

## Environmental Impact Assessment for the Low Volume Seal Construction of 6km of Road in Gam as Part of the Low Volume Seal Program

### Meeting Minutes

**Type of Meeting:** Public Consultation Meeting  
**Venue:** Gam Conservancy Office Open Area  
**Date:** 5 August 2021  
**Time:** 10h15 – 11h45

### Agenda

1. Prayer – Chief Hans Kandji
2. Welcome – Honourable Councillor Johannes Hausiku
3. Project Team Introduction – Rian du Toit
4. Environmental Impact Assessment (EIA) – Rian du Toit
5. Project Scope – Hentie Kotze
6. Q&A
7. Conclusion – Rian du Toit
8. Word of thanks and prayer – Chief Justice Mapimbi

1. Welcome Honourable Councillor Johannes Hausiku, Tsumkwe Constituency
2. Prayer Chief Hans Kandji
3. Project Team Introduction Rian du Toit, Consulting Team
  - Enviro Management Consultants (EMC) – Mr Rian du Toit & Ms Maike Prickett
  - Element Consulting Engineers – Mr Hentie Kotze
4. EIA Presentation (see attached presentation document) Rian du Toit, Consulting Team
  - *What is an EIA? It is a practical implementation to prevent negative and improve positive impacts.*
  - *Environment defined - bio-physical (water, soil, plants, etc), social and legislation*
  - *Impacts – what we do and how that changes the environment (cause and affect)*
    - *Building a road: what is needed to build the road (layer works, materials), how does that change the environment, during operation what are the positive or negative effects of the road on the environment*
  - *Rules and Regulations/Legislation – **Constitution of Namibia, Environmental Management Act No.7 (2007)***

- *What is the ultimate objective of an EIA? To maintain sustainability - a balance between development and conservation*
- *Normal stakeholder concerns of road development projects:*
  - *Land – taken and no benefit to stakeholder*
  - *Water / Materials*
  - *Consider the gain of such a project: economic gain*
- *The objective of EMC is to:*
  - *Consult the public, stakeholders that know the area need to give their input (comments and concerns)*
  - *Consider the negative and positive impacts*
  - *Present and Submit EIA and application for Environmental Clearance Certificate (ECC) application to the Ministry of Environment, Forestry and Tourism (MEFT) – they grant or reject ECC for this project*
  - *If ECC is granted, it is valid for 3 years, once this has been issued the project can commence. We need to avoid/minimise/reduce the negative impacts and enhance the positive impacts.*  
*We want to avoid – spillage, pollution (surface water/soil, etc), bad waste management practices, etc.*
  - *Borrow pits: they must be left by the contractor in an acceptable condition.*
- *You are welcome to raise your comments and concerns.*
- *This project will benefit the community, the positive impacts can be seen all over the country where roads are being upgraded, but we need to do it responsibly and look after the environment and people.*

## 5. Project Scope – Technical Presentation

Hentie Kotze, Consulting Team

- *This is the 3<sup>rd</sup> time that we are having a meeting here about this project.*
- *We are going to construct approx. 6km of low volume seal road through Gam, starting 500m south of Gam and stopping 2km north of Gam.*
- *Then we are building access roads to the clinic, school and in the direction of the veterinary office, if we can get up to the airfield we will do that. If there are any other roads we will look at them but the Roads Authority must give their approval, because we are working on a budget.*
- *The Governor was adamant that the sharp curve 10km outside of Gam be looked at, this curve will be flattened and moved to behind the old borrow pit and two smooth curves added to make it safer.*
- *The drains next to the road will be cleaned up and make it look nice to take some of the water. Drainage structures will be constructed at the passenger waiting area / open market and the auction pens.*
- *This project has a fixed budget and it is a direct appointment of the contractor, there is only a certain amount of work that we can do for that amount of money and any additional requests need to be submitted in writing to the Roads Authority of Namibia. The RA can approve or reject these requests.*
- *The Government has taken steps to develop Gam and we are positive that development is also taking place on the road from Grootfontein to Tsumkwe and this will extend to Gam. One day we will be able to travel from Grootfontein to Gam by tar road.*
- *The contractor appointed for this project is Nexus, they have established a camp. It was discussed with the Governor, the Councillor and the contractor how the procurement of labour is going to work. If there are any labour issues you can speak*

to us, but we cannot force them to do anything because they manage their own affairs, but we can speak to them.

- The building that is in the road reserve will need to be removed and we need to know who the owner is. We need to remove it and sort it or build it somewhere else.
  - Public response: Ministry of Works, Transport and Communication. Nobody is using it.

## 6. Questions & Answers

### **Hon Cllr Hausiku:**

We spoke to the contractor about employment, we don't want them to bring people from outside while we have young people here that are willing and able to work. We agreed that when they start employing, they should give us a list of the labour that they require and based on that we can find people for them, but they have not done so. According to the contractor they only need 3 people now which have already been employed based on a letter that he received from one of the chiefs and in total only 5 people will be employed on this project. This was not done through the Councillor's Office. It was agreed with the contractor that they will have a meeting after this one.

*Response (Hentie Kotze): Unfortunately, road construction does not take a lot of people, especially surface road construction. Different phases in the road construction will require a different amount of labour.*

### **Q1. Chief Hans Kandji**

Your duty concerning the environment, what type of duties are you focussing on to tell the community that this environment is suitable for this project?

*Response (Rian du Toit): The focus is to make sure that pollution and other control measures are in place, no fuel spillage, bitumen etc. We write an Environmental Management Plan (EMP) that includes borrow pit rehabilitation (left in a safe and proper way), how the contractor camp needs to be managed, and addresses environmental and socio-economic shortcomings all of which the contractor needs to adhere to. Our involvement is not once off, we will do site visits every 2 or 3 months and ensure that the project is managed correctly and the contractor adheres to the EMP.*

*We need to make sure that the road is constructed without damaging your natural environment.*

### **Q2. Chief Jakob Maekopo**

You mentioned that you must apply for permission from MEFT? What permission is that?

*Response (Rian du Toit): Yes, we need to obtain permission. Due to covid restrictions and money availability this process was delayed.*

### **Q3. Principal Chris Muatjetjewa**

Is there a plan with regards to the feeder roads?

*Response (Hentie Kotze): There is a plan available, we will ensure that you get a plan.*

### **Q4. Kaveuana Tjihapa**

The auction pens are not accessible. Can additional roads be looked at?

*Response (Hentie Kotze): A written request must be sent to the client, they will then decide.*

### **Q5. Lukas Kandji**

How does payment for gravel and water work?

*Response (Rian du Toit): Obtaining gravel and water for these projects is regulated by the law. Gravel – the top layer of material belongs to the landowner, below that everything is owned by the government, except if the landowner has applied for a mining license. The Road Ordinance*

*Section 30 states that all material except from a commercial source can be obtained from anywhere for the construction of roads.*

*The Minerals Act Schedule 1 states that any material used for the construction of a road may not be charged for unless the landowner has obtained a mineral license as stipulated under Schedule 2 of the Minerals Act. Sometimes material needs to be obtained from a commercial source such as Henning Crusher because it needs a specific specification. Material used for the construction of roads is not regarded a mineral, except if you want to sell it and for that you need a mining license and not just an environmental clearance certificate.*

**Q6. Chief Hans Kandji**

The borrow pits here have been preserved by the conservancy. Does it mean you have to get permission from the conservancy to use them? They belong to the conservancy.

*Response (Rian du Toit): Top layer of material belongs to landowner, underneath everything belongs to the government. If agricultural fields, buildings, trees etc are destroyed because of the location of a borrow pit, the landowner will be compensated accordingly.*

*Response (Hentie Kotze): According to the Road Ordinance 17 of 1972 – Obtaining Materials:*

For the purpose of the construction, maintenance or repair of a proclaimed road the Executive Committee may through its representatives, officers or contractors enter upon any land with any vehicle, tool, material or animal and after the expiry of a period of fourteen days after a written notice of its intention to do so -

- (i) has been handed to the owner, lessee or occupier of such land; or
- (ii) has been sent to the last-known address of such owner, lessee or occupier by registered post; or
- (iii) has been left at a conspicuous place on such land,

[The word “conspicuous” is misspelt in the Official Gazette, as reproduced above.]

it may without any compensation to the owner, lessee or occupier of the land, remove any material which may be necessary for such construction, maintenance or repair from such land or process it on such land and thereafter remove it therefrom and for this purpose it may build and maintain any access roads which it may consider necessary: Provided that -

(a) nothing shall be removed from any garden or other land usually cultivated, nor within two hundred and fifty metres of any house nor within fifty metres of any kraal;

(b) every excavation, including an excavation for a sample and an experimental pit, shall as soon as possible be filled up or fenced off or shall otherwise be made safe for human beings and animals again to the satisfaction of the owner, lessee or occupier of such land or as the Executive Committee directs; [paragraph (b) substituted by Ord. 10 of 1974]

(c) any road provided for this purpose shall be ripped up in such a way that it cannot be washed away should the owner, lessee or occupier so desire;

(d) the Executive Committee, its representatives, officers or contractors shall, in exercising these powers take every care to prevent damage, injury, loss or inconvenience to the owner, lessee or occupier concerned:

*Response (Hentie Kotze): Henning Crusher at Tsumeb are not charging money for the material, they are charging for the process of excavating and crushing the material, but not the material. The same goes for the water from Namwater, water under the ground belongs to the government people are charged for the process to obtain water, pumping the water, constructing pipelines and building infrastructure.*

*Two weeks ago a meeting was held between the Governor, the Councillor, the contractor and a representative from Rural Water Supply and they have come to an agreement to install a pump in exchange to use the water.*

*Response (Hon Cllr Hausiku): When that meeting was held the resource use was discussed and we need to identify a borehole here that can be furnished with a pump and solar power which will be used by the contractor during construction and then handed over to the community when the construction is complete.*

**Q7. Karamata**

Why are only 5 people going to be employed? Is it until the contract is complete?

*Response (Hon Cllr Hausiku): The contractor is recruiting the people and they were required to submit a list of the labour that they need, that was the agreement. We will be having a separate meeting with Jaapie and the Committee to address these issues with the contractor. Let's stick to the purpose of this meeting. The project is for our benefit, and we need to support the project from the community's side.*

**Q8. Chief Idah Maekopo**

The contractor is using the spring water, are they allowed to?

*Response (Hentie Kotze): That water may be used.*

7. Conclusion

Rian du Toit, Consulting Team

Honourable Councillor, thank you for informing the traditional leaders and community about this meeting and the project, we really appreciate it. We know that the benefit of this project is for everyone, and we understand that labour is always an issue, thank you for the way that you intend to take it up with the contractor. It is important that the community works together, this project is for Gam and we must all be responsible and work together to make this project work so that everyone can benefit. If there are questions or concerns, please speak to the contractor they also have a responsibility. From our side thank you for the meeting Honourable Councillor and your Admin Officer Linda, thank you. It is important that everyone is informed on what way forward is.

We are positive that hope in the next couple of months you have a good road, and that the roads from Grootfontein and Tsumkwe will also be developed soon.

8. Word of thanks and prayer

Chief Justice Mapimbi

We are thankful for our visitors who came for this meeting and to make us a nice road from which we will all benefit. Have a safe journey.

**End of meeting 11:45**

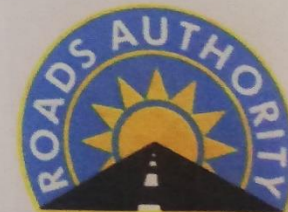
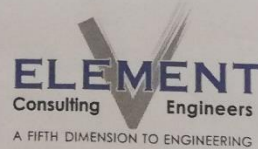
## ATTENDANCE REGISTER

DATE: 05/08/2021

VENUE: Gam Conservancy Office

PROJECT: Low Volume Seal in Gam M113 Realignment + Resurfacing

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## ATTENDANCE REGISTER

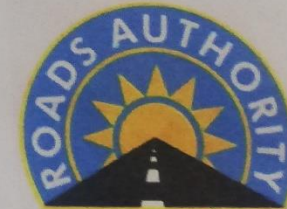
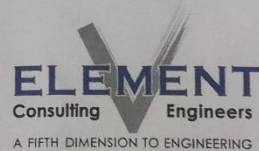
(2)

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