employment

Madawa Investment (Pty) Ltd would like to invite suitably qualified candidates for the following vacancies:

- 1. General Manager**

Requirements:

- Bachelors' degree (NQF Level 8) in Civil Engineering or construction related degree
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- Must be fluent in English

- 2. Construction Project Manager**

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- Bachelors' degree in Project Management
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- 3. Accountant**

Requirements:

- Degree in Accounting
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 Contact number: 0811 546111
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Services Offered

DO YOU URGENTLY NEED CASH?

Park your car and get up to 45% of its value! Cash in your account in 30 mins! No paystip, no bank statement, just the car! Auto cash 061-400676

IT'S THAT SIMPLE!

Green Earth Environmental Consultants

Services Offered

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IT'S THAT SIMPLE!

NOTICES

Legal

IN 1410 HAZEL STREET, WINDHOEK, Windhoek, which address is its chosen domicile...

NOTICES

Legal

SCOPING ASSESSMENT (ESA) FOR THE PROPOSED EXPLORATION ACTIVITIES ON EXCLUSIVE FRESHWATER LICENSE (EFL) NO. 8632 LOCATED SOUTH WEST OF OPUNDO, KUNENE REGION...

NOTICES

Legal

IN THE HIGH COURT OF NAMIBIA Main Division, Windhoek, in the matter between BANK WINDHOEK LIMITED, Plaintiff and WINDFED WINZENE LEITNER, Defendant...

NOTICES

Legal

IN THE HIGH COURT OF NAMIBIA Main Division, Windhoek, in the matter between STANDARD BANK NAMIBIA (Pty) Ltd, Plaintiff and NOUNGULA NAMANE, Defendant...

NOTICES

Legal

IN THE HIGH COURT OF NAMIBIA Main Division, Windhoek, in the matter between STANDARD BANK NAMIBIA (Pty) Ltd, Plaintiff and NOUNGULA NAMANE, Defendant...

Obituaries

Thank You Messages

MESSAGE OF APPRECIATION The entire family of Professor Rehoboth 'Ray' Katengula Anala would like to express their heartfelt gratitude...

Obituaries

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NOTICES

Legal

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Legal

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NOTICES

Legal

IN THE HIGH COURT OF NAMIBIA Main Division, Windhoek, in the matter between STANDARD BANK NAMIBIA (Pty) Ltd, Plaintiff and NOUNGULA NAMANE, Defendant...

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NOTICES

Legal

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NOTICES

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NOTICES

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NOTICES

Legal

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NOTICES

Legal

IN THE HIGH COURT OF NAMIBIA Main Division, Windhoek, in the matter between STANDARD BANK NAMIBIA (Pty) Ltd, Plaintiff and NOUNGULA NAMANE, Defendant...

NOTICES

Legal

IN THE HIGH COURT OF NAMIBIA Main Division, Windhoek, in the matter between STANDARD BANK NAMIBIA (Pty) Ltd, Plaintiff and NOUNGULA NAMANE, Defendant...

NOTICES

Legal

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NOTICES

Legal

IN THE HIGH COURT OF NAMIBIA Main Division, Windhoek, in the matter between STANDARD BANK NAMIBIA (Pty) Ltd, Plaintiff and NOUNGULA NAMANE, Defendant...

Obituaries

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Obituaries

Thank You Messages

MESSAGE OF APPRECIATION The entire family of Professor Rehoboth 'Ray' Katengula Anala would like to express their heartfelt gratitude...

In loving memory of Ponhele Ya France 8 1948 - 8 2010. You have left behind a legacy, but your path we remain. Your life was a blessing, your memory a treasure.

Green Earth ENVIRONMENTAL CONSULTANTS CALL FOR PUBLIC PARTICIPATION/COMMENTS ENVIRONMENTAL IMPACT ASSESSMENT AND ENVIRONMENTAL MANAGEMENT PLAN TO OBTAIN AN ENVIRONMENTAL CLEARANCE FOR THE REZONING OF ERF 8305, WINDHOEK FROM 'PRIVATE OPEN SPACE' TO 'BUSINESS'

Green Earth ENVIRONMENTAL CONSULTANTS CALL FOR PUBLIC PARTICIPATION/COMMENTS ENVIRONMENTAL IMPACT ASSESSMENT AND ENVIRONMENTAL MANAGEMENT PLAN TO OBTAIN AN ENVIRONMENTAL CLEARANCE FOR THE REZONING OF PORTION 31 OF PORTION 5 OF FARM DÖBRA No. 49

Green Earth ENVIRONMENTAL CONSULTANTS Name of proponent: PG Demijo and K Demijo Project location and description: Erf 8305, Windhoek is located in Taithe Street next to the Olympia Municipal Swimming Pool.

Green Earth ENVIRONMENTAL CONSULTANTS Name of proponent: Zeal Properties Nine Hundred and Five Close Corporation Project location and description: Portion 31 of Portion 5 of Farm Dobra No. 49 is situated in Döbra, Windhoek Municipal Area.

Green Earth ENVIRONMENTAL CONSULTANTS Name of proponent: PG Demijo and K Demijo Project location and description: Erf 8305, Windhoek is located in Taithe Street next to the Olympia Municipal Swimming Pool.

Green Earth ENVIRONMENTAL CONSULTANTS Name of proponent: Zeal Properties Nine Hundred and Five Close Corporation Project location and description: Portion 31 of Portion 5 of Farm Dobra No. 49 is situated in Döbra, Windhoek Municipal Area.

Green Earth ENVIRONMENTAL CONSULTANTS Name of proponent: PG Demijo and K Demijo Project location and description: Erf 8305, Windhoek is located in Taithe Street next to the Olympia Municipal Swimming Pool.

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Green Earth ENVIRONMENTAL CONSULTANTS Name of proponent: PG Demijo and K Demijo Project location and description: Erf 8305, Windhoek is located in Taithe Street next to the Olympia Municipal Swimming Pool.

Green Earth ENVIRONMENTAL CONSULTANTS Name of proponent: Zeal Properties Nine Hundred and Five Close Corporation Project location and description: Portion 31 of Portion 5 of Farm Dobra No. 49 is situated in Döbra, Windhoek Municipal Area.

CLASSIFIEDS

Tel: (061) 208 0800/44

Fax: (061) 220 584

Email: classifieds@nepc.com.na

Services

Offered

CLASSIFIEDS

Rates and Deadlines

- To avoid disappointment an advertisement must appear on the date you wish, please book in advance
- Classifieds available on weekdays 12:00 Noon working days prior to printing
- Commercials and obituaries: 16:00, two days before date of publication if writing only

Notice (VAT Inclusive)

Lower Rates: N\$600.00
 Local Land Use: N\$400.00
 Export Licenses: N\$800.00
 Name Change: N\$400.00
 Birthdays: From N\$200.00
 Death Notices: From N\$200.00
 Resumes: From N\$200.00
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Employment

Offered

Vacancy

Manager Kana Nyara Trading CC is looking for a farm manager for Namibia green scheme farms in Kuango West near Hukeruru

Candidates must have at least the following experience:

- Minimum 10 years' experience in relevant system and cover crop rotation under irrigation on sandy soils with controlled grazing of beef cows to build carbon in the sandy soils
- Produce and ensure production experience will be an advantage

Responsibilities:

- Production, seed production, preparation and storage of the above-mentioned crops
- The profitable management of the ISO 9000 irrigation farm with personnel, equipment, transport, workshop, silos, feed, processing plant and landfill
- Comping program planning and execution
- Mentoring and assistance to low-income farmers on their ISO 9000 irrigation (IFS)
- Facilitation for the suitable candidate will include a competitive market related salary, free house water and electricity

Suitably qualified candidates must send a comprehensive CV to hr@kanyara.com.na

Closing Date: 24 February 2023

Employment

Offered

Ondangwa Private Hospital Radiology cc is an equal opportunity employer and invites proactive, professional, caring, ethical person to apply for the following positions:

Position: MRI & CT Radiographer

Qualifications, Skills, Competencies and Experience:

- Bachelor of Medical Imaging
- Minimum 4 years' experience as a Radiographer
- Valid license to practice the profession, must be registered with HPCNA
- Namibian citizen or eligible to work within Namibia

Should you meet the above-mentioned requirements, kindly submit your CV and all certified supporting documents at the Human Resource Department, Ondangwa Private Hospital, P.O. Box 2775 Ondangwa or forward them via e-mail to recruitment@ophs.com.na

Closing Date: 24 February 2023

OPTOMETRIST needed for a practice in Ondangwa.

- Namibian citizens and Oshanao speakers will get preference

Qualification: B. Optometry Equivalent and certificate in Diagnostic procedure or equivalent

Salary: negotiable

Starting date: 1st March 2023

Email: optic.od@iway.na

Notices

Legal Notice

REPUBLIC OF NAMIBIA
MINISTRY OF INDUSTRIALIZATION AND TRADE, LIQUOR ACT, 1998
NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF THE LIQUOR ACT, 1998
 (regulations 14, 20 & 31)

Notice is given that an application in terms of the Liquor Act, 1998, (notices of which appear below) will be made to the Regional Liquor Licensing Committee, Region OSHANA.

OSHANAS:

- Name and postal address of applicant: **JOHANNES OMSHUS** P.O. BOX 1819 SHORHOLE
- Name of business or proposed business to which applicant relates: **MRO S SHEREN**
- Address/location of premises to which application relates: **OSHANASHEREN OSHANALA**
- Name and details of applicant: **SHEREN LIQUOR LICENCE**
- Date on which application will be lodged: **02 FEBRUARY 2023**
- Date on which application will be heard: **12 APRIL 2023**

Any objection or written submission in terms of section 20 of the Act in relation to the application must be sent or delivered to the Secretary of the Committee to reach the Secretary not less than 7 days before the date of the meeting of the Committee at which the application is lodged.

Notices

Legal Notice

NOTICE OF INTENTION IN TERMS OF THE URBAN AND REGIONAL PLANNING ACT OF 2018 (ACT 5 OF 2018): SUBDIVISION OF ERF 5811, SWAKOPMUND, EXTENSION 18, INTO PORTION A AND REMAINDER, AND THE SUBSEQUENT REZONING OF PROPOSED PORTION A, FROM GENERAL RESIDENTIAL 1 WITH A DENSITY OF 1:100M² TO PARASTATAL.

Please take note that Van Der Westhuizen Town Planning and Properties CC, on behalf of our client, intends to apply to the Swakopmund Municipal Council for the Subdivision of Erf 5811, Swakopmund into Portion A and Remainder and the subsequent Rezonning of proposed Portion A, from General Residential with a density of 1:100m² to Parastatal Erf 5811, Swakopmund, currently measures 6 363m² in extent and is located on the corner of Chote Streets in Extension 18 (Dunas Development), East of Kraemerstrasse. The property is currently standing vacant and a net being utilized for any purpose. It is the intention to subdivide the property and use the newly created Portion A (100m²) for an electrical substation. It is thus required and necessary to formally apply to the Local Authority and the Ministry of Urban and Rural Development for the proposed rezoning of the property.

(a) the plan of the erf can be inspected at the Public Notice Board of the Swakopmund Municipality located on the Corner of Rakokoto Street & Daniel Kamba Avenue

(b) any person having objections to the proposed rezoning or who wants to comment thereon, may lodge such objections and comments, together with the grounds thereof, in writing to the Municipality and the applicant within 14 days of the last publication of this notice.

Please be advised that the written objection must be forwarded within the prescribed time as required by the Urban and Regional Planning Act of 2018. Such written objection or comment must therefore be submitted by no later than 17:00 on 28 February 2023.

Applicant: Van Der Westhuizen Town Planning & Properties cc
Contact Persons:
 A van der Westhuizen
 Cell: 9811224661
 Email: andw@rdwtp.com
 P.O. Box 1598, Swakopmund, Namibia

Notices

Legal Notice

REPUBLIC OF NAMIBIA
MINISTRY OF TRADE & INDUSTRY
LIQUOR ACT, 1998
NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF THE LIQUOR ACT, 1998
 (regulations 14, 20 & 31)

Notice is given that an application in terms of the Liquor Act, 1998, (notices of which appear below) will be made to the Regional Liquor Licensing Committee, Region SWAKOPMUND.

OSHWANAS:

- Name and postal address of applicant: **WILBRID JACKSON** P.O. BOX 628, OTJWARONGONG
- Name of business or proposed business to which application relates: **SCORPION KOWENI INVESTMENT CC**
- Address/location of licensed premises to which application relates: **OS 406, ORC OTJWARONGONG**
- Name and details of applicant: **SHEREN LIQUOR LICENCE**
- Date on which application will be lodged: **02 FEBRUARY 2023**
- Date on which application will be heard: **12 APRIL 2023**

Any objection or written submission in terms of section 20 of the Act in relation to the application must be sent or delivered to the Secretary of the Committee to reach the Secretary not less than 7 days before the date of the meeting of the Committee at which the application is lodged.

Notices

Legal Notice

REPUBLIC OF NAMIBIA
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LIQUOR ACT, 1998
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OSHWANAS:

- Name and postal address of applicant: **JOHANNES OMSHUS** P.O. BOX 1819 SHORHOLE
- Name of business or proposed business to which applicant relates: **MRO S SHEREN**
- Address/location of premises to which application relates: **OSHANASHEREN OSHANALA**
- Name and details of applicant: **SHEREN LIQUOR LICENCE**
- Date on which application will be lodged: **02 FEBRUARY 2023**
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Notices

Legal Notice

Take note that Stubbenrauch Planning Consultants cc has applied to the Keetmanshoop Municipality on behalf of the owner of Portions 82 and 83 portions of the Keetmanshoop Town and Townlands No 150 and intends on applying to the Urban and Regional Planning Board for the following:

- Layout design and Township Establishment on Portion 83 a portion of Keetmanshoop Town and Townlands No. 150 to become known as Quiver Tree Industrial Park Extension 1 consisting of approximately 32 acres and Remainder
- Incorporation of Portion 82 a portion of Keetmanshoop Town and Townlands No. 150 into Quiver Tree Industrial Park Extension 1 as a street

Portions 82 and 83 portions of the Keetmanshoop Town and Townlands No. 150 are located adjacent to one another. The portions are located east of the railway line and north of the B4 Inland road. Portion 82 a portion of the Keetmanshoop Town and Townlands No. 150 measures approximately 6683 m² (0 6683 hectares) in extent. While Portion 83 a portion of Keetmanshoop Town and Townlands No. 150 measures approximately 40 0636 hectares in extent. Both portions are zoned as "Undetermined".

The purpose of the subject application is to expand the current industrial area. A copy of the application, maps and its accompanying documents are available for inspection during normal office hours at the Keetmanshoop Municipality and SPC Office, 45 Feld Street, Windhoek.

Further take note that any person objecting to the proposed change in land use as set out above may lodge such objection comments together with their grounds thereof, with the Keetmanshoop Municipality and SPC Office (SPC) in writing before the **Wednesday, 8 March 2023 (14 days after the last publication of the notice).**

Applicant: Stubbenrauch Planning Consultants cc
P.O. Box 4148, Windhoek
Tel: (061) 25 1189
The Acting Chief Executive Officer
 Keetmanshoop Municipality
 Private Bag 2125,
 Keetmanshoop
 Our Ref: W15019

Notices

Legal Notice

REPUBLIC OF NAMIBIA
MINISTRY OF TRADE & INDUSTRY
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Notices

Legal Notice

CALL FOR PUBLIC PARTICIPATION/COMMENTS ENVIRONMENTAL IMPACT ASSESSMENT AND ENVIRONMENTAL MANAGEMENT PLAN TO OBTAIN AN ENVIRONMENTAL CLEARANCE FOR THE REZONING OF ERF 8395, WINDHOEK FROM PRIVATE OPEN SPACE TO 'BUSINESS'

Green Earth Environmental Consultants have been appointed to attend to and complete an Environmental Impact Assessment and Environmental Management Plan (EMP) to obtain an Environmental Clearance Certificate as per the requirements of the Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 in GG 4878 of 6 February 2012) to finalize the town planning procedures for the rezoning of Portion 31 of Portion 5 of Farm Dobra No. 49 from 'residential' to 'business'.

Name of proponent: PG Demij and K Demij

Project location and description: Erf 8395, Windhoek is located in Terms Street next to the Olympia Municipal Swimming Pool. The erf is currently used for a fast-food restaurant although it is still zoned private open space. The erf is 148 m² in extent. To be able to continue to use Erf 8395, Windhoek for a fast-food restaurant it must be rezoned to 'business' with a bulk of 1:0. A locality plan of the site is displayed on the Town Planning Notice Board at the Customer Care Center, Main Municipal Offices, Rev. Michael Scott Street, Windhoek or can be obtained from Green Earth Environmental Consultants at Bridgeview Offices, No. 4 Dr. Kwame Nkrumah Avenue, Klein Windhoek.

Interested and affected parties are hereby invited to register in terms of the assessment process to give input, comments, and opinions regarding the proposed project. A public meeting will be held only if there is enough public interest. Only I&APs that registered will be notified of the possible public meeting to be held.

The last date for comments and/or registration is **24 February 2023**. Contact details for registration and further information: **Green Earth Environmental Consultants**
Contact Persons: Charlie Du Toit
 Carlen van der Walt
 Tel: 0811273145
 E-mail: carlen@greenearthnamibia.com

Notices

Legal Notice

REPUBLIC OF NAMIBIA
MINISTRY OF TRADE & INDUSTRY
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 (regulations 14, 20 & 31)

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OSHWANAS:

- Name and postal address of applicant: **JOHANNES OMSHUS** P.O. BOX 1819 SHORHOLE
- Name of business or proposed business to which applicant relates: **MRO S SHEREN**
- Address/location of licensed premises to which application relates: **OSHANASHEREN OSHANALA**
- Name and details of applicant: **SHEREN LIQUOR LICENCE**
- Date on which application will be lodged: **02 FEBRUARY 2023**
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OSHWANAS:

- Name and postal address of applicant: **JOHANNES OMSHUS** P.O. BOX 1819 SHORHOLE
- Name of business or proposed business to which applicant relates: **MRO S SHEREN**
- Address/location of licensed premises to which application relates: **OSHANASHEREN OSHANALA**
- Name and details of applicant: **SHEREN LIQUOR LICENCE**
- Date on which application will be lodged: **02 FEBRUARY 2023**
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Legal Notice

NOTICE OF ENVIRONMENTAL SCOPING ASSESSMENT (ESA) FOR THE PROPOSED EXPLORATION ACTIVITIES ON EXCLUSIVE PROSPECTING LICENCE (EPL) No. 1898 LOCATED SOUTH WEST OF OPUWO, KUNENE REGION

Under the Environmental Management Act No. 7 of 2007 and its 2012 Environmental Management Amendment (EMA) Regulations, an Environmental Clearance Certificate (ECC) will be submitted to the Environmental Commissioner. The project is a field activity that cannot be undertaken without an ECC from the Department of Environmental Affairs and Forestry (DEAF).

Project Type & Location: The proposed prospecting & exploration of Base & Rare Metals, Industrial Minerals and Precious Metals on EPL-8598 The 59 943 019ha hectares (ha) EPL is located about 43.68 km southwest of Opawa, Kunene Region

Proponent: Tiger Mining Namibia (Pty) Ltd
 Environmental Consultants: Excel Dynamic Solutions (Pty) Ltd

Members of the public are invited to register as Interested and Affected Parties (I&APs) in order to comment on concerns or receive further information on the Environmental Assessment process.

Public consultation meeting details will be communicated with all the registered I&APs in due course.

Registration requests should be forwarded to Excel Dynamic Solutions (Pty) Ltd on the contact details below, before or on the **28 February 2023**.

Contact Mr. Silas David
 Email: silas@tdsnamibia.com
 Tel: +254 (0) 61 259 530

Notices

Legal Notice

NOTICE OF ENVIRONMENTAL SCOPING ASSESSMENT (ESA) FOR THE PROPOSED EXPLORATION ACTIVITIES ON EXCLUSIVE PROSPECTING LICENCE (EPL) No. 1833 LOCATED NORTH EAST OF ABANDU, ERONGOMBO REGION

Under the Environmental Management Act No. 7 of 2007 and its 2012 Environmental Management Amendment (EMA) Regulations, an Environmental Clearance Certificate (ECC) will be submitted to the Environmental Commissioner. The project is a field activity that cannot be undertaken without an ECC from the Department of Environmental Affairs and Forestry (DEAF).

Project Type & Location: The proposed prospecting & exploration of Base & Rare Metals, Industrial Minerals, Dimensional Stones and Precious Metals on EPL- 6633 The 5058 1786 hectares (ha) EPL is located about 17 km north east of Aundee, Erongo Region

Proponent: Talyent Investments (Pty) Ltd
 Environmental Consultant: Excel Dynamic Solutions (Pty) Ltd

Members of the public are invited to register as Interested and Affected Parties (I&APs) in order to comment on concerns or receive further information on the Environmental Assessment process.

Public consultation meeting details will be communicated with all the registered I&APs in due course.

Registration requests should be forwarded to Excel Dynamic Solutions (Pty) Ltd on the contact details below, before or on the **28 February 2023**.

Contact: Mr. Stefanus L. Johann
 Email: public@tdsnamibia.com
 Tel: +254 (0) 61 259 530

Notices

Legal Notice

REPUBLIC OF NAMIBIA
MINISTRY OF TRADE & INDUSTRY
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Notice is given that an application in terms of the Liquor Act, 1998, (notices of which appear below) will be made to the Regional Liquor Licensing Committee, Region SWAKOPMUND.

OSHWANAS:

- Name and postal address of applicant: **JOHANNES OMSHUS** P.O. BOX 1819 SHORHOLE
- Name of business or proposed business to which applicant relates: **MRO S SHEREN**
- Address/location of licensed premises to which application relates: **OSHANASHEREN OSHANALA**
- Name and details of applicant: **SHEREN LIQUOR LICENCE**
- Date on which application will be lodged: **02 FEBRUARY 2023**
- Date on which application will be heard: **12 APRIL 2023**

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Green Earth Environmental Consultants

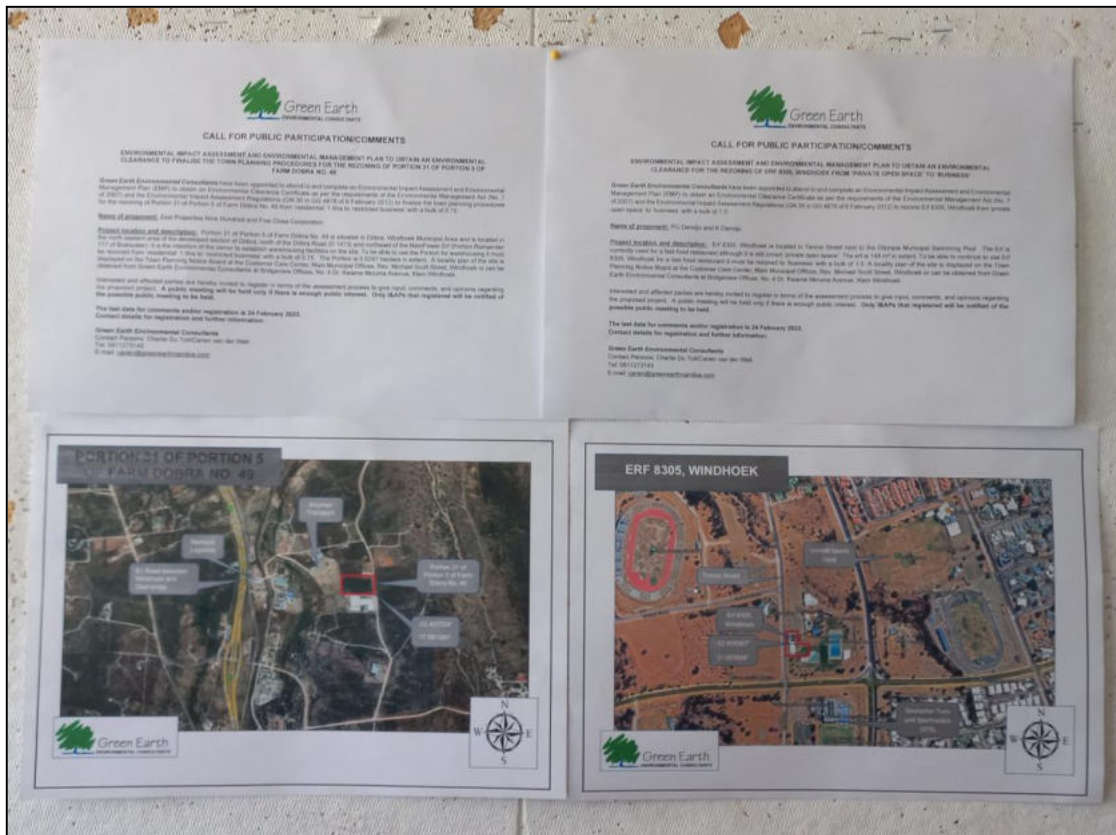
PROPERTIES WANTED

Price range N\$ 700 000 to N\$ 1 280 000 all cost included

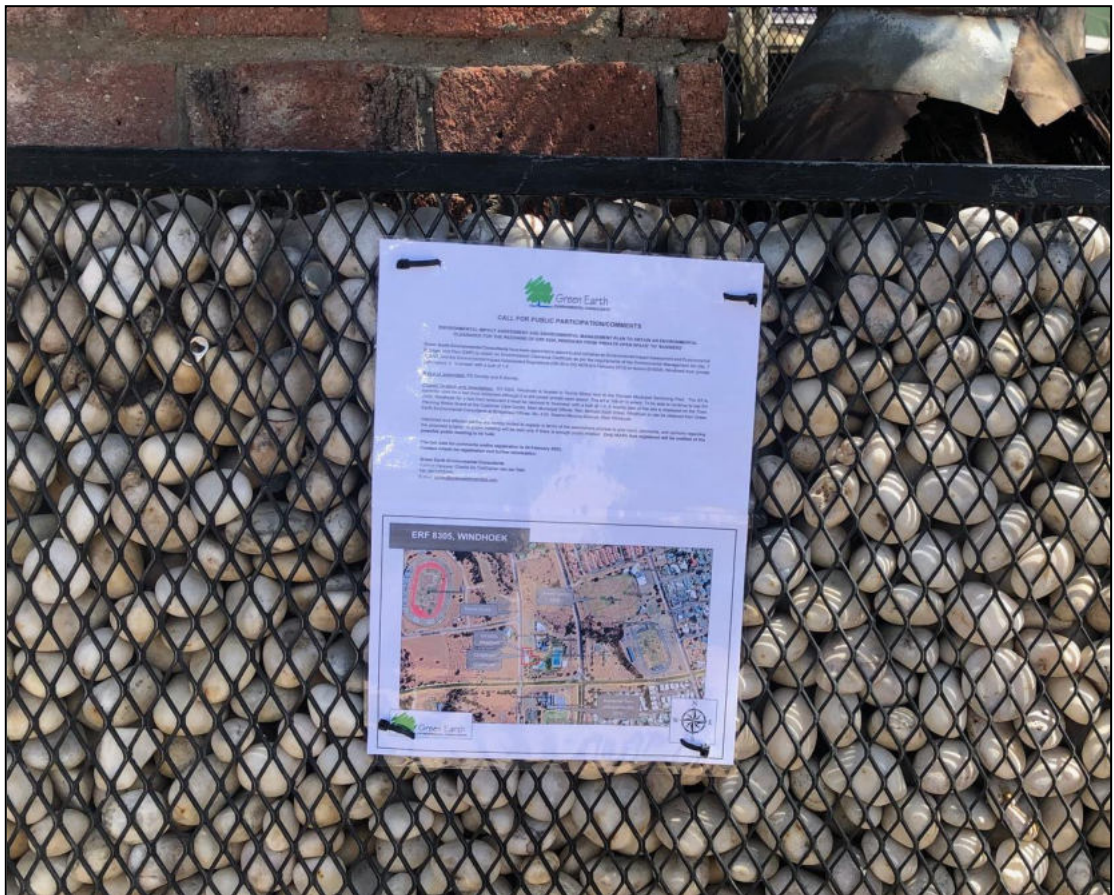
Wanaheda
 Soweto
 Freedom Square
 Shandumbata

CONTACT US
 081 611 6112
 info@greenearth.com.na

APPENDIX B: NOTICE AT MUNICIPALITY



APPENDIX C: NOTICE ON SITE



APPENDIX D: EMAIL SENT TO NEIGHBOURS

Background Information Document for the rezoning of Erf 8305, Windhoek - Message (HTML)

File Message Help

Ignore Delete Archive Reply Reply All Forward Meeting Archive Team Email Done Reply & Delete Create New Move Send to OneNote Actions Mark Unread Categorize Follow Up Find Related Select Read Aloud Immersive Reader Translate Zoom

Background Information Document for the rezoning of Erf 8305, Windhoek

To: carien@greenearthnamibia.com
To: 'charlie@greenearthnamibia.com'

Bcc: 'Kahitu (MM)'; 'Tshipo (G)'; 'Otavi.makubi@gmail.com'; 'Smokeymare@action.com.na'; 'mdreinholt@hotmail.com'; 'wucambria@gmail.com'

Wed 08/03/2023 11:45 am

Erf 8305, Windhoek - BID.pdf
629 KB


Dear Sir/Madam

Green Earth Environmental Consultants are conducting an Environmental Impact Assessment to rezone Erf 8305, Windhoek from 'private open space' to 'business' with a bulk of 1.0. You have been identified as an Interested and Affected Party to the proposed activity. See attached a Background Information Document (BID) which provides information on the proposed activity, the possible impacts on the receiving environment and the environmental assessment process to be followed.

Should you have any questions or comments regarding the project, please contact Green Earth Environmental Consultants at the contact details provided on **Page 1** of this document. The closing date for any questions, comments, inputs or information is **31 March 2023**.

Kind regards

Carien

 Green Earth
ENVIRONMENTAL CONSULTANTS

1st floor Bridgeview Offices & Apartments, No. 4 Dr Kwame Nkrumah Avenue, Klein Windhoek, Namibia
PO Box 6871, Aussoannolatz, Windhoek

29°C Sunny 11:46 am 08/03/2023

APPENDIX E: CURRICULUM VITAE OF CHARLIE DU TOIT

1. **Position:** Environmental Practitioner
2. **Name/Surname:** Charl du Toit
3. **Date of Birth:** 29 October 1960
4. **Nationality:** Namibian

5. **Education:**

Name of Institution	University of Stellenbosch, South Africa		
Degree/Qualification	Hons B (B + A) in Business Administration and Management		
Date Obtained	1985-1987		
Name of Institution	University of Stellenbosch, South Africa		
Degree/Qualification	BSc Agric Hons (Chemistry, Agronomy and Soil Science)		
Date Obtained	1979-1982		
Name of Institution	Boland Agricultural High School, Paarl, South Africa		
Degree/Qualification	Grade 12		
Date Obtained	1974-1978		

6. **Membership of Professional Association:** EAPAN Member (Membership Number: 112)

7. **Languages:**

	<u>Speaking</u>	<u>Reading</u>	<u>Writing</u>
English	Good	Good	Good
Afrikaans	Good	Good	Good

8. **Employment Record:**

<u>From</u>	<u>To</u>	<u>Employer</u>	<u>Position(s) held</u>
2009	Present	Green Earth Environmental Consultants	Environmental Practitioner
2005	2008	Elmarie Du Toit Town Planning Consultants	Manager
2003	2005	Pupkewitz Megabuild	General Manager
1995	2003	Agra Cooperative Limited Namibia	Manager Trade
1989	1995	Development Corporation Ministry of Agriculture	Chief Agricultural Consultant
1985	1988	Agriculture	Researcher

Certification:

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience. I understand that any wilful misstatement described herein may lead to my disqualification or dismissal, if engaged.



Charl du Toit

APPENDIX F: CURRICULUM VITAE OF CARIEN VAN DER WALT

1. **Position:** Environmental Consultant
2. **Name/Surname:** Carien van der Walt
3. **Date of Birth:** 6 August 1990
4. **Nationality:** Namibian

5. **Education:**

Institution	Degree/Diploma	Years
University of Stellenbosch	B.A. (Degree) Environment and Development	2009 to 2011
University of South Africa	B.A. (Honours) Environmental Management	2012 to 2013

6. **Membership of Professional Associations:**

EAPAN Member (Membership Number: 113)

7. **Languages:**

Language	Speaking	Reading	Writing
English	Good	Good	Good
Afrikaans	Good	Good	Good

8. **Employment Record:**

From	To	Employer	Positions Held
07/2013	Present	Green Earth Environmental Consultants	Environmental Consultant
06/2012	03/2013	Enviro Management Consultants Namibia	Environmental Consultant
12/2011	05/2012	Green Earth Environmental Consultants	Environmental Consultant

9. **Detailed Tasks Assigned:**

Conducting the Environmental Impact Assessment, Environmental Management Plan, Public Participation, Environmental Compliance and Environmental Control Officer

Certification:

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience. I understand that any wilful misstatement described herein may lead to my disqualification or dismissal, if engage.

Carien van der Walt

APPENDIX G: ENVIRONMENTAL MANAGEMENT PLAN