




***ENVIRONMENTAL IMPACT ASSESSMENT
FOR THE REZONING OF PORTION 63 OF
FARM KAPPS FARM NO. 65, WINDHOEK,
KHOMAS REGION FROM 'RURAL
RESIDENCE' TO 'BUSINESS'***

2023

App - 230420001323

Project Name:	ENVIRONMENTAL IMPACT ASSESSMENT FOR THE REZONING OF PORTION 63 OF FARM KAPPS FARM NO. 65, WINDHOEK, KHOMAS REGION FROM 'RURAL RESIDENCE' TO 'BUSINESS'
The Proponent:	M H Bronkhorst P O Box 81388 Olympia WINDHOEK
Prepared by:	<div data-bbox="555 792 1444 1025" style="border: 1px solid black; padding: 5px;">  <p style="margin: 0;">Green Earth ENVIRONMENTAL CONSULTANTS</p> </div> <p data-bbox="571 1055 1444 1128">1st floor Bridgeview Offices & Apartments, No. 4 Dr Kwame Nkrumah Avenue, Klein Windhoek, Namibia PO Box 6871, Ausspannplatz, Windhoek</p>
Release Date:	April 2023
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EXECUTIVE SUMMARY

Green Earth Environmental Consultants were appointed by, M H Bronkhorst (the Proponent), to conduct an Environmental Impact Assessment to obtain an Environmental Clearance for the proposed rezoning of Portion 63 (a Portion of Portion 48) of Farm Kapps Farm No. 65, Windhoek, Khomas Region from 'rural residence' to 'business'.

The land within the immediate vicinity of the project site is predominately characterized by business and residential activities. 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 residential use to industrial or commercial 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 construction and operation.
Impact on utilization of municipal and other infrastructure and facilities.	Positive due to the better utilization of existing 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.	The development of the site for business purposes will impact on the fauna and flora of the site.
There might be a possible visual impact.	Currently there is only a residential dwelling on the site. The addition of business buildings will have a visual impact.
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 construction and operations.

The negative impacts associated with the rezoning and subsequent construction of infrastructure are the impact on the vegetation, the natural drainage systems, noise and dust during construction and use, the danger of residents and visitors being injured during construction, the transmission of diseases from people or to people involved in construction and the loss of land during the alignment and construction of roads. 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 portions 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 for the proposed rezoning of Portion 63 (a Portion of Portion 48) of Farm Kapps Farm No. 65, Windhoek, Khomas Region from 'rural residence' to 'business' and for the following "listed activities":

LAND USE AND DEVELOPMENT ACTIVITIES

5.1 The rezoning of land from residential use to industrial or commercial 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

Green Earth Environmental Consultants were appointed by, M H Bronkhorst (the Proponent), to conduct an Environmental Impact Assessment to obtain an Environmental Clearance for the proposed rezoning of Portion 63 (a Portion of Portion 48) of Farm Kapps Farm No. 65, Windhoek, Khomas Region from 'rural residence' to 'business'.

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 Environmental Management Plan (EMP) is required as the following 'Listed Activities' are involved:

LAND USE AND DEVELOPMENT ACTIVITIES

5.1 The rezoning of land from residential use to industrial or commercial 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 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.
- To comply with Namibia's Environmental Management Act (2007) and its Regulations (2012).

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 have 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.

Interested and affected parties were invited to register in terms of the assessment process to give input, comments and opinions regarding the proposed project. The closing date for any questions, comments, inputs or information was 31 March 2023.

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 'business' zoned land in the Kapps Farm area. It is located next to the road to the Hosea Kutako International Airport, Gobabis and Botswana. The Portion is also in proximity of the Finkenstein and Herbotsblick Residential Developments. The utilisation of the road and development of the residential areas attracts people who need employment and amenities which can be supported by business developments closer to them.

The site is also desirable as it is already surrounded with other business zoned land from which businesses are operating. It has good access due to its proximity to the Main Road. The rezoning of Portion 63 has also been approved by City of Windhoek confirming their support for business developments in this area.

Determining what the impact of the operations would be is 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. LOCALITY, SIZE AND ZONING OF THE PORTION

Portion 63 of Farm Kapps Farm No. 65 is located approximately 18km to the east of Windhoek just north of the Police Control Point at Kapps Farm. Main Road M53 which link up with the Trunk Road B6 Windhoek – Gobabis, forms the eastern boundary of Portion 63. The locality of the Portion is shown on the plan below:

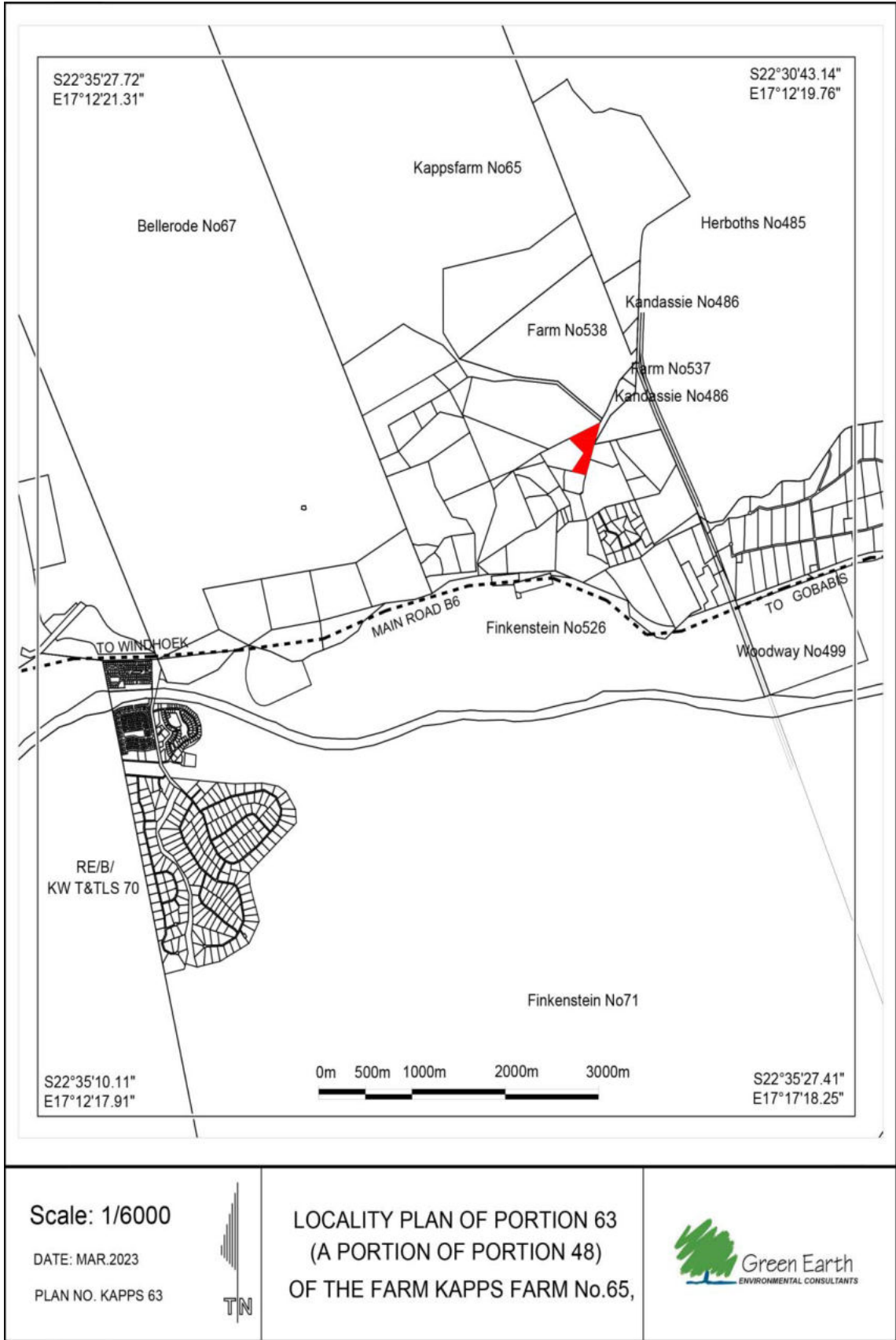


Figure 1: Locality of Project Site (1)

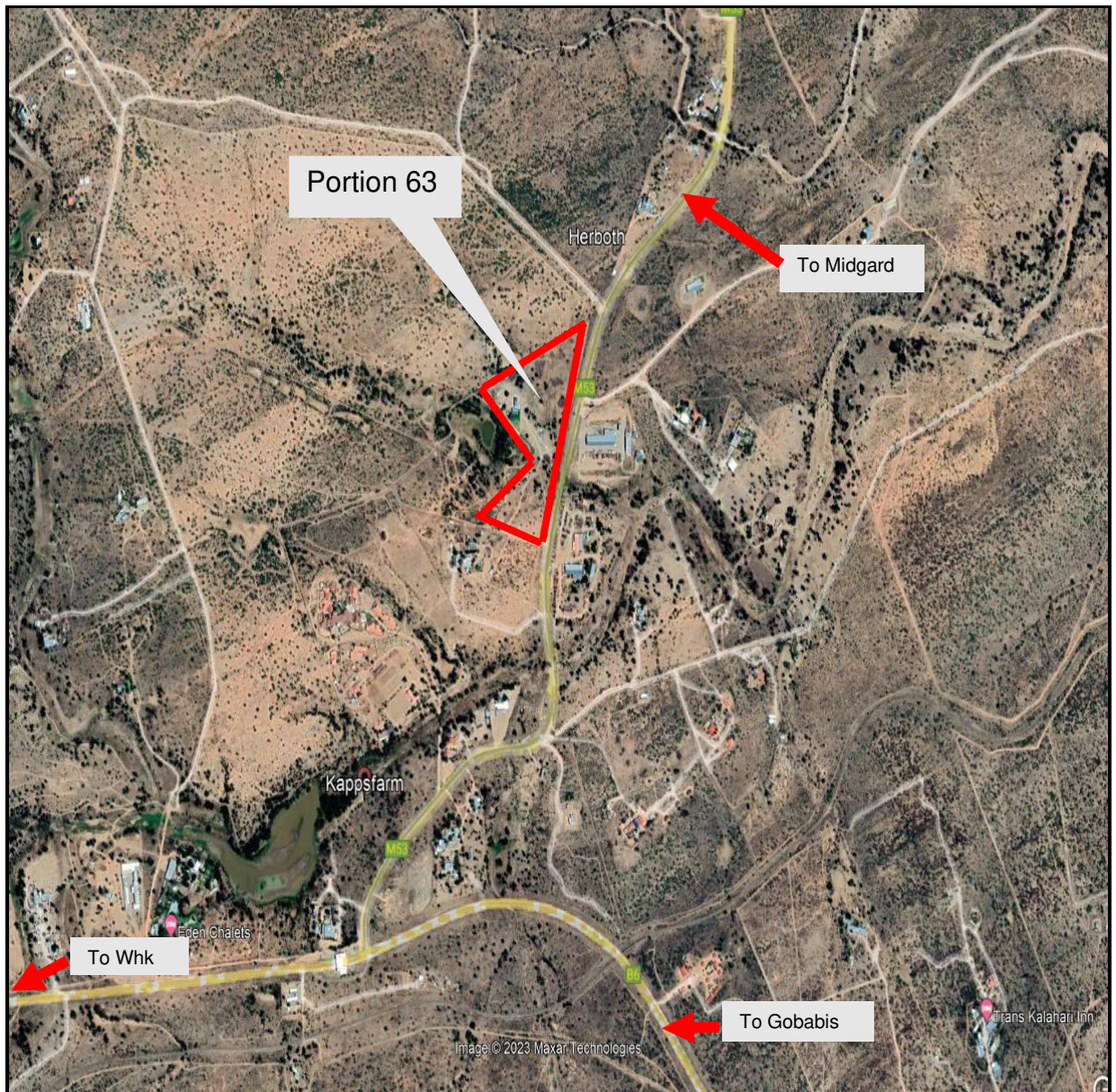


Figure 2: Locality of Project Site (2)

Portion 63 is 6.8473ha in extent. The Portion is zoned 'rural residence' as per the stipulations of the Kapps Farm Town Planning Scheme. There is currently a residential dwelling with a few outbuildings on the site. As these buildings are only located on a small portion of the site, a large portion is vacant and underutilised. The *Photo* below shows the current utilization of the site and the locality of the existing buildings:



Figure 3: Locality of buildings on site

The site is generally sloping in an easterly direction towards Road M53. There is a dam located to the west of the site which has an overflow which drains in an easterly direction over the site. See *Map* below showing the contours of the site:

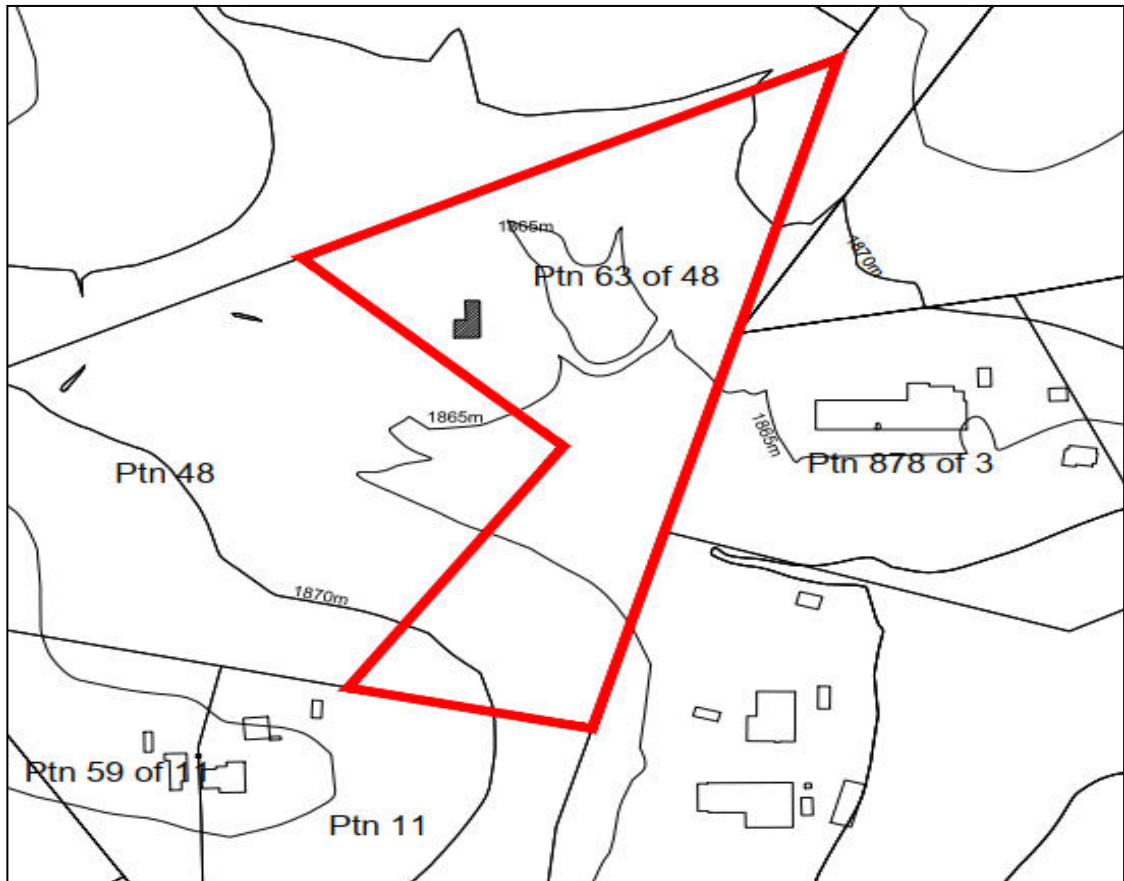


Figure 4: The topography of the site

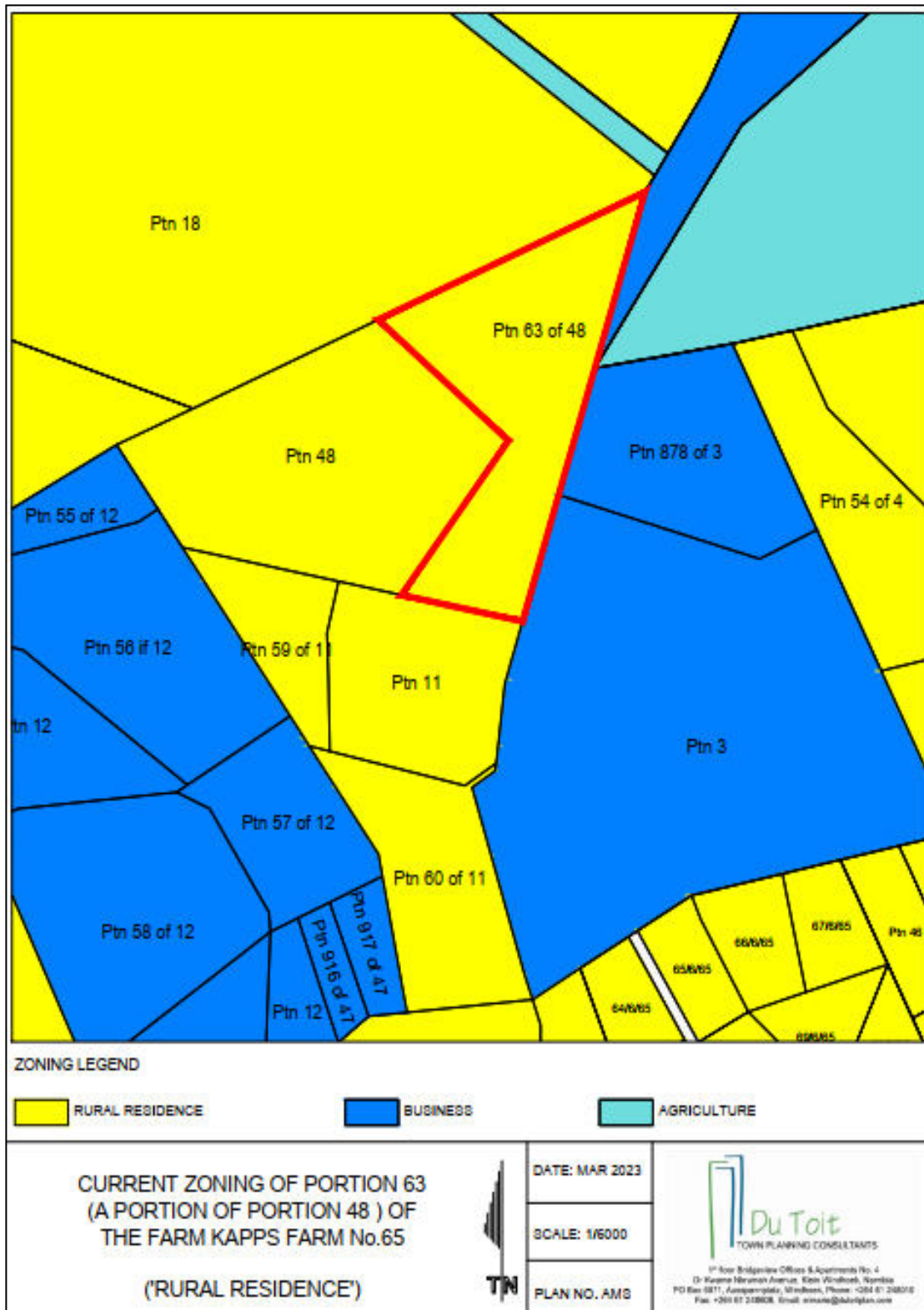


Figure 5: Zoning Map showing the current zoning as 'rural residence'

4.2. PROPOSED PROJECT

It is the intension of the Proponent to use the site for business purposes. Stubenrauch Planning Consultants (SPC) was appointed by the Proponent to attend to the town planning procedures to rezone Portion 63. The approval for the rezoning of Portion 63 for business purposes was given by Windhoek City Council in March 2022 but the formal rezoning process was not completed. Windhoek City Council in Council Resolution 85/03/2020 recommended that the portion be rezoned to 'business' to accommodate business opportunities. The Environmental Impact Assessment and obtaining the Environmental Clearance is therefore required to finalise the rezoning of the Portion to allow it to be used for commercial purposes. See *Map* below showing the future zoning of Portion 63:

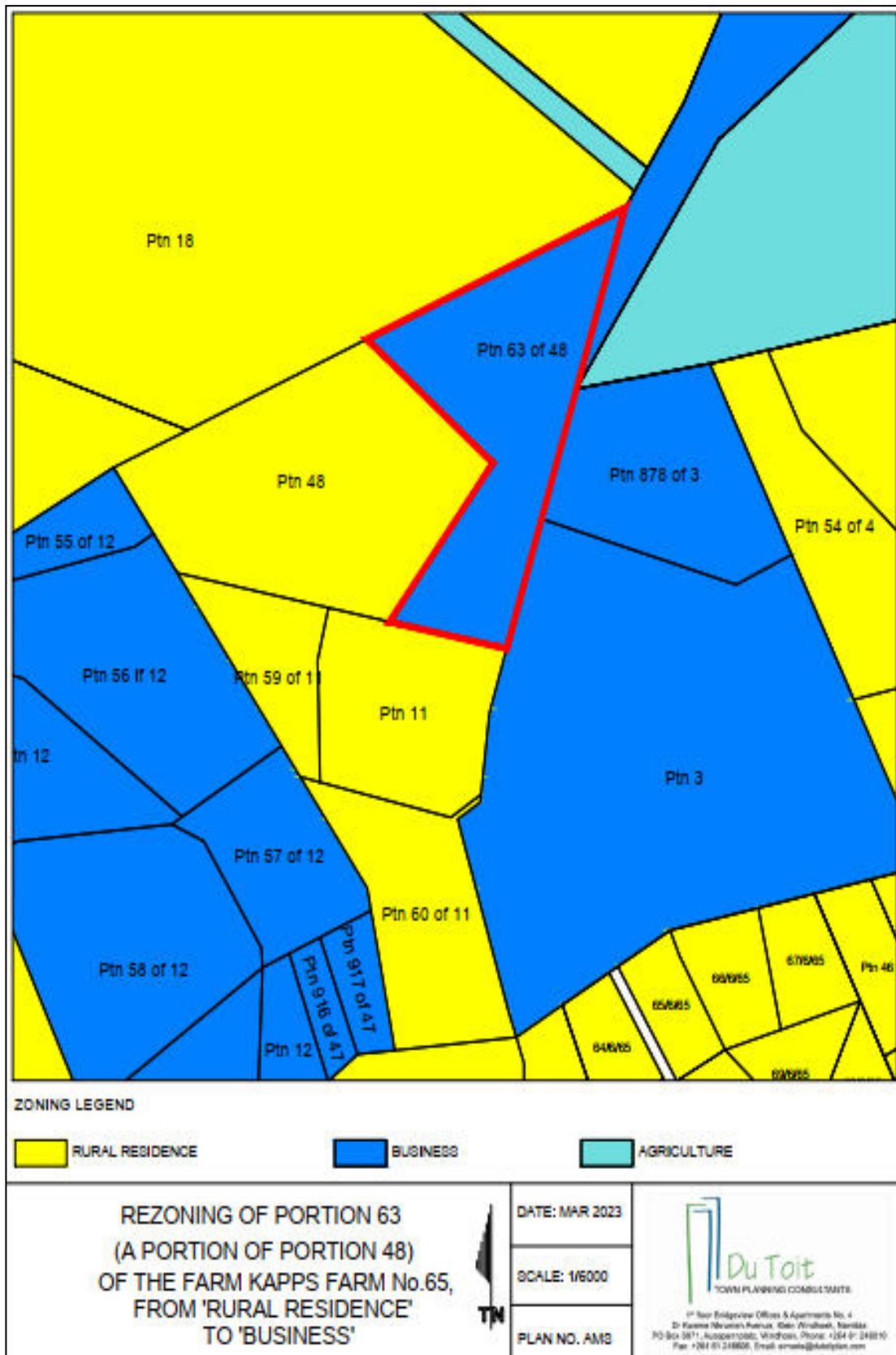


Figure 6: Future Zoning of Portion 63 namely 'business'


5. APPROVALS OBTAINED

5.1. CITY OF WINDHOEK – RECOMMENDATIONS

Windhoek City Council under Council Resolution 85/03/2020 approved that Portion 63 of Farm Kapps Farm No. 65, Windhoek be rezoned from 'rural residence' to 'business'. See copy of Council Resolution 85/03/2020 below:

Department of Urban & Transport Planning

✉ 59
80 Independence Avenue
WINDHOEK, NAMIBIA



Tel: (+264) 61 290 2073 • Fax: (+264) 61 290 2060 • www.cityofwindhoek.org.na

Enq: Mrs S Buchler Tel: 290 2332	Ref: L/63_65 /KAAPS Date: 18 January 2020
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Stubenrauch Planning Consultants
P.O. Box 41404
Windhoek

Dear Sir,

REZONING OF PORTION 63 (A PORTION OF PORTION 48) OF THE FARM KAPPS FARM NO.65, FROM "RURAL RESIDENCE" TO "BUSINESS"

In accordance with Council Resolution 85/03/2020 the application is approved as follows subject to the technical requirements and conditions :

1. That Portion 63 (Portion of Portion 48) of the Farm Kapps No.65, be rezoned from Rural Residence to Business
2. That the consultant submits the approved Environmental Clearance Certificate to the Manager: Health & Environmental, before submission into an Amendment Scheme.
3. That a maximum floor space of 1000m² as per Clause 4.4.2 Land Use Restriction of the Kapps Farm Town Planning Scheme is used.
4. That the applicant to advise potential business owners on the nature of businesses allowable in terms of the Kapps Farm Town Planning Scheme.
5. That future business activities that are to take place on Portion 63 and are listed in the Environmental Management Act must obtain Environmental Clearance Certificates before commencement.
6. That all persons who intend to conduct any business from the rezoned portion apply for a Fitness Certificate to be issued by the Health & Environmental Services Division.
7. That the owner agrees in writing to pay betterment fees of N\$ 438,400.00 being 40% of the increase in value of Portion 63 (Portion of Portion 48) of the Farm Kapps Farm no.65, subject to the approval of the Minister of Urban and Rural Development, prior to the incorporation of the rezoning in an amendment scheme.

All official correspondence must be addressed to the Chief Executive Officer

8. That the applicant requests an invoice from the Strategic Executive: Finance
9. That once a betterment fee has been approved by the Minister of Urban and Rural Development, this amount be taken from the account and any excess be repaid to the applicant and owner.
10. That the owner takes note that the rezoning of Portion 63 (a Portion of Portion 48) of the Farm Kapps Farm no.65 would only be included into an Amendment Scheme once the betterment fees are fully paid and once an Environmental Clearance has been issued by the Minister of Environment and Tourism.
11. That at least one (1) parking bay be provided per 50 m² of floor space.
12. That no buildings will be allowed 100m from the centre line of the road and at least 15m from the boundary.
13. That the applicant submits a detailed layout with contours of Portion 63 of the Farm Kapps Farm No. 65, including any registered or proposed "right-of way servitudes, with boundaries and neighboring portions clearly indicated.
14. That the applicant appoints a registered professional Engineer to compile a detailed 50 year flood report of the stormwater courses, including the earth dams, to the owner's cost and risk.
15. That the applicant applies the conditions as stipulated in the detailed 50 year flood report.
16. That the applicant accepts the outcome of the detailed 50 year flood report, and if allowed by the flood report, appoints a registered professional engineer to submit detailed engineering plans as to how the portion is to be protected against any potential flood damage.
17. That no adjacent or opposite properties be negatively affected by the proposed development along the earth dams and stormwater courses.
18. That no development be allowed within the 50 year flood level of the earth dams and stormwater courses.
19. That no development be considered onto or over any stormwater system or structure.
20. That any stormwater crossing be accommodative of at least the 50 year flood.
21. That surface stormwater runoff be accommodated as follows:

That no stormwater drainage pipe, canal, work or obstruction (except storm water drain pipes, canal or works which have been authorized in writing by the local authority or which have been or may be built, laid or erected in terms of any law) may be constructed on or over the property or located in such a way that –

- (a) the flow of stormwater from higher lying property to lower lying property is impeded or obstructed and through which any property is or may be endangered; or
- (b) the flow of a natural watercourse (in which the local authority allows flood water to run off, be discharged or to be canalised) is or can be changed, canalised or impeded.
- (c) the maintenance of such stormwater pipe, channel or work shall be the responsibility of the owner of the concerned property.

22. That prior approval must be obtained from the Chief Engineer: Planning, Design & Traffic Flow if the accommodation of the stormwater is contemplated.

23. That Engineering drawings on how the stormwater would be accommodated to the satisfaction of the Chief Engineer, Planning, Design & Traffic Flow be submitted for approval simultaneously with the building plans.

24. That all existing stormwater pipes, outlets and inlets or any other stormwater system be clearly indicated on all building plans submitted prior to the approval thereof.

25. That no building plan will be approved until the above stormwater conditions are met.

26. That a condition be included into the title deed whereby selling to a third party may only take place once the proposed stormwater conditions had been addressed by the owner.

27. That access and "right-of-way" servitudes be according to the conditions as stipulated by the Chief Engineer: Planning, Design and Traffic Flow, and be clearly indicated on the layout plan.

28. That roads and stormwater be planned, designed and constructed to municipal standard.

29. That information be provided by the applicant that the earth dams are approved either by the Ministry of Agriculture, Water and Forestry and/or Water Affairs.

30. That the City of Windhoek does not have any network infrastructure in the area at this stage and provision of electricity in the area should be done by NamPower and the services should be applied for from NamPower.
31. That the the registering of servitudes for its High and Medium Voltage Overhead Lines over private land be done by NamPower.
32. That the design of the MV and LV reticulation must adhere to all Namibian Standards, in particular, NamPower -, City of Windhoek – and ECB distribution and township development standards.
33. That the applicant and/or consulting engineers are advised to approach Nampower well in advance; before any layout and building plans are approved to allow them ample time to determine whether the existing network will be able to handle any additional loading as a result of the new development.
34. That the Township Development guidelines regarding the MV & LV Reticulation Networks can be requested in writing from the Electricity Department of the City of Windhoek.
35. That any future business activities that are to take place on Portion 63 and are listed in the Environmental Management Act must obtain Environmental Clearance Certificates before commencement.
36. That the potential business owners understand the nature of businesses allowable in terms of the Kapps Farm Town Planning Scheme.
37. That all persons who intend to conduct business from the rezoned portion to apply for a Fitness Certificate to be issued by the Health & Environmental Services Division.
38. That it be noted that no existing municipal bulk Water or Sewer Services are available for portion 63 of Farm Kapps Farm no 65.
39. That the applicant be responsible to provide on-site water storage to cater for at least 48 hours of the Daily Demand. The City of Windhoek will not be held responsible for the provision of water if the groundwater supply deteriorates.
40. That the applicant appoints a Registered Professional Engineer to design the water-supply reticulation and sewer reticulation to the applicable municipal standards, subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services, before construction commences.
41. That the applicant appoints a Registered Professional Engineer to propose an acceptable waste water conveyance and treatment system subject to the condition that no pollution

of the ground water occurs and further provided that there will be no health risk to the users and surrounding residents. Final effluent shall at all times comply with the applicable legislation.

42. That it be noted that the establishment of a wastewater treatment facility is subject to the issuing of a waste water discharge permit by the City of Windhoek and the applicant will have to observe all conditions applicable to the application for such a permit. Final effluent from a treatment facility shall comply with the Special Discharge Standards as prescribed by the Directorate of Water Affairs.
43. That the Sewer system and proposed treatment of waste water be submitted for approval to the Strategic Executive; Infrastructure, Water and Technical Services, before construction commences.
44. That only full waterborne waste systems should be utilized and all Windhoek service standards should apply. No oxidation or other open pond system or holding system shall be allowed.
45. That the operation and maintenance of all water and sewer infrastructure shall be the responsibility of the applicant.
46. That the applicant bears the full costs of all water and sewer infrastructure, including the professional fees for planning, design and supervision, as well as the construction costs.
47. That the applicant accepts and acknowledge receipt of this Council Resolution letter in writing



ACTING: SECTION PLANNER

6. BULK SERVICES AND INFRASTRUCTURE

The following bulk services are already present on the site:

6.1.ACCESS REQUIREMENTS

The portion obtains access from Main Road M53 which forms the eastern boundary of the site. See *Plan* below showing the current access to the site:



Figure 7: Access to the site

This access will remain to be used as access to the site.

6.2.WATER SUPPLY

There is a borehole on the site from where the current residence is supplied with water. For future development, the Proponent will apply to obtain water from the NamWater network in the area which is supplied from Seeis.

6.3.ELECTRICITY

The current infrastructure obtains electricity from an onsite solar system.

6.4.SEWAGE DISPOSAL

Only household sewer is generated on site from current residential activities. City of Windhoek in Council Resolution 85/03/2020 approving the rezoning of the Portion listed the conditions on sewer requirements as follows:

38. That it be noted that no existing municipal bulk Water or Sewer Services are available for portion 63 of Farm Kapps Farm no 65.
39. That the applicant be responsible to provide on-site water storage to cater for at least 48 hours of the Daily Demand. The City of Windhoek will not be held responsible for the provision of water if the groundwater supply deteriorates.
40. That the applicant appoints a Registered Professional Engineer to design the water-supply reticulation and sewer reticulation to the applicable municipal standards, subject to approval by the Strategic Executive: Infrastructure, Water and Technical Services, before construction commences.
41. That the applicant appoints a Registered Professional Engineer to propose an acceptable waste water conveyance and treatment system subject to the condition that no pollution of the ground water occurs and further provided that there will be no health risk to the users and surrounding residents. Final effluent shall at all times comply with the applicable legislation.
42. That it be noted that the establishment of a wastewater treatment facility is subject to the issuing of a waste water discharge permit by the City of Windhoek and the applicant will have to observe all conditions applicable to the application for such a permit. Final effluent from a treatment facility shall comply with the Special Discharge Standards as prescribed by the Directorate of Water Affairs.
43. That the Sewer system and proposed treatment of waste water be submitted for approval to the Strategic Executive; Infrastructure, Water and Technical Services, before construction commences.
44. That only full waterborne waste systems should be utilized and all Windhoek service standards should apply. No oxidation or other open pond system or holding system shall be allowed.
45. That the operation and maintenance of all water and sewer infrastructure shall be the responsibility of the applicant.
46. That the applicant bears the full costs of all water and sewer infrastructure, including the professional fees for planning, design and supervision, as well as the construction costs.

The Proponent will comply with City of Windhoek's requirements once the rezoning is approved and plans are submitted for the construction of infrastructure.

6.5.SOLID WASTE

City of Windhoek is currently not rendering any solid waste collection in the Kapps Farm Area. Waste generated on site will be separated into recyclable and non-recyclable material and stored on site in an enclosed area to be collected by an approved waste collector and recycler for further treatment.

6.6.FIRE PROTECTION

Once the rezoning is approved and plans are submitted for construction, the necessary fire protection infrastructure / extinguishers as per City of Windhoek's requirements will be installed. 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. City of Windhoek in Council Resolution 85/03/2020 approving the rezoning of the Portion listed the following conditions on stormwater management:

14. That the applicant appoints a registered professional Engineer to compile a detailed 50 year flood report of the stormwater courses, including the earth dams, to the owner's cost and risk.
15. That the applicant applies the conditions as stipulated in the detailed 50 year flood report.
16. That the applicant accepts the outcome of the detailed 50 year flood report, and if allowed by the flood report, appoints a registered professional engineer to submit detailed engineering plans as to how the portion is to be protected against any potential flood damage.
17. That no adjacent or opposite properties be negatively affected by the proposed development along the earth dams and stormwater courses.
18. That no development be allowed within the 50 year flood level of the earth dams and stormwater courses.
19. That no development be considered onto or over any stormwater system or structure.
20. That any stormwater crossing be accommodative of at least the 50 year flood.
21. That surface stormwater runoff be accommodated as follows:

That no stormwater drainage pipe, canal, work or obstruction (except storm water drain pipes, canal or works which have been authorized in writing by the local authority or which have been or may be built, laid or erected in terms of any law) may be constructed on or over the property or located in such a way that –

- (a) the flow of stormwater from higher lying property to lower lying property is impeded or obstructed and through which any property is or may be endangered; or
- (b) the flow of a natural watercourse (in which the local authority allows flood water to run off, be discharged or to be canalised) is or can be changed, canalised or impeded.
- (c) the maintenance of such stormwater pipe, channel or work shall be the responsibility of the owner of the concerned property.

22. That prior approval must be obtained from the Chief Engineer: Planning, Design & Traffic Flow if the accommodation of the stormwater is contemplated.

23. That Engineering drawings on how the stormwater would be accommodated to the satisfaction of the Chief Engineer, Planning, Design & Traffic Flow be submitted for approval simultaneously with the building plans.

24. That all existing stormwater pipes, outlets and inlets or any other stormwater system be clearly indicated on all building plans submitted prior to the approval thereof.

25. That no building plan will be approved until the above stormwater conditions are met.

The Proponent must adhere to City of Windhoek's conditions listed above in order to get building plans approved.

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 (9 and 16 March 2023) inviting public participation and comments

on the proposed project. The closing date for any questions, comments, inputs or information was 31 March 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 (M H Bronkhorst), Stubenrauch Planning Consultants and the City of Windhoek is accurate. No alternative erven / portions 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 Kapps Farm Town Planning Scheme and Windhoek 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, M H Bronkhorst (the Proponent) should consider the following in devising an action plan in response to these articles:

- Implement a “zero-harm” policy 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 residential use to industrial or commercial 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 states 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

Most of the neighbouring sites are used for commercial purposes. Some of these surrounding portions 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 KAPPS FARM TOWN PLANNING SCHEME AND COUNCIL'S POLICIES

The Kapps Farm Town Planning Scheme (promulgated 15 February 2007) 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 Kapps Farm and 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 'rural residence'. To be able to use Portion 63 for business purposes it must be rezoned to 'business'.

In terms of the Town Planning Scheme's provisions as well as other supporting policies, the City of Windhoek supports the proposed uses on Portion 63 and its rezoning. Council has various Policies guiding the development which was consulted in the assessment process.

CONCLUSION AND IMPACT

The proposed rezoning of Portion 63 has been considered under the stipulations of the Kapps Farm Town Planning Scheme and the Local Authorities Act. The proposed rezoning is in line with the Kapps Farm Town Planning Scheme and will not have a negative impact on the surrounding environment. Finalising the rezoning of the portion 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,	The Proponent must adhere to the Pollution Control and Waste Management Bill.

	<p>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 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</p>	<p>The Proponent must abide to the Ordinance's provisions.</p>

	the death of human beings.	
Atmospheric Pollution Prevention Ordinance of Namibia (No. 11 of 1976)	Part 2 of the Ordinance governs the control of noxious or offensive gases. The Ordinance prohibits anyone from carrying on a 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.	The proponent should adhere to the stipulations of the Atmospheric Pollution Prevention Ordinance.
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	The Traditional Authorities Act	Traditional Authorities should

Authorities Act (No. 17 of 1995)	(No. 17 of 1995) provide for the establishment of traditional authorities, the designation and recognition of traditional leaders; to define their functions, duties and powers; and to provide for matters incidental thereto.	be consulted when required.
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	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.

	object; except under the authority of and in accordance with a permit issued under this section.	
Public Health Act (No. 36 of 1919)	Under this act, in section 119: “No person shall cause a nuisance or 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 proponent will ensure that all legal requirements of 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;	The proposed project is an important element in employment creation.

	increased income equality; and employment creation.	
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CONCLUSION AND IMPACT

It is believed the above administrative, legal and policy requirements which specifically guide and govern 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.

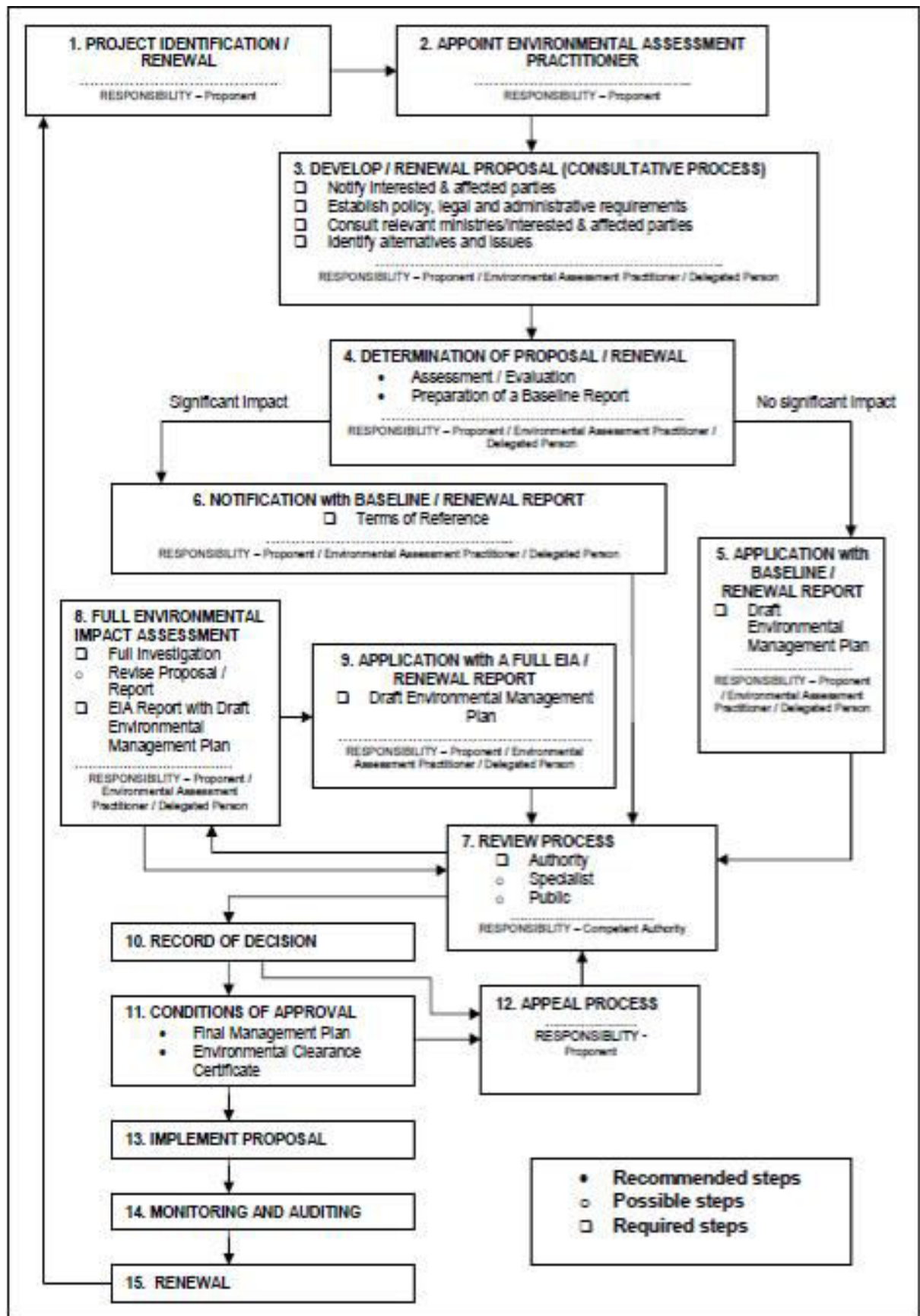


Figure 8: Flowchart of the Impact Process

10. AFFECTED RECEIVING ENVIRONMENT

10.1. BIODIVERSITY AND VEGETATION

Portion 63, Kapps Farm forms part of the Tree and Shrub Savannah Biome (specifically the Highland Savannah). The project site has been partially cleared of vegetation for the construction of infrastructure and shows signs of human interference.

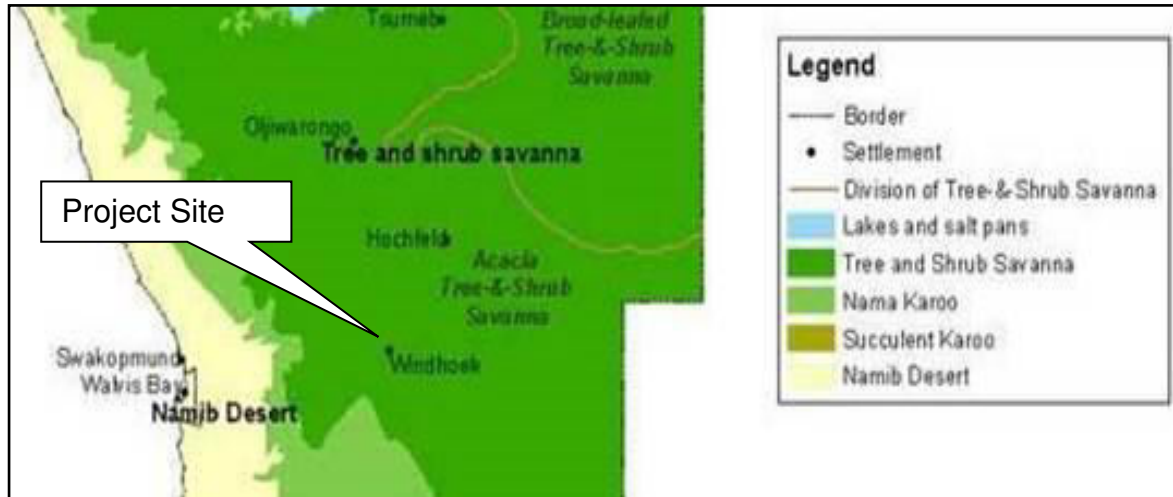


Figure 9: Biomes in Namibia (Atlas of Namibia, 2002)

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

Portion 63, Kapps Farm is located in the Khomas Trough on a geological area classified as Damara Supergroup and Gariep Complex. See *Map* below:

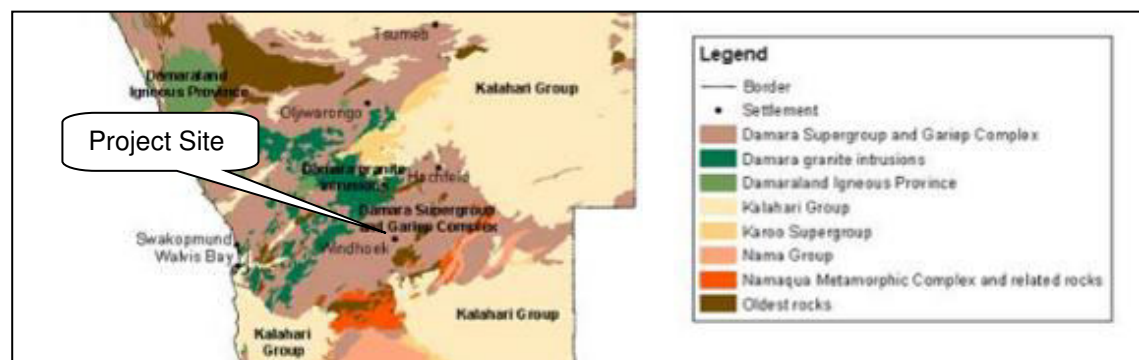


Figure 10: Geology of Namibia (Atlas of Namibia Project, 2002)

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*).

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. Unnecessary clearing of soil might lead to erosion (*Grunert, 2003*).

10.3. SOCIO ECONOMIC ENVIRONMENT

Portion 63 is in the Kapps Farm Area which are a sought-after area for business use due to its enroute locality to the Hosea Kutako International Airport as well as the road linking Namibia with Botswana and the RSA. It has good access to the main road network of Namibia and is close to the supporting infrastructure of City of Windhoek. 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 Portion 63, Kapps Farm 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.

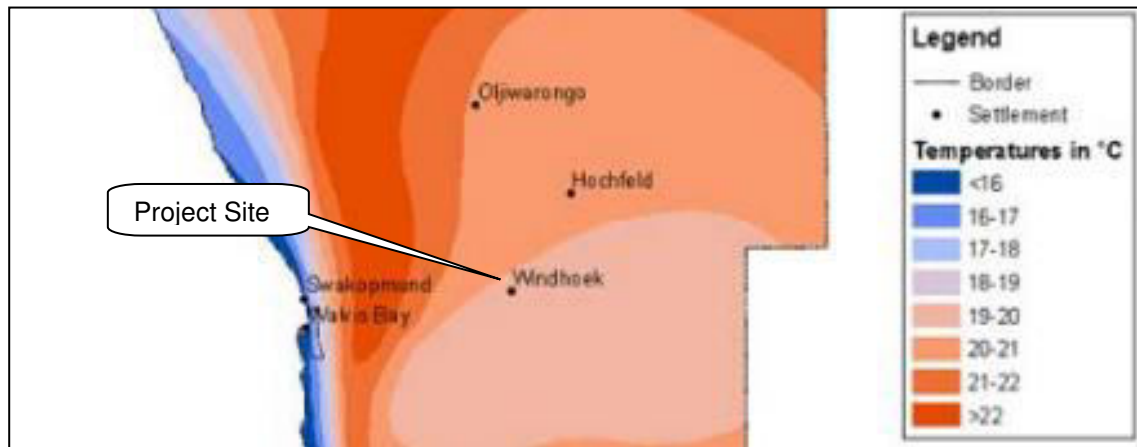


Figure 11: Average annual temperatures in Namibia (Atlas of Namibia, 2002)

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 / residential 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 Portion 63, Kapps Farm. 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 CONSTRUCTION ACTIVITY

Some of the impacts that the project has on the environment includes water will be used for the construction and operation activities, electricity will be used, a sewer system will be constructed and wastewater will be produced on the site that will have to be handled.

11.1.1. WATER USAGE

Water is a scarce resource in Namibia and therefore water usage should be monitored and limited in order to prevent unnecessary wastage. The proposed project might make use of water in its construction phase and operations.

Impact Evaluation

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

11.1.2. ECOLOGICAL IMPACTS

The proposed infrastructure will be constructed in a semi disturbed natural area which is partly covered with vegetation. Special care should be taken to limit the destruction or damage of the vegetation. However, impacts on fauna and flora are expected to be minimal. Disturbance of areas outside the designated working zone is not allowed.

Impact Evaluation

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

11.1.3. DUST POLLUTION AND AIR QUALITY

Dust generated during the transportation of building materials; construction and installation of bulk services, and problems thereof are expected to be low and site specific. Dust is expected to be worse during the winter months when strong winds occur. Release of various particulates from the site during the construction phase and exhaust fumes from vehicles and machinery related to the construction of bulk services are also expected to take place. Dust is regarded as a nuisance as it reduces visibility, affects the human health and retards plant growth. It is recommended that regular dust suppression be included in the construction activities, when dust becomes an issue.

Impact evaluation

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

11.1.4. NOISE IMPACT

An increase of ambient noise levels at the proposed site is expected due to the construction activities. Noise pollution due to heavy-duty equipment and machinery might be generated. It is not expected that the noise generated during construction will impact any third parties due to the distance of the neighbouring activities. Ensure all mufflers on vehicles are in full operational order; and any audio equipment should not be played at levels considered intrusive by others. The construction staff should be equipped with ear protection equipment.

Impact evaluation

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

11.1.5. HEALTH, SAFETY AND SECURITY

The safety, security and health of the labour force, employees and general public 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). A health and safety officer should be employed to manage, coordinate and monitor risk and hazard and report all health and safety related issues in the workplace.

Safety issues could arise from the earthmoving equipment and tools that will be used on site during the construction phase. This increases the possibility of injuries and the contractor must ensure that all staff members are made aware of the potential risks of injuries on site. The presence of equipment lying around on site may also encourage criminal activities (theft).

Sensitize operators of earthmoving equipment and tools to switch off engines of vehicles or machinery not being used. The contractor is advised to ensure that the team is equipped with first aid kits and that these are available on site, at all times. Workers should be equipped with adequate personal protective gear and properly trained in first aid and safety awareness.

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. Proper barricading and/or fencing around the site especially trenches for pipes and drains should be erected to avoid entrance of animals and/or unauthorized persons. Safety regulatory signs should be placed at strategic locations to ensure awareness. Adequate lighting within and around the construction locations should be erected, when visibility becomes an issue.

Impact evaluation

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

11.1.6. CONTAMINATION OF GROUNDWATER

Care must be taken to avoid contamination of soil and groundwater. Use drip trays when doing maintenance on machinery. Maintenance should be done on dedicated areas with linings or concrete flooring. The risk can be lowered further through proper training of staff. All spills must be cleaned up immediately. Excavations should be backfilled and sealed with appropriate material, if it is not to be used further.

Impact Evaluation

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

11.1.7. SEDIMENTATION AND EROSION

The area is covered by vegetation. The vegetation is stabilizing the area against wind and water erosion. Vegetation clearance and creation of impermeable surfaces could result in erosion in areas across the proposed area. The clearance of vegetation will further reduce the capacity of the land surface to slow down the flow of surface water, thus decreasing infiltration, and increasing both the quantity and velocity of surface water runoff. The proposed construction activities will increase the number of impermeable surfaces and therefore decrease the amount of groundwater infiltration. As a result, the amount of storm water during rainfall events could increase. If proper storm water management measures are not implemented this will impact negatively on the water courses close to the site.

Impact Evaluation

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

11.1.8. GENERATION OF WASTE

This can be in a form of rubble, cement bags, pipe and electrical wire cuttings. The waste should be gathered and stored in enclosed containers to prevent it from being blown away by the wind. Contaminated soil due to oil leakages, lubricants and grease from the construction equipment and machinery may also be generated during the construction phase.

The oil leakages, lubricants and grease must be addressed. Contaminated soil must be removed and disposed of at a hazardous waste landfill. The contractor must provide containers on-site, to store any hazardous waste produced. Regular inspection and housekeeping procedure monitoring should be maintained by the contractor.

Impact Evaluation

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

11.1.9. CONTAMINATION OF SURFACE WATER

Contamination of surface water might occur through oil leakages, lubricants and grease from the equipment and machinery during the installation, construction and maintenance of bulk services at the site. Oil spills may form a film on water surfaces in the nearby streams causing physical damage to water-borne organisms.

Machinery should not be serviced at the construction site to avoid spills. All spills should be cleaned up as soon as possible. Hydrocarbon contaminated clothing or equipment should not be washed within 25m of any surface water body.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Surface water	-	2	2	4	3	M	L

11.1.10. TRAFFIC AND ROAD SAFETY

All drivers of delivery vehicles and construction machinery should have the necessary driver's licenses and documents to operate these machines. Speed limit warning signs must be erected to minimise accidents. Heavy-duty vehicles and machinery must be tagged with reflective signs or tapes to maximize visibility and avoid accidents.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Traffic	-	2	2	4	3	M	L

11.1.11.FIRES AND EXPLOSIONS

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	2	4	2	M	L

11.1.12.SENSE OF PLACE

The placement, design and construction of the proposed project should be as such as to have the least possible impact on the natural environment. The proposed activities will not have a large/negative impact on the sense of place in the area since it will be constructed in a manner that will not affect the neighbouring farms / portions and it will not be visually unpleasing.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Nuisance Pollution	-	1	1	2	2	L	L

11.2. IMPACTS DURING THE OPERATIONAL PHASE

11.2.1.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

11.2.2.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 or 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

11.2.3.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

11.2.4.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

11.2.5.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

11.2.6.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

11.2.7.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

11.3. 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 Portion 63 (a Portion of Portion 48) of Farm Kapps Farm No. 65, 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 for the proposed rezoning of Portion 63 (a Portion of Portion 48) of Farm Kapps Farm No. 65, Windhoek, Khomas Region from 'rural residence' to 'business' and to issue an Environmental Clearance for the following 'Listed Activities':

LAND USE AND DEVELOPMENT ACTIVITIES

5.1 The rezoning of land from residential use to industrial or commercial use;

LIST OF REFERENCES

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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 63 OF FARM KAPPFARM NO.65, WINDHOEK

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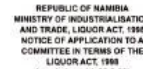
CALL FOR PUBLIC PARTICIPATION/COMMENTS ENVIRONMENTAL IMPACT ASSESSMENT AND ENVIRONMENTAL MANAGEMENT PLAN TO OBTAIN AN ENVIRONMENTAL CLEARANCE FOR THE CONSTRUCTION AND OPERATION OF A 5MW PHOTOVOLTAIC PLANT, STORAGE FACILITIES AND UNDERGROUND POWERLINES ON PORTION 237 OF FARM FINKENSTEIN NO. 526, WINDHOEK

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AN EQUAL OPPORTUNITY EMPLOYER We invite suitably qualified candidates to apply for the position of DECK BOSUN

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REPUBLIC OF NAMIBIA MINISTRY OF INDUSTRIALISATION AND TRADE, LIQUOR ACT, 1998 NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF THE LIQUOR ACT, 1998

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of at least one officer or secretary or a person, by whatever name called, running its affairs, and (ii) in the case of a trust which is duly authorised to litigate, the particulars referred to in paragraph (a) of all trustees and a reference number given by the master to the trust deed registered with the master. 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 to 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 meet with the plaintiff 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 MARCH 2023. MM LEGAL PRACTITIONERS. Plaintiff's Legal Practitioners 2nd Floor, Swamed Building John Meinart Street Windhoek Namibia. To: Registrar of the High Court Main Division Windhoek Namibia

RULE 13(1) SUBSTITUTED SERVICE IN THE HIGH COURT OF NAMIBIA (Main Division) Case Number: HC-MD-CIV-ACT-2022/04029 in the matter between: EMILIA VAENDELWA SHIDEMEN PLAINTIFF And GABRIEL PAULUS DEFENDANT. To: Gabriel Paulus A major male person, who is unemployed, formerly residing at Erf. 53, Ohayanyanya, Windhoek, 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 ten (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) in an action wherein: Emilia Vandelwa Shidemen claims: 1. An order for the restitution of conjugal rights and failing compliance therewith; (ii) a final order of divorce; 2. An order that the custody and control of the minor child be awarded to the Plaintiff, subject to the Defendant's right of reasonable access; 3. An order for the equal division of the joint estate. 4. Costs of suit (in the event that the claim is defended). TAKE FURTHER NOTICE that in the event of you defending the action, you are to deliver a notice of intention to defend which must then give your full residential or business address, and must also appoint an address, not being a post office box or postal address, for service on you of all documents in this action within a flexible radius from the office of the registrar or if you elect to be served by electronic means indicate your electronic address and in that case service thereof at the address so given is valid and effectual, except where by any order or practice of the court personal service is required. TAKE FURTHER NOTICE that if you fail to give such notice the judgment may be granted against you.

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without further reference to you. TAKE FURTHER NOTICE that simultaneously with the delivery of the notice of intention to defend, the defendant must deliver the return in terms of rule 6(4), which contains the following information about the defendant: "(a) in the case of a natural person, his or her full name, identity number where available and if a Namibian citizen or any other person ordinarily resident in Namibia, his or her physical address and where available, his or her telephone or cellular phone number or both, workplace telephone number, facsimile number and personal or workplace email address or both; (b) in the case of a close corporation, its name and registration number, postal address and registered office referred to in section 23 of the Close Corporations Act 1988 (Act No. 26 of 1988) and the particulars referred to in paragraph (a) of at least one director and the secretary referred to in section 23(3) of that Act including all particulars referred to in section 23(3) of that Act and in case of the officer or secretary of any other body corporate the particulars referred to in paragraph (b) of section 23(1) of that Act; (b) in the case of any other juristic person, the particulars referred to in paragraph (a) of at least one officer or secretary or a person, by whatever name called, running its affairs; and (ii) in the case of a trust which is duly authorised to litigate, the particulars referred to in paragraph (a) of all trustees and a reference number given by the master to the trust deed registered with the master." 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 to 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 meet with the plaintiff 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, and you as defendant must comply with such order. DATED AT WINDHOEK on this day of MARCH 2023. MM LEGAL PRACTITIONERS. Plaintiff's Legal Practitioner 2nd Floor, Swamed Building John Meinart Street Windhoek Namibia. To: Registrar of the High Court Main Division Windhoek Namibia

NOTICE OF SALE IN EXECUTION IN THE HIGH COURT OF NAMIBIA - NORTHERN LOCAL DIVISION HELD AT OSANANGI CASE NO. HC-NLD-CIV-ACT-OTH-2022/00192

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in the matter between: NN NINETY TWO INVESTMENT CC EXECUTION CREDITORS And EPIC MINI MARKET 1ST EXECUTION DEBTOR SHIMON JAHEENDU 2ND EXECUTION DEBTOR in pursuance of a judgment granted against the Execution Debtors (2nd Defendants) in the above Court on 1 SEPTEMBER 2022 and Warrant of Execution granted on 1 SEPTEMBER 2022 the following goods are to be sold in execution on 30 MARCH 2023 2022 at 12H00 at ADVANCED REFRIGERATION, MAIN ROAD, OSANANGI REPUBLIC OF NAMIBIA. GOODS: 1x FORKLET CONDITIONS OF SALE VOETSTOOTS AND CASH TO THE HIGHEST BIDDER. Dated at OSANANGI on this 13th day of MARCH 2023. SHIKONGO LAW CHAMBERS LEGAL PRACTITIONERS FOR EXECUTION CREDITOR OFFICE AT OSANANGI MALL, OSANANGI TO THE REGISTRAR HIGH COURT NORTHERN LOCAL DIVISION CLAC230000650



LETHAL WEAPON ...
Peter Shalulile scored twice as Mamelodi Sundowns thumped Marumo Gallants 5-1 in a South African Premiership match on Tuesday.

Shalulile continues goal rush

PETER Shalulile has now reached double figures in the South African Premiership for goals in four different seasons, with three seasons at Sundowns and one at Highlands Park. Mamelodi Sundowns sharpshooter Shalulile looks set to defend his Golden Boots award after the Namibian netted a brace when the runaway leaders crushed Royal AM 5-1 in a DStv Premiership

clash at Loftus Versfeld Stadium in Pretoria on Tuesday night. Shalulile, who won the top goal scorer accolade with 23 goals last season, has found the back of the net 11 times in the current campaign. He is two goals ahead of teammate Cassius Mailula, who also scored against Royal, and SuperSport United striker Bradley Grobler, while Orlando

Pirates' Monnapule Saleng is on eight. 'Sha-Sha' also spent a few months on the sidelines due to injury this season, but now looks to be in great form, having scored 13 goals in 12 games in all competitions since his return from the sidelines. Eight of those goals are spread across the past five matches. The Brave Warriors captain is propelling Sun-

downs to an unprecedented sixth consecutive league title, as the extended their unbeaten streak to 17 matches in the league. Masandawana opened a 20-point lead at the top of the standings with a ruthless display, delivering a consecutive five star performance after trouncing Egyptian giants Al Ahly 5-2 in the CAF Champions League on Saturday. Mailula broke the deadlock in the 23rd minute, before centreback Ricardo Nascimento netted an own-goal to hand his former club a 2-0 lead as his hard and low back pass beat goalkeeper Xolani Ngobco. Shalulile rifled in the third in the 42nd minute from the edge of the box and the league's top scorer completed his brace with a poachers finish six minutes later. However, Royal pulled one back in the 68th minute when substitute Lantshane Phalane beat keeper Rowen Williams with a rasping shot to make it 4-1 for the visitors. The hosts responded by restoring their four-goal lead when Mothobi Mvala headed home Aubrey Modiba's top notch free-kick in the 74th minute - sealing Sundowns' 5-1 win on the night. The Sundowns juggernaut heads to Sudan for a clash against Al Hilal Omdurman in a CAF Champions League match on Saturday. -Times Live/SuperSport

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CHRISTOPHINA SHIPALANGA
D.O.B: 24 May 1962
D.O.D: 16 March 2016

Mom I miss you!
May your soul continue to rest in peace.

Misled by
Claudia Nangombe Pius

CLACOMMUNA

APPENDIX B: 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	Chief Agricultural Consultant Agricultural

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 C: 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 D: ENVIRONMENTAL MANAGEMENT PLAN