

# ENVIRONMENTAL MANAGEMENT PLAN

## APP-001313

### SALE AND PERMANENT CLOSURE OF THE REMAINDER OF ERF 2009 WALVIS BAY EXTENSION 5 AS A RAILWAY RESERVE/STREET.

In terms of Section 33 and 34 of the Environmental Management Act of 2007, it is considered that a detailed assessment and Environmental Management Plan (EMP) is not required for the proposed activity due to the following reasons:

- A consultative process was followed in terms of Section 44 as follow:
  - The sale and permanent closure was advertised in terms of the Local Authorities Act of 1992, as amended (see page 16 of scoping report);
  - Consent/support/approval was received from three organs of state namely:
    - Municipality of Walvis Bay (the owner of the land);
    - TransNamib Holdings (the custodian of the railway lines);
    - Ministry of Urban and Rural Development (approval authority for sales);(See uploaded documentation or Annexures A to E of scoping report).
- No objections were received from I&APs and/or organs of state;
- Despite the size of land, no significant or adverse impacts are expected from the sale/closure of a railway reserve;
- The sale/permanent closure and the sharing the railway reserve with adjacent owners/I&APs are in accordance with the following principles of environmental management:
  - Community involvement in natural resources management and the sharing of benefits arising from the use of the resources must be promoted and facilitated (i.e. the unused railway reserve will be shared among adjacent owners);
  - The participation of all interested and affected parties must be promoted and decisions must take into account the interest, needs and values of interested and affected parties (i.e. the proposal was advertised and all needs of adjacent owners/I&APs taken into account resulting in the subsequent subdivision and sharing the railway reserve. All organs of state also consulted and approval/consents obtained).
  - Assessments must be undertaken for activities which may have significant effects on the environment or the use of natural resources (i.e. the sale and closure of the railway reserve is not expected to have any significant effects which warrant the need for an assessment).
  - Damage to the environment must be prevented and activities which cause such damage must be reduced, limited or controlled (i.e. the sale and permanent closure will not damage or harm the contextual environment with a high level of certainty. There is no evidence to suggest the contrary and so the activity does not need to be reduced, limited or controlled).
- The sale and permanent closure of a railway reserve/street is not a listed activity in terms of the Environmental Management Act of 2007<sup>1</sup>.

---

<sup>1</sup> List of activities that may not be undertaken without Environmental Clearance Certificate: Environmental Management Act, 2007 (No. 29 of Government Gazette No.4878 of 6 February 2012).



In conclusion, and taking the above into account, it is considered that the Environmental Commissioner can grant an ECC in terms of Section 34(1)(a) in terms of the Environmental Management Act of 2007 and Regulation 13 of the EIA Regulations.

Yours faithfully,



.....  
Johann Otto

Registered Town and Regional Planner in Training (NCTRP)



Tel: 064 280 773 | Email: [otto@sp.com.na](mailto:otto@sp.com.na)

