

## PROJECT STATUS

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**ABBREVIATIONS**

AIDS	Acquired Immuno-Deficiency Syndrome
DR	Developer's Representative
EA	Environmental Assessment
ECC	Environmental Clearance Certificate
ECO	Environmental Control Officer
EIA	Environmental Impact Assessment
EMA	Environmental Management Act
EMP	Environmental Management Plan
GG	Government Gazette
GIS	Geographic Information System
GN	Government Notice
GPS	Global Positioning System
HIV	Human Immuno-deficiency Virus
I&APs	Interested and Affected Parties
NHCN	National Heritage Council of Namibia
Reg.	Regulation
S	Section
SPC	Stubenrauch Planning Consultants
TB	Tuberculosis

## 1 INTRODUCTION

The Oshikuku Town Council hereinafter referred to as the proponent intends to undertake the following activities:

- ***Formalisation of cemetery in Oshikuku Extension 1.***

The above are listed activities in terms of the Environmental Management Act (No. 7 of 2007) and Environmental Impact Assessment Regulations (Government Notice No. 30 of 2012).

An Environmental Management Plan (EMP) is one of the most important outputs of the EIA process as it synthesises all of the proposed mitigation and monitoring actions, set to a timeline and with specific assigned responsibilities. This EMP details the mitigation and monitoring actions to be implemented during the following phases of these developments:

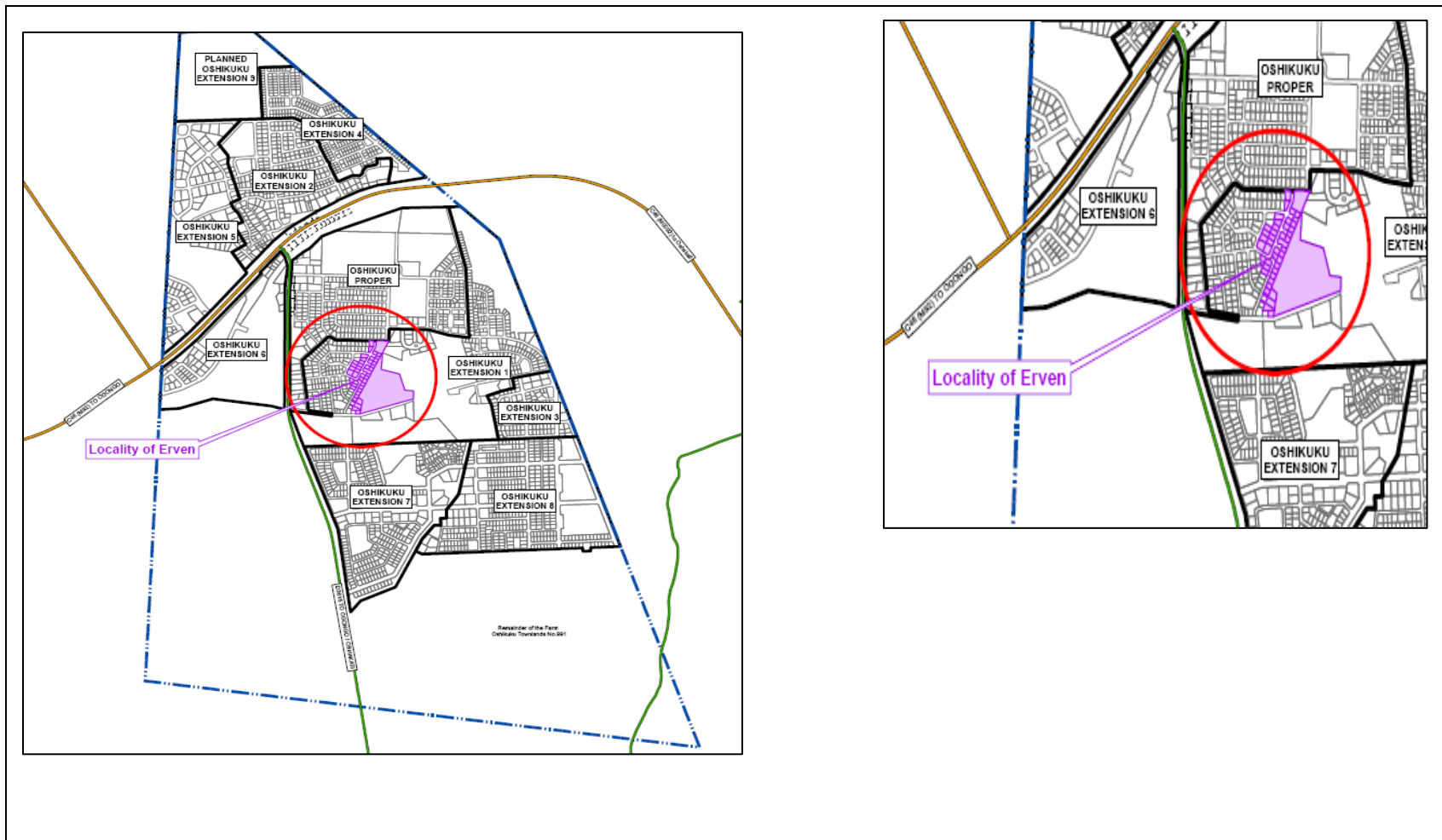
- Operation and Maintenance – the period during which the services infrastructure will be fully functional and maintained.

It should be noted that to date, no engineering designs have been carried out for the development of the infrastructure associated with this development.

The decommissioning of these developments is not envisaged; however in the event that this should be considered some recommendations have been outlined in **Table 4-3**.

## 2 PROPOSED DEVELOPMENT

The area which has been allocated for the cemetery is located in the north western part of Oshikuku Extension 1. Please refer to below locality map (**Figure 1**).

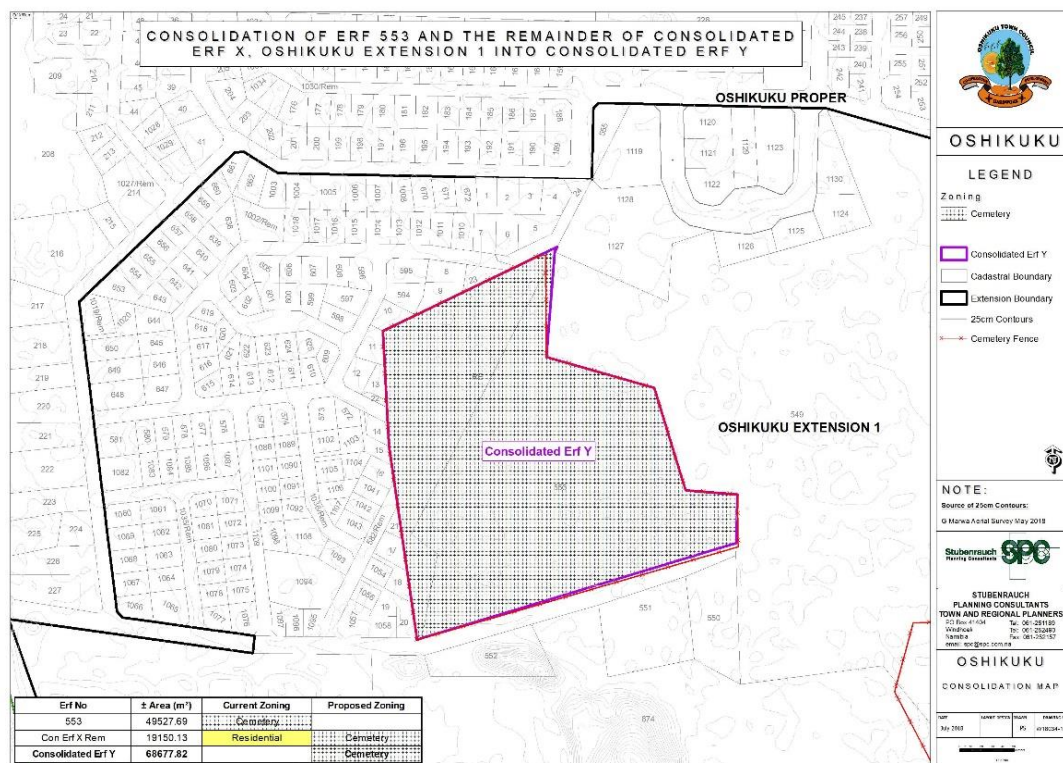


**Figure 1:** Locality of proposed development in Oshikuku

When Oshikuku Extension 1 was established, ownership of the north western part of the extension was claimed by the Roman Catholic Church. After consultation between the Oshikuku Town Council and the church it was resolved that the land claimed by the church should remain the property of the church. Furthermore, the church has recently allocated grave sites on the western area which now forms part of Oshikuku Extension 1. Resultantly the Roman Catholic church cemetery area encroaches over a number of planned erven within Oshikuku Extension 1.

In light of the above the Oshikuku Town Council is in process of re-planning the subject area in order to rectify the current cadastral overlap. The rectification of the subject area is outlined in a separate scoping report which will be submitted to MEFT for review.

The proposed re-planning will result in the cadastral boundaries for the existing cemetery to be outlined and as such the area needs to be formalized. The church had allocated grave sites close to the church possibly due to religious beliefs and cultural beliefs. **Figure 2** illustrates the cemetery area to be formalized.



**Figure 2:** Consolidation of Erf 553 and the Remainder of Consolidated Erf X, into Consolidated Erf Y

### 3 ROLES AND RESPONSIBILITIES

The proponent (Oshikuku Town Council) is ultimately responsible for the implementation of the EMP, from the planning and design phase to the decommissioning phase (if these developments are in future decommissioned) of these developments. The proponent will delegate this responsibility as the project progresses through its life cycle. The delegated responsibility for the effective implementation of this EMP will rest on the following key individuals:

- Council's Representative;
- Environmental Control Officer; and
- Contractor (Construction and Operations and Maintenance).

#### 3.1 COUNCIL'S REPRESENTATIVE

The Oshikuku Town Council should assign the responsibility of managing all aspects of these developments for all development phases (including all contracts for work outsourced) to a designated member of staff, referred to in this EMP as the Council's representative (CR). The CR's responsibilities are as follows:

**Table 3-1** Responsibilities of CR

Responsibility	Project Phase
Making sure that the necessary approvals and permissions laid out in <b>Table 4-1</b> are obtained/adhered to.	<ul style="list-style-type: none"> <li>• Throughout the lifecycle of these developments</li> </ul>
Monitoring the implementation of the EMP monthly.	<ul style="list-style-type: none"> <li>• Operation and maintenance</li> </ul>
Suspending/evicting individuals and/or equipment not complying with the EMP	<ul style="list-style-type: none"> <li>• Operation and maintenance</li> </ul>
Issuing fines for contravening EMP provisions	<ul style="list-style-type: none"> <li>• Operation and maintenance</li> </ul>

#### 3.2 ENVIRONMENTAL CONTROL OFFICER

The CR should assign the responsibility of overseeing the implementation of the whole EMP on the ground during the project phases to an independent external consultant, referred to in this EMP as the Environmental Control Officer (ECO). The ECO will have the following responsibilities during the project phases of these developments:

- Management and facilitation of communication between the Okahao Town Council, CR, the contractors, and Interested and Affected Parties (I&APs) with regard to this EMP;

- 
- Conducting site inspections (recommended minimum frequency is monthly) of all construction and/or maintenance areas with respect to the implementation of this EMP (audit the implementation of the EMP);
  - Assisting the Contractor in finding solutions with respect to matters pertaining to the implementation of this EMP;
  - Advising the CR on the removal of person(s) and/or equipment not complying with the provisions of this EMP;
  - Making recommendations to the CR with respect to the issuing of fines for contraventions of the EMP; and
  - Undertaking an annual review and bi-annual audit of the EMP and recommending additions and/or changes to this document.

### 3.3 CONTRACTOR

Contractors appointed by the Oshikuku Town Council are automatically responsible for implementing all provisions contained within the relevant chapters of this EMP. Contractors will be responsible for the implementation of this EMP applicable to any work outsourced to subcontractors. **Table 4-2** to those appointed during the operation and maintenance phase. In order to ensure effective environmental management, the aforementioned chapters should be included in the applicable contracts for outsourced construction, operation and maintenance work.

The tables in the following chapter (**Chapter 4**) detail the management measures associated with the roles and responsibilities that have been laid out in this chapter.



## 4 MANAGEMENT ACTIONS

The aim of the management actions in this chapter of the EMP is to avoid potential impacts where possible. Where impacts cannot be avoided, measures are provided to reduce the significance of these impacts.

The following tables provide the management actions recommended to manage the potential impacts rated in the scoping-level EA conducted for these developments. These management actions have been organised temporally according to project phase:

- Applicable legislation (**Table 4-1**);
- Operation and maintenance phase management actions (**Table 4-2**); and
- Decommissioning phase management actions (**Table 4-3**).
- The proponent should assess these **commitments** in detail and should acknowledge their commitment to the specific management actions detailed in the tables below.

### 4.1 ASSUMPTIONS AND LIMITATIONS

This EMP has been drafted with the acknowledgment of the following assumptions and limitations:

- This EMP has been drafted based on the scoping-level Environmental Assessment (EA) conducted for the proposed activities as outlined in **Section 4** of the Draft Environmental Scoping Report. SPC will not be held responsible for the potential consequences that may result from any alterations to the above-mentioned layout.
- It is assumed that any labourers required will be sourced mostly from the Oshikuku townlands area and that migrant labourers (if applicable) will be housed in established accommodation facilities within Oshikuku.
- No engineering designs have been carried out for the development of the associated services infrastructure (roads, potable water, storm water, sewerage and electrical reticulations).

## 4.2 APPLICABLE LEGISLATION

Legal provisions that have relevance to various aspects of these developments are listed in **Table 4-1** below.

**Table 4-1:** Legislation applicable to proposed development

LEGISLATION/POLICIES	RELEVANT PROVISIONS	RELEVANCE TO PROJECT
The Constitution of the Republic of Namibia as Amended	Article 91 (c) provides for duty to guard against “the degradation and destruction of ecosystems and failure to protect the beauty and character of Namibia.”  Article 95(l) deals with the “maintenance of ecosystems, essential ecological processes and biological diversity” and sustainable use of the country’s natural resources.	Sustainable development should be at the forefront of this development.
Environmental Management Act No. 7 of 2007 (EMA)	Section 2 outlines the objective of the Act and the means to achieve that.  Section 3 details the principle of Environmental Management	The development should be informed by the EMA.
EIA Regulations GN 28, 29, and 30 of EMA (2012)	GN 29 Identifies and lists certain activities that cannot be undertaken without an environmental clearance certificate.  GN 30 provides the regulations governing the environmental assessment (EA) process.	<b>Activity 11.2</b> Construction of cemeteries, camping, leisure and recreation sites. (The proposed project includes the formalization of an existing cemetery.)
Convention on Biological Diversity (1992)	Article 1 lists the conservation of biological diversity amongst the objectives of the convention.	The project should consider the impact it will have on the biodiversity of the area.
Draft Procedures and Guidelines for conducting EIAs and compiling EMPs (2008)	Part 1, Stage 8 of the guidelines states that if a proposal is likely to affect people, certain guidelines should be considered by the proponent in the scoping process.	The EA process should incorporate the aspects outlined in the guidelines.
Namibia Vision 2030	Vision 2030 states that the solitude, silence and natural beauty that many areas in Namibia provide are becoming sought after commodities and must be regarded as valuable natural assets.	Care should be taken that the development does not lead to the degradation of the natural beauty of the area.
Water Act No. 54 of 1956	Section 23(1) deals with the prohibition of pollution of	The pollution of water resources should be avoided during

LEGISLATION/POLICIES	RELEVANT PROVISIONS	RELEVANCE TO PROJECT
	underground and surface water bodies.	construction and operation of the development.
The Ministry of Environment and Tourism (MET) Policy on HIV & AIDS	MET has recently developed a policy on HIV and AIDS. In addition, it has also initiated a programme aimed at mainstreaming HIV and gender issues into environmental impact assessments.	The proponent and its contractor must adhere to the guidelines provided to manage the aspects of HIV/AIDS. Experience with construction projects has shown that a significant risk is created when migrant construction workers interact with local communities.
Township and Division of Land Ordinance 11 of 1963	The Townships and Division of Land Ordinance regulates subdivisions of portions of land falling within a Local Authority area	In terms of Section 19 such applications are to be submitted to NAMPAB and Townships Board respectively.
Local Authorities Act No. 23 of 1992	The Local Authorities Act prescribes the manner in which a town or municipality should be managed by the Town or Municipal Council.	The development must comply with provisions of the Local Authorities Act.
Labour Act no. 11 of 2007	Chapter 2 details the fundamental rights and protections. Chapter 3 deals with the basic conditions of employment.	Given the employment opportunities presented by the development, compliance with the labour law is essential.
National Heritage Act No. 27 of 2004	The Act is aimed at protecting, conserving and registering places and objects of heritage significance.	All protected heritage resources (e.g. human remains etc.) discovered, need to be reported immediately to the National Heritage Council (NHC) and require a permit from the NHC before they may be relocated.
Roads Ordinance 17 of 1972	<ul style="list-style-type: none"> <li>• Section 3.1 deals with width of proclaimed roads and road reserve boundaries</li> <li>• Section 27.1 is concerned with the control of traffic on urban trunk and main roads</li> <li>• Section 36.1 regulates rails, tracks, bridges, wires, cables, subways or culverts across or under proclaimed roads</li> <li>• Section 37.1 deals with Infringements and obstructions on and interference with proclaimed roads.</li> </ul>	Adhere to all applicable provisions of the Roads Ordinance.

LEGISLATION/POLICIES	RELEVANT PROVISIONS	RELEVANCE TO PROJECT
Public and Environmental Health Act of 2015	This Act (GG 5740) provides a framework for a structured uniform public and environmental health system in Namibia. It covers notification, prevention and control of diseases and sexually transmitted infections; maternal, ante-natal and neo-natal care; water and food supplies; infant nutrition; waste management; health nuisances; public and environmental health planning and reporting. It repeals the Public Health Act 36 of 1919 (SA GG 979).	Contractors and users of the proposed development are to comply with these legal requirements.
Nature Conservation Ordinance no. 4 of 1975	Chapter 6 provides for legislation regarding the protection of indigenous plants	Indigenous and protected plants must be managed within the legal confines.
Water Quality Guidelines for Drinking Water and Wastewater Treatment	Details specific quantities in terms of water quality determinants, which wastewater should be treated to before being discharged into the environment	These guidelines are to be applied when dealing with water and waste treatment
Environmental Assessment Policy of Namibia (1995)	The Policy seeks to ensure that the environmental consequences of development projects and policies are considered, understood and incorporated into the planning process, and that the term ENVIRONMENT is broadly interpreted to include biophysical, social, economic, cultural, historical and political components.	This EIA considers this term of Environment.
Water Resources Management Act No. 11 of 2013	Part 12 deals with the control and protection of groundwater  Part 13 deals with water pollution control	The pollution of water resources should be avoided during construction and operation of the development. Should water need to be abstracted, a water abstraction permit will be required from the Ministry of Water, Agriculture and Forestry.

LEGISLATION/POLICIES	RELEVANT PROVISIONS	RELEVANCE TO PROJECT
Forest Act 12 of 2001 and Forest Regulations of 2015	To provide for the establishment of a Forestry Council and the appointment of certain officials; to consolidate the laws relating to the management and use of forests and forest produce; to provide for the protection of the environment and the control and management of forest fires; to repeal the Preservation of Bees and Honey Proclamation, 1923 (Proclamation No. 1 of 1923), Preservation of Trees and Forests Ordinance, 1952 (Ordinance No. 37 of 1952) and the Forest Act, 1968 (Act No. 72 of 1968); and to deal with incidental matters.	Protected tree and plant species as per the Forest Act No 12 of 2001 and Forest Regulations of 2015 may not be removed without a permit from the Ministry of Agriculture, Water and Forestry.
Atmospheric Pollution Prevention Ordinance No 45 of 1965	Part II - control of noxious or offensive gases, Part III - atmospheric pollution by smoke, Part IV - dust control, and Part V - air pollution by fumes emitted by vehicles.	The development should consider the provisions outlined in the act. The proponent should apply for an Air Emissions permit from the Ministry of Health and Social Services (if needed).
Hazardous Substance Ordinance 14 of 1974	To provide for the control of substances which may cause injury or ill-health to or death of human beings by reason of their toxic, corrosive, irritant, strongly sensitizing or flammable nature or the generation of pressure thereby in certain circumstances; to provide for the division of such substances into groups in relation to the degree of danger; to provide for the prohibition and control of the importation, manufacture, sale, use, operation, application, modification, disposal or dumping of such substances; and to provide for matters connected therewith.	The handling, usage and storage of hazardous substances on site should be carefully controlled according to this Ordinance.

<b>LEGISLATION/POLICIES</b>	<b>RELEVANT PROVISIONS</b>	<b>RELEVANCE TO PROJECT</b>
Soil Conservation Act No 76 of 1969	Act to consolidate and amend the law relating to the combating and prevention of soil erosion, the conservation, improvement and manner of use of the soil and vegetation and the protection of the water sources	The proposed activity should ensure that soil erosion and soil pollution is avoided during construction and operation.

### 4.3 OPERATION AND MAINTENANCE PHASE

The management actions included in **Table 4-2** below apply during the operation and maintenance phase of these developments.

**Table 4-2: Operation and maintenance management actions**

Environmental Feature	Impact	Management Actions	Person Responsible
EMP training	Lack of EMP awareness and the implications thereof	All contractors appointed for maintenance work must ensure that all personnel are aware of necessary health, safety and environmental considerations applicable to their respective work.	Contractor
Conservation of vegetation	Loss of biodiversity	<ul style="list-style-type: none"> <li>• The layout and development design should incorporate existing trees<sup>1</sup>.</li> <li>• Trees to be preserved should be marked with paint (or other means to be readily visible) and protected;</li> <li>• Trees, which are impossible to conserve, need to be identified and;</li> <li>• The Contractor should apply to the local authority for a permit to remove these trees (prior to removing them).</li> <li>• Special protection should be accorded to the protected endemic species, which are to be found within the development area (As per the Forest Act 12 of 2001 and Forest Regulations of 2015).</li> <li>• Each tree that is removed needs to be replaced with an indigenous tree species after construction;</li> <li>• Some of these trees can be obtained at the National Botanical Research Institute (NBRI) or at a commercial nursery.</li> <li>• Only a limited width +/- 5 m on the side of roads may be partially cleared of vegetation.</li> </ul>	<ul style="list-style-type: none"> <li>• Contractor</li> </ul>

<sup>1</sup>a “tree” is defined as an indigenous woody perennial plant with a trunk diameter ≥150 mm.

Environmental Feature	Impact	Management Actions	Person Responsible
		<ul style="list-style-type: none"> <li>• Workers are prohibited from collecting wood or other plant products on or near work sites.</li> <li>• No alien species may be planted on or near work areas.</li> </ul>	
Water	Surface and groundwater contamination	<ul style="list-style-type: none"> <li>• Ensure that surface run-off water accumulating on-site are channeled and captured through a proper storm water management system to be treated in an appropriate manner before disposal into the environment.</li> <li>• The base of all burial pits must be at least 1 meter above the highest natural water table to minimise seepage directly into the groundwater.</li> <li>• No digging of wells or boreholes for potable water within at least 250 meters of any grave.</li> </ul>	Proponent, Contractor,
Noise	Disturbance of neighbours	<ul style="list-style-type: none"> <li>• No activity having a potential noise impact should be allowed after 18:00 hours if possible.</li> </ul>	
Emissions	Air pollution	<ul style="list-style-type: none"> <li>• Consider tarring of the internal road network.</li> <li>• Manage activities that generate emissions</li> </ul>	
Archaeology	Loss of heritage resources	<ul style="list-style-type: none"> <li>• Should a heritage site or archaeological site be uncovered or discovered during the construction phase of the project, a “chance find” procedure should be applied in the order they appear below:</li> </ul>	Contractor



Environmental Feature	Impact	Management Actions	Person Responsible
		<ul style="list-style-type: none"> <li>○ If operating machinery or equipment, stop work;</li> <li>○ Demarcate the site with danger tape;</li> <li>○ Determine GPS position if possible;</li> <li>○ Report findings to the construction foreman;</li> <li>○ Report findings, site location and actions taken to superintendent;</li> <li>○ Cease any works in immediate vicinity;</li> <li>○ Visit site and determine whether work can proceed without damage to findings;</li> <li>○ Determine and demarcate exclusion boundary;</li> <li>○ Site location and details to be added to the project's Geographic Information System (GIS) for field confirmation by archaeologist;</li> <li>○ Inspect site and confirm addition to project GIS;</li> <li>○ Advise the National Heritage Council of Namibia (NHCN) and request written permission to remove findings from work area; and</li> <li>○ Recovery, packaging and labelling of findings for transfer to National Museum.</li> </ul>	

Environmental Feature	Impact	Management Actions	Person Responsible
		<ul style="list-style-type: none"> <li>• Should human remains be found, the following actions will be required:                             <ul style="list-style-type: none"> <li>○ Apply the chance find procedure as described above;</li> <li>○ Schedule a field inspection with an archaeologist to confirm that remains are human;</li> <li>○ Advise and liaise with the NHCN and Police; and</li> </ul> </li> <li>• Remains will be recovered and removed either to the National Museum or the National Forensic Laboratory.</li> </ul>	
General waste	Visual impact and soil contamination	<ul style="list-style-type: none"> <li>• All domestic and general waste produced on a daily basis should be cleaned and contained daily.</li> <li>• No waste may be buried or burned.</li> <li>• Waste containers (bins) should be emptied regularly and removed from site to a recognised (municipal) waste disposal site.</li> <li>• All recyclable waste needs to be taken to the nearest recycling depot where practical.</li> <li>• A sufficient number of separate bins for hazardous and domestic/general waste must be provided on site. These should be clearly marked as such.</li> </ul>	Contractor

**4.4 DECOMMISSIONING PHASE**

The decommissioning of these developments is not foreseen as the intended development is envisaged to be permanent. In the event that this infrastructure development is decommissioned the following management actions should apply.

**Table 4-3: Decommissioning phase management actions**

Environmental Feature	Management Actions
Deconstruction activity	Many of the mitigation measures prescribed for construction activity for these developments ( <b>Table 4.2</b> above) would be applicable to some of the decommissioning activities. These should be adhered to where applicable.
Rehabilitation	In the event that decommissioning is deemed necessary, excavations need to be rehabilitated according to the management actions laid out in <b>Table 4.2</b> above.