



TOWN PLANNING & PROPERTIES

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The Environmental Commissioner
Ministry of Environment, Forestry and Tourism
Private Bag 13306
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18 March 2024

Dear Sir/Madam,

ENVIRONMENTAL CLEARANCE FOR THE SUBDIVISION OF ERF 4378, MONDESA EXT. NO. 3, SWAKOPMUND, INTO PORTION "A" AND REMAINDER; PERMANENT CLOSURE OF PROPOSED PORTION "A" AS A PUBLIC OPEN SPACE; AND SUBSEQUENT REZONING OF PROPOSED PORTION "A" FROM "PUBLIC OPEN SPACE" TO "PARASTATAL" AND REGISTRATION OF A 5M RIGHT OF WAY SERVITUDE OVER THE REMAINDER IN FAVOUR OF PROPOSED PORTION A.

Van Der Westhuizen Town Planning & Properties cc has been appointed by the owner/s of Erf 4378, Mondesa Ext No 3, Swakopmund, the Municipality of Swakopmund, to undertake all necessary statutory steps for the:

- **ENVIRONMENTAL CLEARANCE FOR THE SUBDIVISION OF ERF 4378, MONDESA EXT. NO. 3, SWAKOPMUND, INTO PORTION "A" AND REMAINDER; PERMANENT CLOSURE OF PROPOSED PORTION "A" AS A PUBLIC OPEN SPACE; AND SUBSEQUENT REZONING OF PROPOSED PORTION "A" FROM "PUBLIC OPEN SPACE" TO "PARASTATAL" AND REGISTRATION OF A 5M RIGHT OF WAY SERVITUDE OVER THE REMAINDER IN FAVOUR OF PROPOSED PORTION A.**

In order to apply to both the Municipality of Swakopmund and the Ministry of Urban and Rural Development for the rezoning of the property it is first needed to obtain Environmental Clearance for such intentions.

1. Background

The Municipality of Swakopmund and Erongo Red Electrical Distributors entered into an agreement which will allow Erongo Red to transfer all substation into their name. Due to the complexity of historical events, it is in most cases necessary to subdivide both Municipal owned and privately owned properties in order to create a separate property for the substations. Only once the properties have been subdivided and/or rezoned can the transfer of the substations be affected.

In certain cases, as in the current application, the property is very small and the substation is situated in the middle of the erf. This in our opinion is not worth of subdivision as the remainders will be too

small and very useless in nature. It is recommended that these properties, due to their limited size, be transferred to the name of Erongo Red Electricity Distributors.

As a matter of fact, such future transfer of the property has already been approved by the Municipality in light of the Transfer Agreement between the two parties.

2. Locality and Current Situation

Erf 4378, Mondesa, Ext. No. 3, Swakopmund, currently measures 1 501m² in extent and is located between Steven Immanuel Street and Tangeni Haitembu Street in Mondesa Ext. No. 3. **(Annexure A)**. Erf 4378, Mondesa, Ext. No. 3, Swakopmund, can be found at the Coordinates: -22.6563082, 14.5472758.

Currently the site accommodates the substation that is in need of its own erf that is to be transferred to the name of Erongo Red Electrical Distributors. The current zoning of Erf 4378, Mondesa, Ext. No. 3, Swakopmund, is Public Open Space.



Picture indicates the Electrical Substation of Erf 4378 Mondesa Ext No. 3

3. Ownership and Zoning

According to the Certificates of Registered Title, T 7600/2016, ownership of 4738 Mondesa Ext No. 3 currently vests with the Municipality of Swakopmund. **(Annexure B)**.

Erf 4378 is currently zoned as Public Open Space but once the subdivision and closure of proposed Portion A is finalized the property will be rezoned to Parastatal in order to allocate the correct land use to the proposed Portion A.

4. Fauna and Flora

Due to the fact that the Public Open Space is undeveloped and barren, there exist no Fauna and Flora on Erf 4378. In fact, there is very little Fauna noticed in the area in general and this could be a direct cause of the lack of Flora. Property owners in this neighbourhood, lower income, do not have lawns and gardens as found in the more affluent or higher income areas. It is also not expected to find any Fauna or Flora on the premises, unless developed, as the site is subject to high amounts of public disturbance. If in future the Municipality of Swakopmund develops the Public Open Space into a garden or a playpark then only shall it be possible for Fauna and Flora to exist on the premises.

Due to the nature of circumstances and the fact that the property is situated in a built-up area it is not expected that there should be any red listed species on the property in need of protection.



Picture indicates the lack of Fauna and Flora on Erf 4378 Mondesa, Swakopmund.

It is also not foreseen that the nature of intended procedures will in any manner interfere or negatively impact on the surrounding area. This can be mainly contributed to the fact that the area is already developed and in use with no effects whatsoever.

5. Topography and Soil

The fact that the property has been occupied for many years by the substation, it is assumed that soil conditions are relative stable and suitable. All surrounding properties have also been developed and this provides clear evidence that the soil conditions are favorable for the intentions.

The soil consists mainly of fine dry sandy soil with scattered rocks ranging from 0.5 cm to 10cm in size.

The property is relatively flat and there exist no natural features that would prohibit the proposed intentions to be approved.



Picture indicates the topsoil of Erf 4378, Mondsda, Swakopmund.

6. Ground Water

Due to the location of the property within the already developed Mondsda Township no natural streams are present and it is highly unlikely that any natural stream will ever exist on the premises. No ground water is to be found within the developed area of Mondsda.

In terms of water, it is our professional opinion that there exists no threat to any waterbodies or water courses on or around the property on both the surface or underground, if any exist.

7. Motivation for Intentions

The intentions to Subdivide Erf 4378, Mondsda, Ext. No. 3, Swakopmund, into Portion A and remainder (**Annexure C1**); the subsequent closure of proposed Portion A as a Public Open Space and the Rezoning of the proposed Portion A from Public Open Space (**Annexure C2**) to Parastatal (**Annexure C3**), is seen as necessary in order to transfer the Substation to the name of Erongo Red Electrical distributors.

The Municipality of Swakopmund and Erongo Red entered into a transfer agreement that lists various substation to be transferred to Erongo Red, and as a result of this, many properties have to be subdivided and rezoned in order to allocate the substation and individual erf with the correct land use or zoning.

The long existing Electrical Substation that provides electricity to Mondesa Ext. No. 3 is seen as a necessity in terms of access to service provision. Initially the Municipality of Swakopmund was the Electrical Supplier for the town and the location was chosen by the Engineers of that time. Since the land is owned by the Municipality of Swakopmund and they were the suppliers of electricity there was no need for the creation of a separate Erf for the Substation. Now that the substation is in need of transfer to another entity, and as such it is needed to perform the necessary statutory procedures to create such erf for transfer to Erongo Red.

8. Socio Economic Effect of Proposed Intentions

Since the intention is purely for the creation of a separate property to accommodate the existing Electrical Substation there is very little Socia Economic benefit for the general public in terms of long-term employment opportunities.

The surrounding community will benefit in the continuation of Electrical supply to the area and this in itself is the single most imports socio economic benefit that is to be enjoyed by the community. Other than that, there will be short term employment opportunities related to the construction of boundary walls and the painting of the facility. The maintenance of these structures might provide for more opportunity in the long-term sector.

Due to the nature of activity that is to take place on proposed Portion A there is very little socio-economic benefit be derived from the intention other than what has previously been mentioned. The structure and use are in existence and should continue to remain as such for the benefit of the community.

The approval being applied for is in the best intenders of the public in order to maintain an uninterrupted power supply to a lower income area.

9. Access and Infrastructure Services

Access to the newly created property will be obtained by means of a 5m with right of Way Servitude to be registered over the remainder of Erf 4378, Mondesa Ext No. 3 (**Annexure C1**). Due to the fact that the remainder is a Public Open Space with no form of development and vegetation the servitude can easily be accommodated as proposed. Due to the nature of use as an electrical substation there will be no need for Municipal Services. Any additional requirements that might arise will be communicated to the relevant parties and dealt with accordingly.

10. Public Participation

10.1. Process

In terms of the Environment Management Act of 2007, it is required by the applicant/proponent to perform the Public Participation Process. It is thus required to advertise the Notice of Intention in two Newspapers for two consecutive weeks. Such Notices were placed in the Republikein and New Era on the 16th and 23rd of February 2024 (**See Annexure D**). It is also required to place a site notice on the site/property concerned with the application and such Notice was placed on the site upon commencement of the process (**See Annexure E**). It is also required to notify neighbouring properties of the intention to apply for Environmental Clearance. In this case the only neighbouring property was