


***RENEWAL OF THE ENVIRONMENTAL
CLEARANCE FOR THE CREATION OF
A STREET PORTION ON ERF 8731,
WINDHOEK***

November 2021

App - 003310

<p>Project Name:</p>	<p>RENEWAL OF THE ENVIRONMENTAL CLEARANCE FOR THE CREATION OF A STREET PORTION ON ERF 8731, WINDHOEK</p>
<p>The Proponent:</p>	<p>Motor Vehicle Accident Fund of Namibia (MVA Fund) P O Box 20919 WINDHOEK</p>
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<p>Release Date:</p>	<p>November 2021</p>
<p>Consultant:</p>	<p>C. Du Toit C. Van Der Walt Cell: 081 127 3145 Email: charlie@greenearthnamibia.com</p>

EXECUTIVE SUMMARY

Green Earth Environmental Consultants were appointed by the proponent, the Motor Vehicle Accident Fund of Namibia (MVA Fund), **to renew the environmental clearance** for the permanent closure of a portion of Erf 8597 (Viljoen Street), Windhoek as 'street' and the subdivision of Erf 6441, Windhoek to create a street portion (Erf 8731, Windhoek) for the purposes of the construction of a turning circle.

An Environmental Clearance Certificate (ECC) for the proposed activity was obtained 30 January 2019 therefore the Clearance Certificate will expire on 30 January 2022.

The closure procedures for the Portion of Erf 8697 as street and consolidation of the portion with Erf 8596 to create Erf 8730, Windhoek, has been completed. The relevant authorities (City of Windhoek, The Ministry of Urban and Rural Development and the Surveyor General) also approved the creation of the street portion on a Portion of Erf 6441, Windhoek (now Erf 8731, Windhoek). However, the street portion on Erf 8731 Windhoek must still be constructed. To be able to construct the street portion/turning circle, the ECC must be renewed.

In accordance with the Environmental Impact Assessment Regulations (GN 30 in GG 4878 of 6 February 2012) of the Environmental Management Act (No. 7 of 2007), the activities listed below, which forms part of the proposed operations, may not be undertaken without a renewed Environmental Clearance:

INFRASTRUCTURE

10.1 The construction of- (b) public roads

The proposed construction of the street portion will have the following key characteristics:

KEY CHARACTERISTICS	
Erf 8731, Windhoek will be converted into a street to form a turning circle together with the Remainder of Erf 6441, Windhoek.	The existing infrastructure on Erf 8731, Windhoek will be demolished and removed, and the area will be landscaped and converted into a street portion to create a turning circle to allow vehicles to turn around as the new street is a cul-de-sac.

The environmental impacts of the proposed project are as follows:

POSITIVE IMPACTS	NEGATIVE IMPACTS
Temporary employment will be created during construction of the turning circle.	Natural surface drainage systems and channels might be affected.
The flow of traffic as well as road safety will be improved.	There will be an increase in traffic in the construction and operational phase due

	to vehicles entering and exiting the area.
	Dust and noise might be generated.

The environmental impacts during the operational phase of the proposed project:

IMPACTS DURING OPERATIONAL PHASE			
Aspect	Impact Type	Significance of impacts Unmitigated	Significance of impacts Mitigated
Ecology Impacts	-	L	L
Dust and Air Quality	-	M	L
Groundwater Contamination	-	L	L
Waste Generation	-	M	L
Failure of Reticulation Pipeline	-	L	L
Fires and Explosions	-	L	L
Safety and Security	-	L	L

IMPACT EVALUATION CRITERION (DEAT 2006):		
Criteria	Rating (Severity)	
Impact Type	+	Positive
	O	No Impact
	-	Negative
Significance of impacts	L	Low (Little or no impact)
	M	Medium (Manageable impacts)
	H	High (Adverse impact)

The type of activities that is carried out on the site will not negatively affect the amenity of the locality and the activities will not adversely affect the environmental quality of the area. 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 managers and the proponent. 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. It is believed that the overall cumulative impact on the biophysical environment will be low and there will be a positive impact on the socio-economic environment.

The Environmental Impact Assessment Renewal 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 renewed Environmental Impact Assessment Report and Environmental Management Plan, the Environmental

Commissioner of the Ministry of Environment, Forestry and Tourism is herewith requested to:

1. Accept and approve the Environmental Impact Assessment Renewal.
2. Accept and approve the renewed Environmental Management Plan.
3. Issue an Environmental Clearance Renewal for the creation of the street portion on a Portion of Erf 6441, Windhoek (now Erf 8731, Windhoek) and for the following listed activities:

INFRASTRUCTURE

*10.1 The construction of-
(b) public roads*

TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	3
LIST OF FIGURES.....	8
LIST OF TABLES.....	8
LIST OF ABBREVIATIONS.....	9
1. INTRODUCTION.....	10
2. TERMS OF REFERENCE.....	10
3. PROJECT DESCRIPTION/SITE INFORMATION.....	11
3.1. LOCATION OF THE PROJECT SITE.....	11
3.2. PORTION SIZE, ZONING AND USE.....	14
3.3. PROPOSAL AND MOTIVATION.....	14
4. APPROACH TO THE STUDY.....	19
5. APPROVALS OBTAINED.....	19
5.1. MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM.....	19
5.2. CITY OF WINDHOEK.....	21
5.3. MINISTRY OF URBAN AND RURAL DEVELOPMENT.....	25
5.4. THE SURVEYOR GENERAL.....	28
6. REASON FOR DELAY IN IMPLEMENTATION OF PROJECT.....	31
7. ASSUMPTIONS AND LIMITATIONS.....	31
8. ADMINISTRATIVE, LEGAL AND POLICY REQUIREMENTS.....	31
9. AFFECTED NATURAL AND SOCIAL ENVIRONMENT.....	44
9.1. CLIMATE.....	44
9.2. GEOLOGY, SOILS AND GEOHYDROLOGY.....	44
9.3. SURFACE WATER.....	45
9.4. BIODIVERSITY AND VEGETATION.....	46
9.5. SOCIAL-ECONOMIC COMPONENT.....	46
9.6. CULTURAL HERITAGE.....	47
9.7. SENSE OF PLACE.....	47
9.8. HEALTH.....	47
10. INCOMPLETE OR UNAVAILABLE INFORMATION.....	48
11. IMPACT ASSESSMENT AND EVALUATION.....	48
11.1. IMPACTS DURING CONSTRUCTION.....	49
11.1.1. WATER USAGE.....	49
11.1.2. ECOLOGICAL IMPACTS.....	49
11.1.3. DUST POLLUTION AND AIR QUALITY.....	50
11.1.4. NOISE IMPACT.....	50
11.1.5. HEALTH, SAFETY AND SECURITY.....	50

11.1.6.	CONTAMINATION OF GROUNDWATER.....	51
11.1.7.	SEDIMENTATION AND EROSION.....	51
11.1.8.	GENERATION OF WASTE.....	52
11.1.9.	CONTAMINATION OF SURFACE WATER.....	52
11.1.10.	TRAFFIC AND ROAD SAFETY.....	52
11.1.11.	FIRES AND EXPLOSIONS.....	53
11.1.12.	SENSE OF PLACE.....	53
11.2.	IMPACTS DURING THE OPERATIONAL PHASE.....	53
11.2.1.	ECOLOGICAL IMPACTS.....	53
11.2.2.	DUST POLLUTION AND AIR QUALITY.....	54
11.2.3.	CONTAMINATION OF GROUNDWATER.....	54
11.2.4.	GENERATION OF WASTE.....	54
11.2.5.	FAILURE IN RETICULATION PIPELINES.....	54
11.2.6.	FIRES AND EXPLOSIONS.....	55
11.2.7.	HEALTH, SAFETY AND SECURITY.....	55
11.3.	CUMULATIVE IMPACTS.....	55
12.	CONCLUSION.....	56
13.	RECOMMENDATION.....	56
	APPENDIX A: CURRICULUM VITAE OF CHARLIE DU TOIT.....	58
	APPENDIX B: CURRICULUM VITAE OF CARIEN VAN DER WALT.....	60
	APPENDIX C: ENVIRONMENTAL MANAGEMENT PLAN.....	61

LIST OF FIGURES

<i>Figure 1: Project Site Area</i>	12
<i>Figure 2: Photo of Project Area</i>	13
<i>Figure 3: Photo with indication of Erven</i>	13
<i>Figure 4: Project Site Street</i>	14
<i>Figure 5: Subdivision Plan</i>	16
<i>Figure 6: Consolidation Plan</i>	17
<i>Figure 7: Consolidation Plan showing Buildings</i>	18
<i>Figure 8: Subdivision Plan</i>	18
<i>Figure 9: Flowchart of the assessment Process</i>	43
<i>Figure 10: Average temperatures (Atlas of Namibia Project, 2002)</i>	44
<i>Figure 11: Geology of Namibia (Atlas of Namibia Project, 2002)</i>	45
<i>Figure 12: Biomes of Namibia (Atlas of Namibia, 2002)</i>	46

LIST OF TABLES

<i>Table 1: Other laws, acts, regulations and policies</i>	36
<i>Table 2: Impact Evaluation Criterion (DEAT 2006)</i>	48

LIST OF ABBREVIATIONS

EC	Environmental Clearance
ECO	Environment Control Officer
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
I&APs	Interested and Affected Parties
MAWLR	Ministry of Agriculture, Water and Land Reform
MEFT	Ministry of Environment, Forestry and Tourism

1. INTRODUCTION

Green Earth Environmental Consultants were appointed by the proponent, the Motor Vehicle Accident Fund of Namibia (MVA Fund), to renew the environmental clearance for the permanent closure of a portion of Erf 8597 (Viljoen Street), Windhoek as 'street' and the subdivision of Erf 6441, Windhoek to create a street portion for the purpose of the construction of a turning circle.

In accordance with the Environmental Impact Assessment Regulations (GN 30 in GG 4878 of 6 February 2012) of the Environmental Management Act (No. 7 of 2007), the activities listed below, which forms part of the proposed operations, may not be undertaken without an Environmental Clearance:

INFRASTRUCTURE

10.1 The construction of- (b) public roads

The current Environmental Clearance Certificate was issued on 30 January 2019 and will expire on 30 January 2022. The closure procedures for the Portion of Erf 8697 as street and consolidation of the portion with Erf 8596 to create Erf 8730, Windhoek, has been completed. The relevant authorities (City of Windhoek, The Ministry of Urban and Rural Development and the Surveyor General) also approved the creation of the street portion on a Portion of Erf 6441, Windhoek (now Erf 8731, Windhoek). However, the street portion on Erf 8731, Windhoek must still be constructed. To be able to construct the street portion/turning circle, the ECC must be renewed.

The following Environmental Impact Assessment Renewal contains information on the project and the surrounding areas and activities.

2. TERMS OF REFERENCE

To be able to implement the project, a renewed 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 is:

- 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 activities 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 Renewal included the evaluation of the following: climate, water (hydrology), vegetation, geology, soils, social, 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. A renewed Environmental Clearance will only be obtained (from the DEA) once the EIA and EMP has been examined and approved for the listed activities.

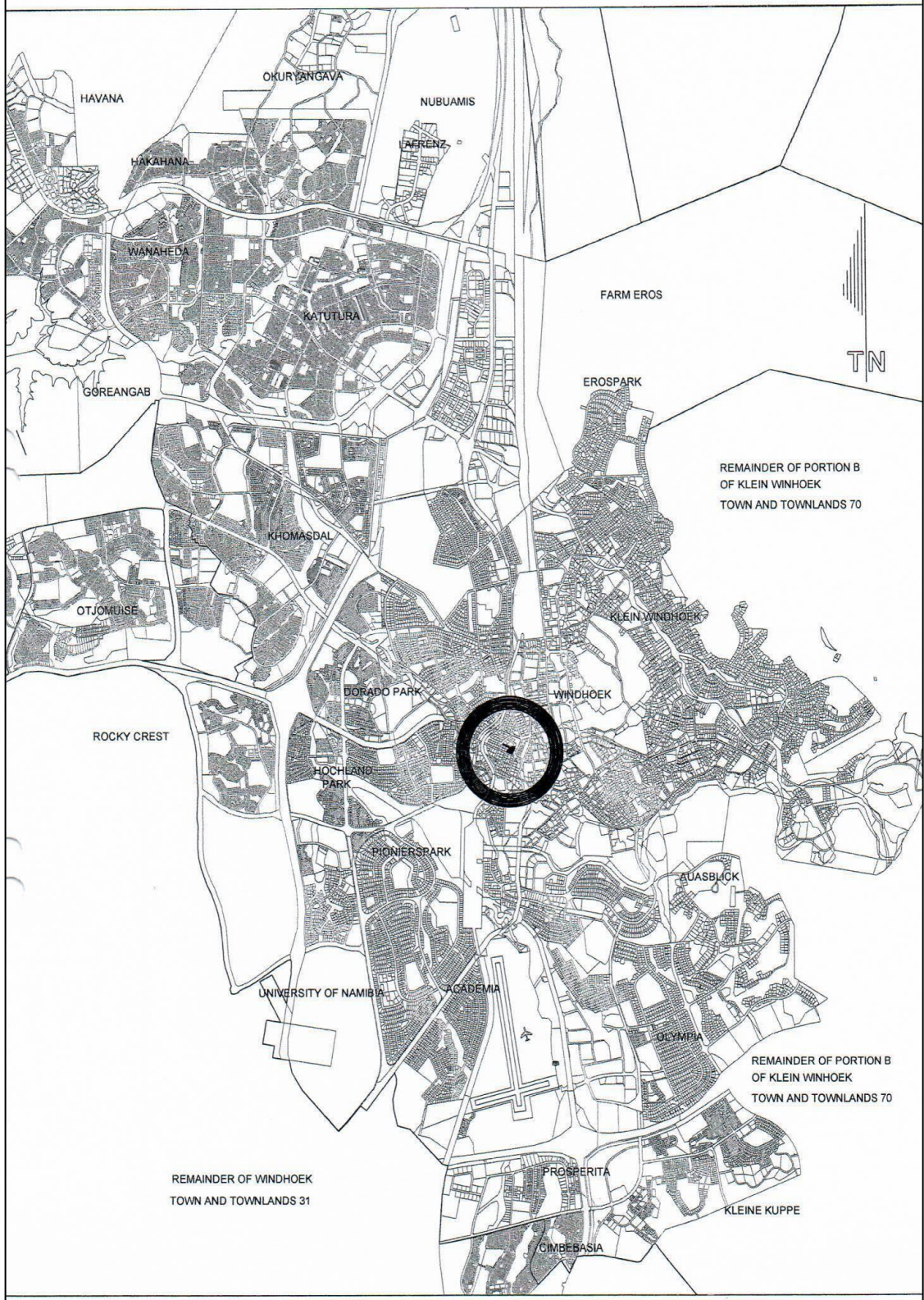
The public consultation process as per the guidelines of the Act has been followed. The methods that were used to assess the environmental issues and alternatives included the collection of data on the project site and area from the proponent and identified stakeholders. All other permits, licenses or certificates that are further on required for the operation of the proposed project still needs to be applied for by the proponent.

3. PROJECT DESCRIPTION/SITE INFORMATION

3.1. LOCATION OF THE PROJECT SITE

Portion A of Erf 8730, Windhoek, upon which the MVA Fund Head Office is located, is in the Central Area of Windhoek south of Susanne Grau Heim old age home. Erf 8731, Windhoek is located directly west of Erf 8730 and directly south of the northern end of Viljoen Street. The locality of Erven 8730 and 8731, Windhoek, is shown on the plans below:

Locality plan: Erf 8596, Windhoek and portion of Viljoen Street (Erf 8597)



SCALE: 1: 65000

Figure 1: Project Site Area

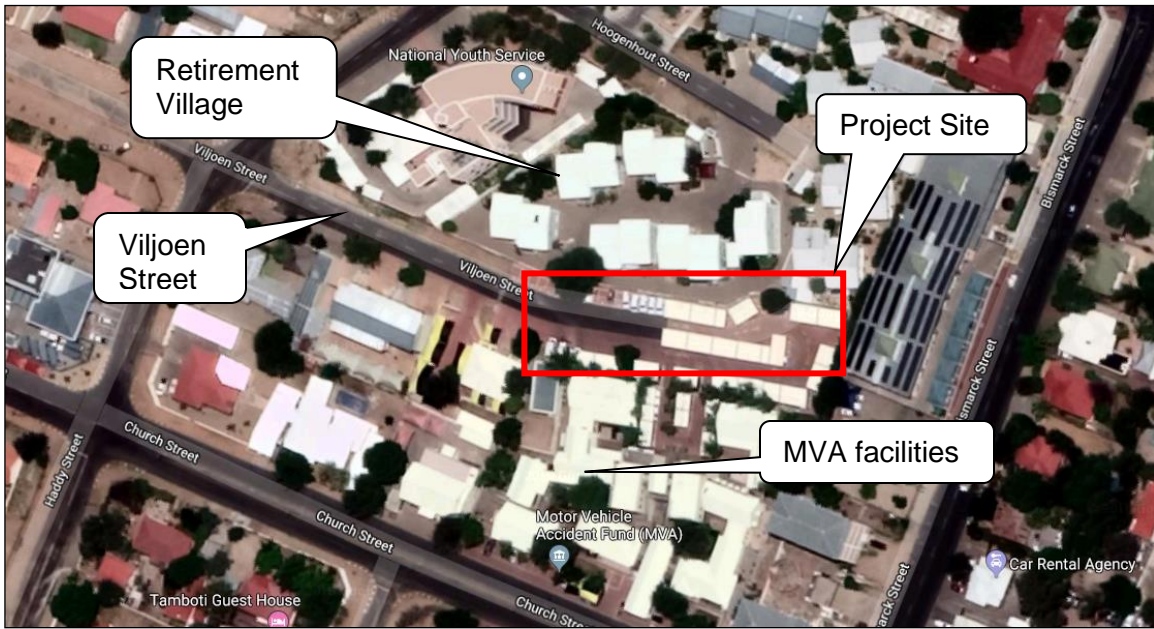


Figure 2: Photo of Project Area



Figure 3: Photo with indication of Erven



Figure 4: Project Site Street

3.2. PORTION SIZE, ZONING AND USE

Erf 8731, Windhoek (previously Portion 1 of Erf 6441, Windhoek) is 115m² in extent and is reserved as a street. It can thus only be used for street purposes from which vehicular and pedestrian access is allowed to the abutting erven. Erf 8731 was created from the subdivision of Erf 6441, Windhoek as it is required for the construction of a turning circle.

3.3. PROPOSAL AND MOTIVATION

The main part of the MVA Fund's offices is located on Erf 8730, Windhoek at the east end of Viljoen Street, just to the south of the Susanne-Grau-Heim (old age home). It is 7741m² and zoned 'office' with a bulk of 0.4. The main entrance of these buildings is from Church Street; however, there is also an entrance via the parking area from Viljoen Street's side. The rest of the MVA Fund's offices are located on the Remainder of Erf 6441, Windhoek which is accessed from Viljoen Street. See plan below showing the locality of the MVA Fund's Offices.

The growth of the MVA Fund's activities resulted in an increase of staff which means that additional parking area is required to accommodate the staff as well as visiting customers' vehicles. Since no additional parking spaces could be provided on Erven 6441 and 8596, the MVA Fund approached the City of Windhoek to purchase a portion of Viljoen Street for parking purposes.

The City of Windhoek per Resolution 249/09/2017 on 29 September 2017 approved the purchase of Portion A ($\pm 994\text{m}^2$) of Viljoen Street by the Motor Vehicle Accident Fund of Namibia to be consolidated with 8596, Windhoek. See attached a copy of Council Resolution 249/09/2017. The COW initially leased Portion A ($\pm 994\text{m}^2$) of Viljoen Street to the MVA Fund to be fenced in for parking purposes until the subdivision, closure and consolidation processes have been completed. The MVA Fund has already altered Portion A from a street to a parking area by enclosing it with a palisade fence, security gate and shade ports which are used for parking purposes. The topography of both Portions allows it to be used for street and parking purposes.

Cutting off Portion A of Viljoen Street for parking purposes means that the eastern Portion of Viljoen Street will become a cul-de-sac. A turning circle therefore must be created on the Remainder of Viljoen Street (Erf 8597, Windhoek) directly west of Portion A which will allow vehicles to turn around in the street upon accessing it. To create this turning circle as per the requirements of City of Windhoek, a portion (Portion 1) of $\pm 115\text{m}^2$ of Erf 6441, Windhoek is required. Council's resolution further stipulates that Portion 1 must be consolidated with Viljoen Street (Erf 8597, Windhoek) to be used for 'street' purposes.

To create these portions the following town planning and cadastral procedures were completed:

- Erf 8597, Windhoek (Viljoen Street) has been subdivided into 8729 ($\pm 994\text{m}^2$) and the Remainder of Erf 8597, Windhoek ($\pm 2,5747\text{m}^2$).
- Erf 8729, Windhoek (Viljoen Street) has been closed as 'street'.
- Erf 8729 has been consolidated with Erf 8596, Windhoek to form Erf 8730, Windhoek.
- Erf 6441, Windhoek has been subdivided into Erf 8731 ($\pm 115\text{m}^2$) and the Remainder of Erf 6441, Windhoek ($\pm 1225\text{m}^2$).
- Erf 8731, Windhoek has been reserved as street to become part of Viljoen street and be developed into a turning circle.

The City of Windhoek, Ministry of Urban and Regional Development and Surveyor General's approvals are in this report.

The creation of a public street or closure of public places like portions of streets are listed activities as per the stipulations of the Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 in GG 4878 of 6 February 2012). An Environmental Clearance for these activities has been obtained. The Environmental Clearance certificate was issued 30 January 2019. A copy of the ECC is attached to this report.

The subdivision plans below show the creation of Portion A and Portion 1 as well as the consolidation plans for the consolidation of Portion A with Erf 8596 and Portion 1 with Erf 8597, Windhoek respectively.

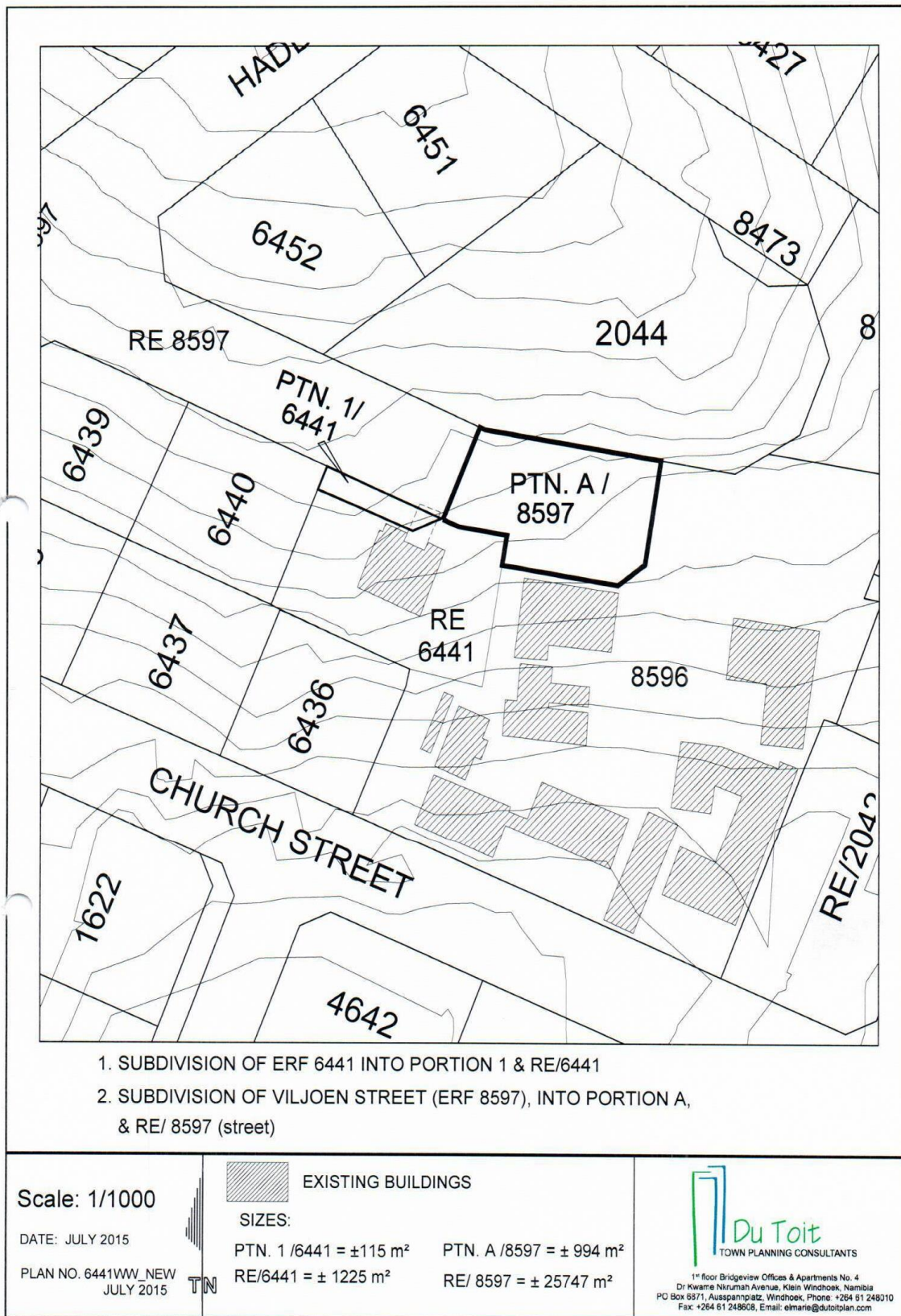


Figure 5: Subdivision Plan

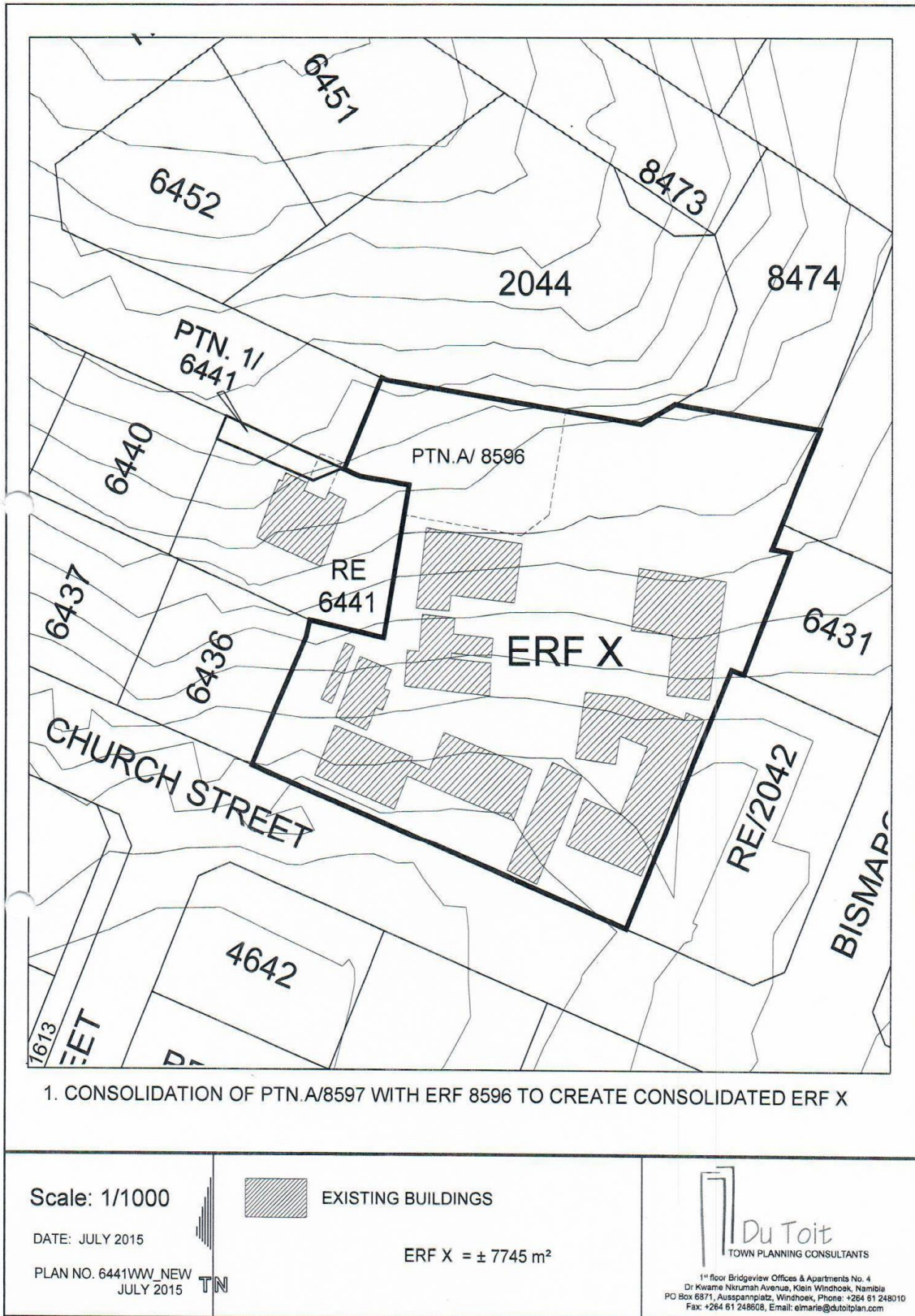


Figure 6: Consolidation Plan



Figure 7: Consolidation Plan showing Buildings

4. 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 area in general were reviewed in order to determine potential environmental issues and concerns.

b) Site assessment (site visit)

A site visit was conducted in the immediate neighbourhood and the surrounding area was assessed. Previous site visits to investigate the environmental parameters on site to enable further understanding of the potential impacts on site also took place.

c) Public participation

The public were invited to give input, comments and opinions regarding the proposed project. Notices were placed in the New Era and the Namibian on two consecutive weeks (28 June and 2/5 July 2018) inviting public participation and comments on the proposed project were requested. Notices were also displayed on site and at the Municipal notice boards of City of Windhoek. The closing date for any questions, comments, inputs or information was 27 July 2018.

The permanent closure notice of Portion A of Erf 8597, (Viljoen Street), Windhoek, as street was included in the Government Gazette of 16 July 2018 (No. 6649) under No. 365.

c) 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.

5. APPROVALS OBTAINED

5.1. MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM

The Ministry of Environment, Forestry and Tourism issued an Environmental Clearance Certificate on 30 January 2019 which will expire on 30 January 2022. See below a copy of the ECC:



REPUBLIC OF NAMIBIA

MINISTRY OF ENVIRONMENT AND TOURISM

Tel: (00 26461) 294 2111
Fax: (00 26461) 232 057

Cnr Robert Mugebe &
Dr Kenneth Kaunda Street
Private Bag 13306
Windhoek
Namibia

E-mail: damian.nchindo@met.gov.na

Enquiries: Mr. Damian Nchindo

30 January 2019

OFFICE OF THE ENVIRONMENTAL COMMISSIONER

The Chief Executive Officer
Motor Vehicle Accident Fund of Namibia
P. O Box 20919
Windhoek, Namibia

Dear Sir / Madam

SUBJECT: ENVIRONMENTAL CLEARANCE FOR THE PROPOSED CLOSURE OF PORTION A OF ERF 8597 (VILJOEN STREET), AND CREATION OF A STREET PORTION ON ERF 6441, WINDHOEK, KHOMAS REGION

The Environmental Impact Assessment and Environmental Management Plan submitted is sufficient as it made adequate provisions of the environmental management concerning the project's activities. From this perspective, regular environmental monitoring and evaluations on environmental performance should be conducted. Targets for improvements should be established and monitored throughout this process.

This Ministry reserves the right to attach further legislative and regulatory conditions during the construction and operational phase of the project. From this perspective, I issue this clearance with the condition that consent have to be obtained from City of Windhoek prior to project commencement

On the basis of the above, this letter serves as an environmental clearance for the project to commence. However, this clearance letter does not in any way hold the Ministry of Environment and Tourism accountable for misleading information, nor any adverse effects that may arise from this project's activities. Instead, full accountability rests with Motor Vehicle Accident Fund of Namibia and their consultants.

This environmental clearance is valid for a period of (three) 3 years, from the date of issue unless withdrawn by this office.

Yours sincerely,


2019-01-31
Ministry of Environment and Tourism
Private Bag 13306
Windhoek, Namibia
Environmental Commissioner

Teofilus Nghitila
ENVIRONMENTAL COMMISSIONER


"Stop the poaching of our rhinos"

All official correspondence must be addressed to the Permanent Secretary



5.2. CITY OF WINDHOEK

City of Windhoek approved the purchase of a portion of Viljoen Street (Erf 8597), Windhoek to be consolidated with Erf 8596, Windhoek on 29 September 2017. See copy of approval letter below:

Department of Housing, Property Management & Human Settlement			
☒ 59 80 Independence Avenue WINDHOEK, NAMIBIA		Tel: (+264) 61 290 2170 • www.cityofwindhoek.org.na	
ENQ:	Mr. E. T. Shapopi	PHONE:	+264 61- 290 3354
E-MAIL:	eli@windhoekcc.org.na	FAX:	+264 61 - 290 2493
DATE:	10 November 2017	OUR REF:	L/6441/W
Elmarie Du Toit Elmarie du Toit Town Planning Consultants Box 6871 Ausspanplatz WINDHOEK			
Dear Madam			
REVISED APPLICATION: PURCHASE OF A PORTION OF VILJOEN STREET (ERF 8597), WINDHOEK TO BE CONSOLIDATED WITH ERF 8596, VILJOEN STREET: MVA FUND OF NAMIBIA			
Reference is made to previous correspondence regarding the above subject matter.			
The City wishes to inform you that the City Council considered your application at its monthly meeting held on 29 September 2017 and resolved per Council Resolution 249/09/2017 as follows:			
<i>"That Council Resolution 130/05/2011, attached as pages 625 - 627 to the agenda, be rescinded and replaced to read as follows:</i>			
1	<i>That Erf 6441, Windhoek be subdivided into Portion 1 (± 115 m² in extent) and the Remainder and that Erf 8597, Viljoen Street, Windhoek be subdivided into Portion A (± 994 m² in extent) and the Remainder, as indicated on the plan, attached as page 637 to the agenda.</i>		
2	<i>That Portion 1 (± 115 m² in extent) of Erf 6441, Windhoek be consolidated with Erf 8597, Windhoek and be rezoned from 'office' to 'street'.</i>		
3	<i>That Portion A (± 994 m² in extent) of Erf 8597, Windhoek be closed as street.</i>		
4	<i>That the City prepare the closure notice:</i>		
4.1	<i>That the applicant-owner of Erf 8596, Viljoen Street, Windhoek be responsible for inserting the notice in the media, placing a copy on-site and for distribution to affected neighbours.</i>		
4.2	<i>That proof of successful advertising be provided to the Strategic Executive: Housing, Property Management and Human Settlement before the transfer process.</i>		
5	<i>That the applicant obtain an Environmental Management Clearance Certificate from the Environmental Commissioner under regulation 5 of Government Notice No. 29 of 2012.</i>		
6	<i>That Portion A (± 994 m² in extent) of Erf 8597, Windhoek after the successful closure, be consolidated with Erf 8596, Windhoek simultaneously with transfer.</i>		
7	<i>That Portion A (± 994 m² in extent) of Erf 8597, Windhoek assume the same zoning as Erf 8596, Windhoek which is 'office' with a bulk of 0.4 in terms of section 5(3) of the Town Planning Scheme.</i>		
All official correspondence must be addressed to the Chief Executive Officer			

- 8 *That the applicant be responsible for the closure, town planning and cadastral procedures, i.e. application to Townships Board, land surveying and registration of the newly created erven, and all costs involved.*
- 9 *That Portion 1 (± 115 m² in extent) of Erf 6441, Windhoek be transferred to the City of Windhoek for street purposes and the value of the land be deducted from the purchase price for Portion A (± 994 m² in extent) of Erf 8597, Windhoek.*
- 10 *That it be noted that the value of Portion 1 (± 115 m² in extent) of Erf 6441, Windhoek is N\$179 400.00 and that the amount be deducted from the value of Portion A (± 994 m² in extent) of Erf 8597, Windhoek which amounts to N\$1 551 000.00, as determined by the Strategic Executive: Housing, Property Management and Human Settlement.*
- 11 *That the applicant purchase Portion A (± 994 m² in extent) of Erf 8597, Windhoek for an amount of N\$1 371 600.00 and that an amount of N\$101 189.20 be contributed to the Urban Arterial Account (UAA).*
- 12 *That Portion A (± 994 m² in extent) of Erf 8597, Windhoek be offered for sale to the applicant and owner of Erf 8596, Windhoek, subject to the following conditions:*
- 12.1 *That surface stormwater run-off be accommodated according to clause 35 of the Windhoek Town Planning Scheme (see Info 35 of the Town Planning Scheme), stating:*
- 12.1.1 *That no stormwater drainage pipe, canal, work or obstruction (except stormwater drain pipes, canal or work which have been authorised in writing by the local authority or which have been or may be built, laid or erected in terms of any law) be constructed on or over the property or located in such a way that:*
- *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*
 - *The flow of a natural watercourse (in which the local authority allow flood water to run-off, be discharged or to be canalised) is or can be changed, canalised or impeded.*
- 12.1.2 *That the maintenance of such stormwater pipe, channel or work be the responsibility of the owner of the concerned property.*
- 12.2 *That prior approval be obtained from the Strategic Executive: Housing, Property Management and Human Settlement if the accommodation of the stormwater on the erf is contemplated.*
- 12.3 *That engineering drawings on how the stormwater would be accommodated to the satisfaction of the Strategic Executive: Housing, Property Management and Human Settlement be submitted for approval simultaneously with the building plans.*
- 12.4 *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.*
- 12.5 *That no building plans be approved until the stormwater conditions are met.*
- 12.6 *That the applicant take note that a sewer line is situated on Erf 8596, Windhoek and on the applied portion of Erf 8597, Windhoek, and that no permanent structures be erected within 1.5 metre of the sewer line.*
- 12.7 *That the applicant take note that there is a 110 mm diameter water line that pass through the applied portion of Erf 8597 and Erf 8596, Windhoek.*
- 12.7.1 *That a 5 metre wide servitude be surveyed and registered over the municipal water line that pass through the applied portion of Erf 8597 and Erf 8596, Windhoek.*
- 12.7.2 *That all surveying and registration costs due to the water line be for the applicant's account.*
- 12.7.3 *That the Deed of Sale only be signed after the servitude mentioned in paragraph 12.7.1 above is registered over the municipal water line that run through the applied portion of Erf 8597 and Erf 8596, Windhoek.*

- 12.8 That should any municipal electrical infrastructure need to be relocated, dismantled or replaced as per request received from the applicant, all cost related thereto be for the applicant's account.
- 12.9 That only one (1) service connection per erf be allowed from the municipal electrical network.
- 12.10 That only one (1) additional meter point be allowed for an approved flat on erven that are zoned 'single residential', and for more meter points, the erf be rezoned to 'general residential'.
- 12.11 That for erven that are zoned 'general residential', 'business', 'office', 'institutional' or 'industrial' and a service connection larger than 3 x 60 ampere is required, the applicant and/or his/her electrical engineering representative contact the Strategic Executive: Electricity, well in advance, during the planning stage, before any building plans have been approved to determine whether the existing electrical network can handle the additional loading or whether a substation building or site is to be provided by the applicant at his/her own cost to incorporate an additional substation; and also to determine the financial contribution to be made by the applicant towards the upgrade cost of the network.
- 12.12 That bollards be provided that prohibit parking around the turning circle and to preserve pedestrian movement.
- 12.13 That the stairs and ramps be relocated to be outside the road reserve.
- 12.14 That the applicant sign a Development Agreement for the construction of the circle.
- 13 That the applicant-owner of Erf 8596, Windhoek:
- 13.1 Submit proof to the Strategic Executive: Housing, Property Management and Human Settlement not later than six (6) months from the date of this Council Resolution that the Environmental Management Clearance Certificate has been obtained and the closure, proposed subdivision, consolidation has been submitted to the Townships Board for consideration.
- 13.2 Submit proof to the Strategic Executive: Housing, Property Management and Human Settlement within sixty (60) days after the approval for consolidation that a surveyor has been appointed.
- 13.3 Submit draft erf diagrams to the Strategic Executive: Housing, Property Management and Human Settlement within three (3) months after such appointment of the Surveyor, indicating that the survey has been completed and that the diagrams have been submitted to the Surveyor General for approval.
- 13.4 Sign the Deed of Sale not later than thirty (30) days after approval of the diagrams and having been requested to do so by the Strategic Executive: Housing, Property Management and Human Settlement and pay the purchase price in line with Council Policy, also in line with provisions of paragraph 11 of this Council Resolution.
- 14 That should the owner of Erf 8596, Windhoek fail to comply with any of the conditions stipulated in paragraph 13 above, the allocation of Portion A ($\pm 994 \text{ m}^2$ in extent) of Erf 8597, Windhoek be cancelled.
- 15 That should the purchaser fail to finalise the sale within eighteen (18) months from the date of this Council Resolution, the allocation be cancelled: Provided that, should extension for the finalisation of the sale be requested and granted, the Strategic Executive: Housing, Property Management and Human Settlement reallocate the property at a revised price.
- 16 That should the owner of Erf 8596, Windhoek be interested in taking occupation of Portion A ($\pm 994 \text{ m}^2$ in extent) of Erf 8597, Windhoek prior to conclusion of the sale, it be leased at a rental of 10 % of the purchase price and further subject to annual escalation in line with the Namibia Inflation Rate, and draft diagrams being available.
- 17 That backdated rent for the amount of N\$411 480.00 (calculated at 10 % of the purchase price per annum, thus 10 % of N\$1 371 600.00 = N\$137 160.00 x three (3) years), be charged for having occupied the land of the previously approved turning circle without having finalised the land transaction.

- 18 *That the sale and lease of Portion A (± 994 m² in extent) of Erf 8597, Windhoek by private treaty be advertised in terms of section 63(2) of the Local Authorities Act, 1992 (Act 23 of 1992).*
- 19 *That the Chief Executive Officer (Corporate Legal Adviser) draft the Sales Agreement.*
- 20 *That the resolution be implemented prior to confirmation of the minutes."*

Kindly indicate in writing and within thirty (30) days hereof whether the conditions of the Council Resolution are acceptable to you. Should you be in agreement and have accepted the above conditions, kindly proceed to implement same especially the paragraphs that deals with the town planning and cadastral procedures which are to be finalized prior to the sale taking place.

Trusting that you find the above in order.

Yours sincerely




Mrs. S. Simpson

Manager: Property Management Division

5.3. MINISTRY OF URBAN AND RURAL DEVELOPMENT

The Townships Board on 6 December 2018 under Item 424/2018 approved the permanent closure of Erf 8597 (street) and consolidation with Erf 8596 and subdivision of Erf 6441, Windhoek. See copy of the approval letter below:


Republic of Namibia

Ministry of Urban and Rural Development

Enquiries: H. N. Van Wyk Tel: (+264+61) 297-5230 Fax: (+264+61) 297-5305 Email: hvanwyk@murd.gov.na	Government Office Park Luther Street	Private Bag 13289 Windhoek, Namibia
	Our Ref.: 17/4/1/W3 Your Ref.:	Date: 22 February 2019


**Du Toit Town Planning Consultants
P.O Box 6871
Ausspannplatz
WINDHOEK**

Dear Madam

**SUBJECT: WINDHOEK; PERMANENT CLOSURE OF A PORTION OF ERF 8597 (STREET);
CONSOLIDATION WITH ERF 8596 AND SUBSEQUENT SUBDIVISION OF ERF 6441**

1. The attached Townships Board Resolution under Item 424/2018 dated 06 December 2018 has been approved.
2. Attached please find the Original Subdivision Certificate for registration purposes.

Yours faithfully


TOWNSHIPS BOARD SECRETARIAT

All official correspondence must be addressed to the Executive Director



REPUBLIC OF NAMIBIA
MINISTRY URBAN AND RURAL DEVELOPMENT
Township and Division of Land Ordinance, 1963

CERTIFICATE

I hereby certify, in terms of section 19 (7) of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) that I have approved the subdivision of:

Erf 6441
in the Township of
Windhoek
into **two** portions

designated.

Erf 8731 (street, free of conditions), Windhoek and the Remainder of Erf 6441, Windhoek.

Please Note: This subdivision certificate is only valid for two years from date of notification in terms of section 19 (13) of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963) subject to the conditions as attached hereto: Application may be made for extension of time within this two year period, after which this permission shall lapse and re-application shall be required to enable registration.



.....
Date

Shah
.....
Acting Deputy Director
Division Planning

Item

Date

424/2018
17/4/1/W3

06 December 2018

**WINDHOEK: PERMANENT CLOSURE OF A PORTION OF ERF 8597 (STREET);
CONSOLIDATION WITH ERF 8596 AND SUBSEQUENT SUBDIVISION OF ERF
6441 (DU TOIT TOWN PLANNING CONSULTANTS) (Whk.89-MG-5AC-V4)**

The Board recommended that –

- a) Townships Board Resolution Item 11/2012 dated 07 February 2012 be cancelled;
- b) the permanent closure of a portion of Erf 8597 (street), Windhoek as approved by the Municipal Council of Windhoek is confirmed;
- c) the closed street portion be converted into Erf 8729 (formerly street), Windhoek;
- d) Erf 8729 (formerly street), Windhoek be consolidated with Erf 8596, Windhoek into Erf 8730, Windhoek simultaneously with transfer;
- e) Erf 6441, Windhoek be subdivided into Erf 8731 (street, free of conditions), Windhoek and the Remainder of Erf 6441, Windhoek;
- f) the conditions registered against Erven 6441 and 8596, Windhoek be cancelled and the following conditions be registered against Erf 8730 and the Remainder of Erf 6441, Windhoek; and

IN FAVOUR OF THE LOCAL AUTHORITY

- A. The erf must only be used or occupied for purposes which are in accordance with and the use or occupation of the erf shall at all times be subject to the provisions of the Windhoek Town Planning Scheme prepared and approved in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954).
- B. The building value of the main building, excluding the outbuilding to be erected on the erf shall be at least **four** times the prevailing valuation of the erf.
- g) a 5 metre wide water pipeline servitude be surveyed and registered over Erf 8730, Windhoek in favour of the Local Authority.

5.4. THE SURVEYOR GENERAL

The Surveyor General approved the diagrams of the newly created erven. See copy of the approved diagrams below:

SIDES METRES		ANGLES OF DIRECTION	CO-ORDINATES System: 22/17		DESIGN.	
			Y	X		
Constants: 0,00 0,00						
A B	1,13	293 42 10	A	-8 226,61	+63 370,02	BEN5
B C	53,75	279 16 20	B	-8 227,64	+63 370,47	QB2352
C D	8,12	240 50 10	C	-8 280,68	+63 379,13	QB2353
D E	30,47	279 20 50	D	-8 287,77	+63 375,17	8472d
E F	25,67	22 28 10	E	-8 317,84	+63 380,12	8472c
F G	3,86	280 08 40	F	-8 308,03	+63 403,84	QB2322
G H	26,01	21 44 00	G	-8 311,83	+63 404,52	6431d
H J	2,74	108 18 10	H	-8 302,20	+63 428,68	6432c
J K	12,79	23 27 30	J	-8 299,60	+63 427,82	6432d
K L	43,29	22 39 40	K	-8 294,51	+63 439,55	6432e
L M	84,73	112 32 40	L	-8 277,83	+63 479,50	6433c
M N	27,93	203 53 10	M	-8 199,59	+63 447,02	6435d
N P	3,46	192 30 40	N	-8 210,90	+63 421,48	8435e
P Q	15,85	282 45 20	P	-8 211,65	+63 418,10	6441e
Q R	30,66	189 51 30	Q	-8 227,11	+63 421,60	6441d
R S	10,49	99 20 30	R	-8 232,36	+63 391,39	6441c
S T	3,56	113 17 50	S	-8 222,01	+63 389,69	QB2323
T A	19,88	203 18 30	T	-8 218,74	+63 388,28	BEN4
			⊕	-8 092,61	+63 413,55	TSM131
			⊕	-8 312,42	+63 499,97	TSM132

Components


- 1) The figure ABuvwxRST represents Erf 8729 (formerly street) Windhoek, vide Diagram No.A139/2019, annexed to T /2019, dated
- 2) The figure xwvucDEFGHJKLMNPQ represents Erf 8596 Windhoek, vide Diagram No.A551/2009 annexed to T6150/2010, dated 2010-11-30

Servitude Notes

- 1) The lines E-F and F-y represent the eastern and southern sides of a 5 metre wide pipeline servitude vide Diagram No.A550/2009.
- 2) The line y-R-S-T represents the southern boundary of a 5 metre wide pipeline servitude vide Diagram No.A139/2019.

The figure A B C D E F G H J K L M N P Q R S T
represents 7741 square meters of land being
Erf 8730, Windhoek
Comprising 1) and 2) above

Situate in the Municipal Area of Windhoek
Registration Division K
Khomas Region
Republic of Namibia
Compiled in February 2019 by me


H.L. Strydom
Land Surveyor

This diagram is annexed to	The original diagrams are as quoted above	S.R No.: Compiled Noting Plan: MG-5AC/V4
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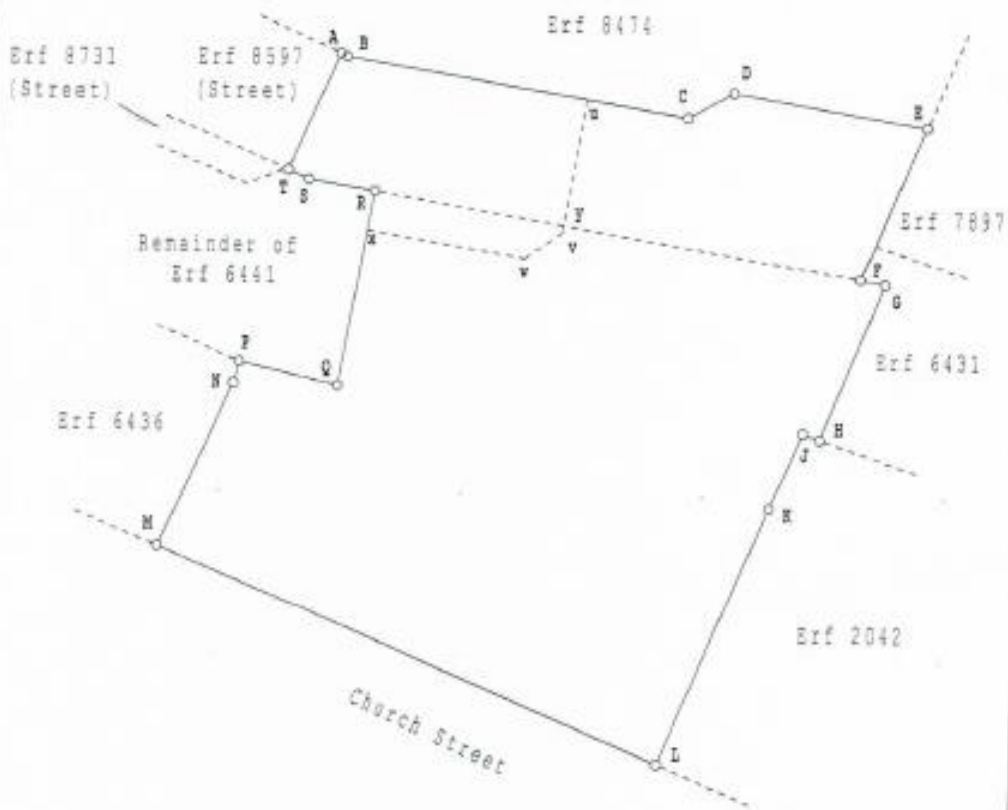
Approved *Strydom* 25 MAR 2019

No. A140/2019

for Surveyor-General

Description of Beacons

- A, B, R, S, T.....Hole in concrete
- C, D.....Hole on wall
- E.....16mm iron peg
- F.....Hole on concrete pipe
- G, H, J, K, N, P, Q.....Fence post in concrete
- L, M.....15mm iron peg



Erf 8730, Windhoek
Comprising 1) and 2) above

H.L. Strydom

H.L. Strydom

Compiled in February 2019

Approved

Strydom 25 MAR 2019

No. A141/2019

for Surveyor-General

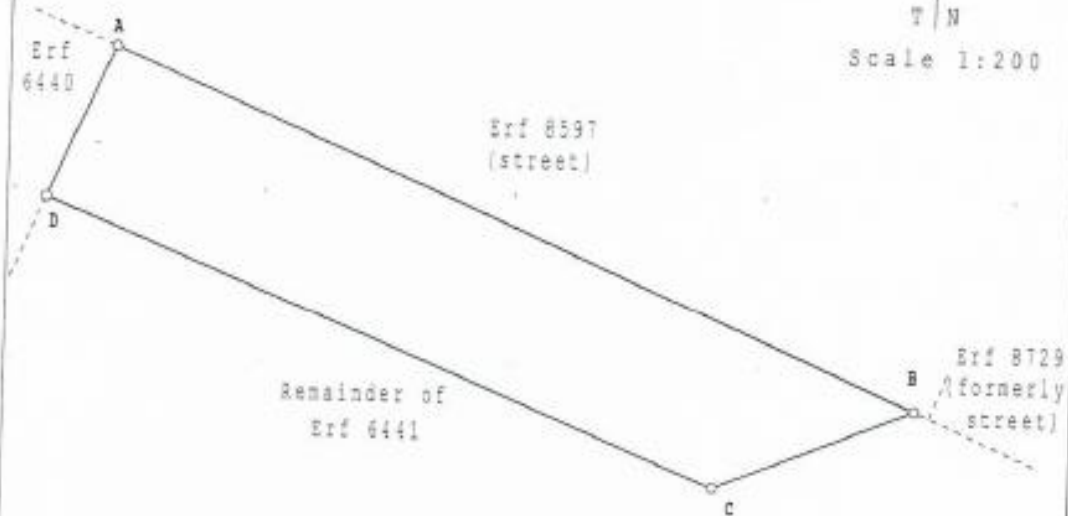
SIDES METRES	ANGLES OF DIRECTION	CO-ORDINATES		DESIGN
		Y	X	
		Constants: 0, 00		
A B	26,33	293 17 50	0, 00	
B C	6,48	67 49 20	-8 194,13	+63 377,68 6441a
C D	21,79	112 20 00	-8 218,31	+63 388,10 BEN3
D A	4,98	203 13 50	-8 212,32	+63 390,54 BEN2
			-8 192,16	+63 382,26 BEN1
			⊕ -8 092,61	+63 413,55 TSM131
			⊕ -8 312,42	+63 499,97 TSM132

Description of Beacons

- A.....Hole on top of wall
- B.....Sole in concrete
- C,D.....16mm round iron peg



Scale 1:200



The figure A B C D
represents 115 square meters of land being
Erf 8731 (Street) a portion of Erf 6441
Windhoek

Situate in the Municipal Area of Windhoek
Registration Division K
Khomas Region
Republic of Namibia
Surveyed in February 2019 by me

Strydom

H.L. Strydom
Land Surveyor

This diagram is annexed to No. dated	The original diagram is No. A332/78 Annexed to Transfer 1975/84	S.R No.: E33/2019 Gen. Plan No. Noting Plan: MG 54/19
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6. REASON FOR DELAY IN IMPLEMENTATION OF PROJECT

The MVA Fund could not start with the construction of the turning circle (street portion) due to a lack of funds. Their income is also currently under severe constraints due to the impact of Covid 19 as well as the general state of Namibia's Economy. It is however their intention to finalise the construction of the turning circle in the next 3 years when the required funding becomes available. The ECC must be renewed to allow the MVA to construct the turning circle.

7. ASSUMPTIONS AND LIMITATIONS

It is assumed that the information provided by the proponent (the Motor Vehicle Accident Fund of Namibia), Du Toit Town Planning Consultants, the Engineers and City of Windhoek is accurate. No alternative portions/erven/land for the proposed creation and closure of street were considered. This specific land is required because of the proximity to the project site. 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.

8. 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 for the proposed project are the following:

- The Namibian Constitution
- The Environmental Management Act (No. 7 of 2007)
- The Local Authorities Act (No. 23 of 1992)
- The Windhoek Town Planning Scheme and 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*).

CONCLUSION AND IMPACT

In considering the environmental rights, the Motor Vehicle Accident Fund of Namibia (MVA Fund) should consider the following in devising an action plan in response to the 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 Motor Vehicle Accident Fund of Namibia (MVA Fund)’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 Renewal and an Environmental Management Plan (EMP) be conducted for the following listed activities in order to obtain an Environmental Clearance Certificate:

INFRASTRUCTURE

10.1 The construction of- (b) public roads

Cumulative impacts associated with the project must be included as well as public consultation. The Act further requires all major industries 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. They 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

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

The proposed activities have been assessed in terms of the Environmental Management Act (No. 7 of 2007) and the Regulations (2012). From the assessment, it can be concluded that the activities will have impacts on the prevailing environment but that the negative impacts can be sufficiently mitigated and managed by the Environmental Management Plan which is part of this document.

THE LOCAL AUTHORITIES ACT (NO. 23 OF 1992)

The purpose of the Local Authorities Act is to provide for the determination, for purposes of local government, of local authority councils; the establishment of such local authority councils; and to define the powers, duties and functions of local authority councils; and to provide for incidental matters.

The Local Authorities Act defines a 'street' or as follows:

"street" means any road, thoroughfare, pavement, sidewalk, lane or other right of way set apart for the use and benefit of residents in a local authority area.

Part IX of the Local Authorities Act deals with streets and public places. Article 48 and 49 of the Act deals with the '*construction of streets and public places*' and '*construction of culvert crossings*'

In accordance with Article 48:

Construction of streets and public places

48. (1) For purposes of the provisions of section 30(1)(e), a local authority council may -

- (a) construct or lay drains, culverts, bridges, sewers, water-mains, underground drains, electric mains, cables, lines, poles and pipes in streets and public places constructed in terms of that section.
- (b) construct in any public place swimming baths, public baths, zoological or botanical gardens, aquariums, pavilions, dressing rooms, public conveniences and other public facilities, and, with the approval of the Minister and subject to such terms and conditions as may be determined by him or her, let or grant the right to use any such public place.
- (c) provide and carry on refreshment rooms, cafes and restaurants in any public place, and, with the approval of the Minister and subject to such terms and conditions as may be determined by him or her, let any such refreshment room, cafe or restaurant.
- (d) provide such apparatus or equipment as may be necessary for use in any game, sport or other recreation in any public place.
- (e) alter in any manner whatsoever any street or public place.
- (f) light streets and public places.
- (g) erect road traffic signs.
- (h) adorn any public place by any architectural or other scheme of ornamentation, including statues, monuments, fountains or any other structures; and
- (i) generally, perform or carry out any other function which is necessary for or conducive to its powers in relation to the construction of streets and public places in its area.

(2) A local authority council shall not construct any street or public place in or on any townlands situated within its area without the prior approval in writing of the Minister.

(3) Notwithstanding the provisions of section 33, the owner of any immovable property who has suffered any damage or loss in consequence of the alteration of any street by way of the lowering or raising of the level, or the narrowing or widening, of any street in which such immovable property is situated shall be entitled to such compensation as may be

determined by mutual agreement between such owner and the local authority council in question or, in the absence of any such agreement, by arbitration.

In accordance with Article 49:

Construction of culvert crossings

49. A local authority council may, at the request of the owner or occupier of any immovable property fronting a street -

- (a) construct and maintain culvert crossings from such immovable property to the street, and recover the costs of the construction of such crossings from such owner or occupier.
- (b) construct, pave and maintain the sidewalk or pavement in front of such immovable property or any part of its width in a special manner approved by the local authority council and desired by such owner or occupier, and recover the costs from such owner or occupier in so far as such costs exceed the costs of its construction in the ordinary manner.

CONCLUSION AND IMPACT

The creation of a street portion has been done in accordance with the stipulations of Article 48 and 49 of the Act. Public notices have been displayed on the site, the municipal notice board and two daily newspapers. No objections/comments to the proposed alignment and construction of the street were received. The Townships Board approved the subdivision of Erf 6441, Windhoek to create Erf 8731 for the creation of a turning circle. The new erven have been surveyed and the diagrams were approved.

THE WINDHOEK TOWN PLANNING SCHEME AND COUNCIL'S POLICIES

The Windhoek Town Planning Scheme (as amended in Windhoek Amendment Scheme No. 96 – promulgated 30 January 2018) applies to the area as indicated on the scheme maps and corresponds with the Townlands Diagram for Windhoek Town and Townlands. Erf 8731, Windhoek falls under/within the area of the Scheme.

The general purpose of this Scheme is the coordinated and harmonious development of the area of 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.

According to the Town Planning Scheme, Erf 8731, Windhoek is reserved as a street. In terms of the Town Planning Scheme's provisions as well as other supporting policies, the City of Windhoek supports the proposed use of Erf 8731 as per the stipulations of Council Resolution 249/09/2017. Council set out the conditions with regard to the subdivision of Erf 6441, Windhoek to create Erf 8731 which will be used to construct the turning circle in Viljoen Street.

CONCLUSION AND IMPACT

The proposed closure of Portion A of Viljoen Street as street and the creation of Portion 8731, Windhoek for the construction of a turning circle have been considered under the stipulations of the Windhoek Town Planning Scheme and the Local Authorities Act. The construction of the turning circle will have a negative impact during construction but will have a positive impact once constructed and in use.

Table 1: Other 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, fees to be paid and required terms of conditions	The Proponent must adhere to the Pollution Control and Waste Management Bill.

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

	from causing injury, ill-health or 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.
EU Timber Regulation: FSC (2013)	Forest Stewardship Council (FSC) came into effect in March 2013, with the aim of preventing sales of illegal timber and timber products in the EU market. Now, any actor who places timber or timber products on the market for the first time must ensure that the timber used has been legally harvested	The Proponent is advised to adhere to the regulation.

	and, where applicable, exported legally from the country of harvest.	
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.
Communal Land Rights	Communal land is land that belongs to the State and is held in trust for the benefit of the traditional communities living in those areas. Communal land cannot be bought or sold, but one can be given a customary land right or right of leasehold to a part of communal land in accordance with the provisions of the Communal Land Reform Act (No. 5 of 2002) and Communal Land Reform Amendment Act (No. 13 of 2013) . The Communal Land Reform Act provide for the allocation of rights in respect of communal land to establish Communal Land Boards to provide for the powers of Chiefs and Traditional Authorities and boards in relation to communal land and to make provision for incidental matters. Consent and access to land for the proposed project should be requested from the relevant traditional authority through the Regional Council and Regional Communal Land Boards.	Consent should be obtained from Traditional Authorities, Communal Boards, Chiefs, Kings, Queens etc. if required.
Traditional Authorities Act (No. 17 of 1995)	The Traditional Authorities Act (No. 17 of 1995) provide for the establishment of traditional authorities, the designation and recognition of traditional leaders; to	Traditional Authorities should be consulted when required.

	define their functions, duties and powers; and to provide for matters incidental thereto.	
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.
Coronavirus (Covid-19) Pandemic	The current global Coronavirus (Covid-19) pandemic and the associated State of Emergency and health restrictions globally may result in some delays and logistic disruptions. The pandemic might have an impact on obtaining equipment, specialist workforce mobilisation and implementation of the project. The health restrictions may have an impact on campsite set-up, traveling of personal/workers and building of the infrastructure. The proponent, contractor and subcontractors should adhere to all the international, regional and local Covid-19 health restrictions and protocols.	The proponent, contractor and workforce should adhere to the restrictions and regulations.
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	No person shall destroy, damage, excavate, alter, remove from its original site or export from Namibia: (a) any meteorite or fossil; or	The proposed site for development is not within any known monument site both movable or immovable as specified in the Act, however

<p>amended until 1979</p>	<p>(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 object; except under the authority of and in accordance with a permit issued under this section.</p>	<p>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.</p>
<p>Public Health Act (No. 36 of 1919)</p>	<p>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.”</p>	<p>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.</p>
<p>Soil Conservation Act (No. 76 of 1969)</p>	<p>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;</p>	<p>Only the area required for the operations should be cleared from vegetation to ensure the minimum impact on the soil through clearance for construction.</p>

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; increased income equality; and employment creation.	The proposed project is an important element in employment creation.

CONCLUSION AND IMPACT

It is believed the above administrative, legal and policy requirements which specifically guide and governs the activity will be followed and complied with in the planning, implementation and operations process.

A flowchart indicating the entire EIA process is shown in the *Figure* below:

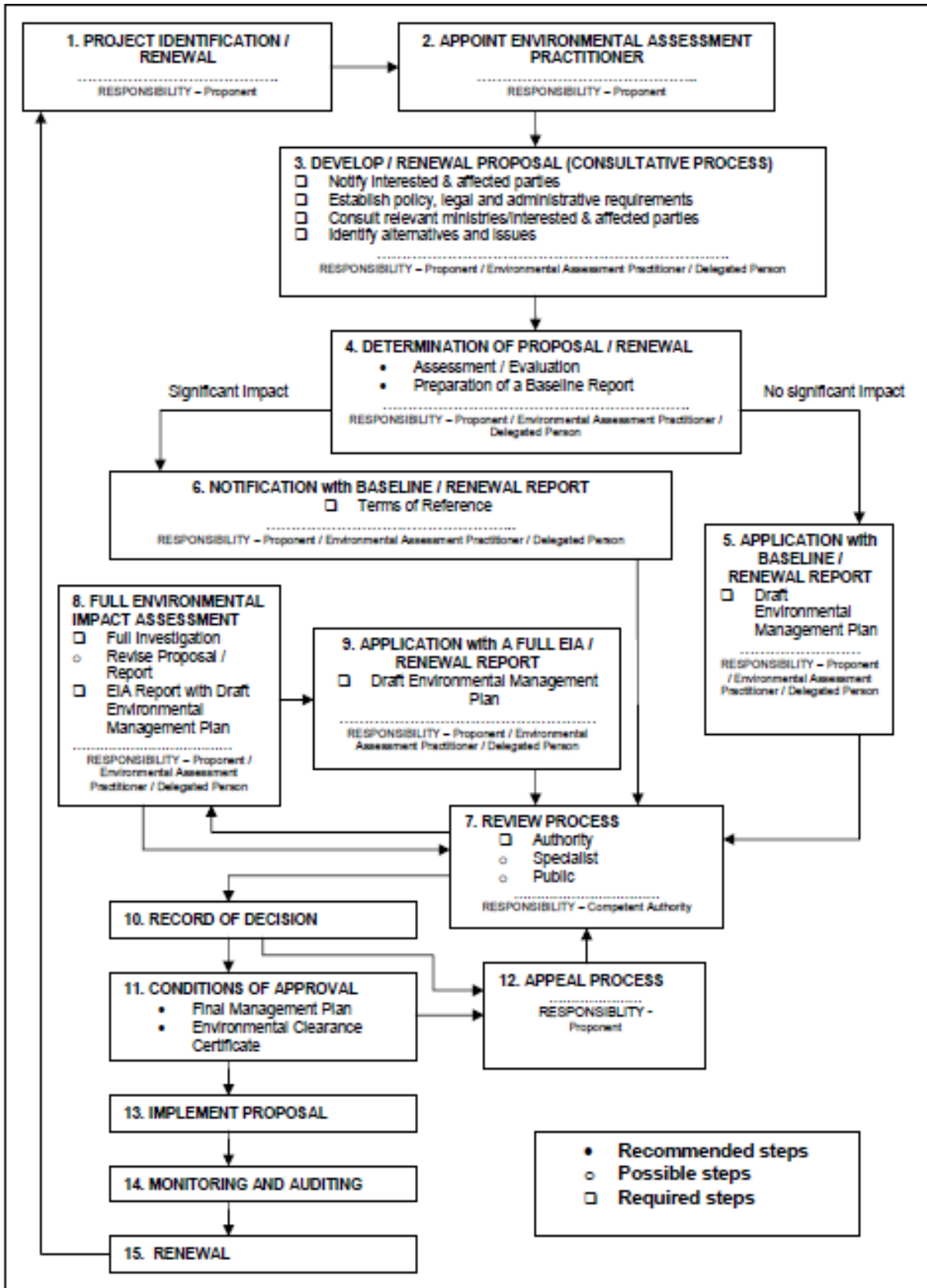


Figure 9: Flowchart of the assessment Process

9. AFFECTED NATURAL AND SOCIAL ENVIRONMENT

9.1. CLIMATE

In broad terms the climate can be described as semi-arid, with summer rainfalls and highest temperatures occurring during October and February. Maximum temperatures recorded in the area vary just under 40 degrees Celsius with an average annual temperature of more than 22 degrees Celsius (*Weather - the Climate in Namibia, 1998 – 2012*).

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.

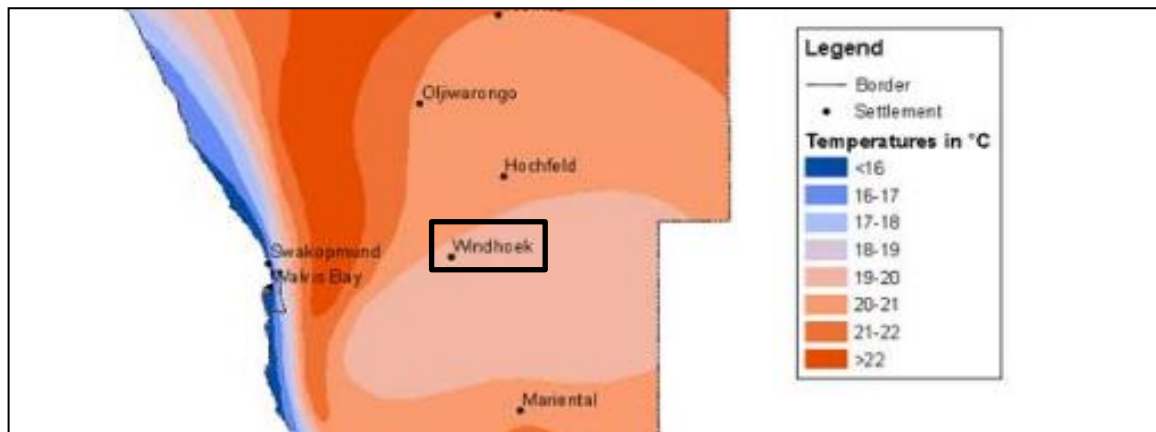


Figure 10: Average temperatures (*Atlas of Namibia Project, 2002*)

CONCLUSION AND IMPACT

The activities will not have an impact on the climate.

9.2. GEOLOGY, SOILS AND GEOHYDROLOGY

The project site is in the Khomas Trough on a geological area classified as Damara Supergroup and Gariep Complex. See *Map* below.

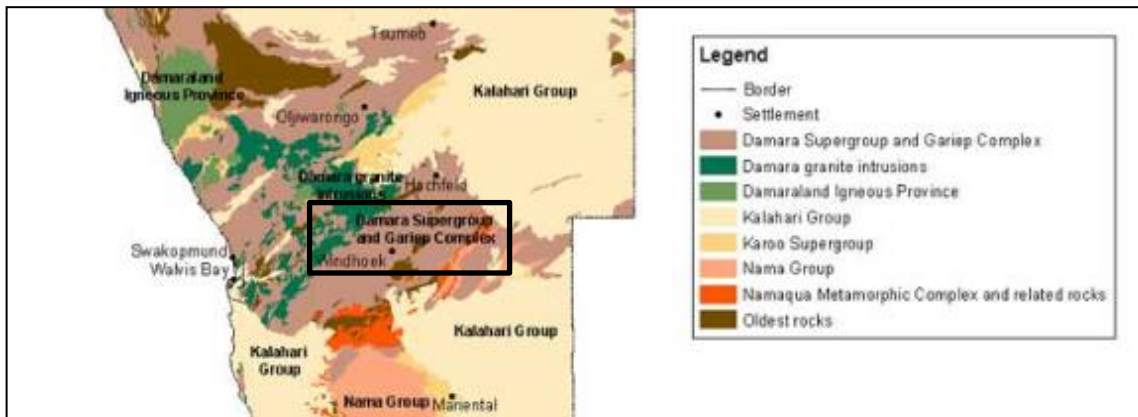


Figure 11: Geology of Namibia (Atlas of Namibia Project, 2002)

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.

The project site is generally even with some higher areas at places. Natural slopes are seen near natural drainage courses on the project site. The soil is suitable for development however the soil is also erodible and should not be cleared unnecessarily from vegetation if not required for the placement of buildings or roads. Unnecessary clearing of soil will lead to erosion.

CONCLUSION AND IMPACT

The activities will not impact on the geology, soils and geohydrology of the area. The surface drainage canals will be kept open in order that water can flow through.

9.3. SURFACE WATER

Surface water flow in a catchment is largely determined by rainfall (quantity and intensity), potential evapotranspiration and catchment relief. A drainage system comprises all the elements of the landscape through which or over which water travels within that drainage basin. These elements include the soil, vegetation growing on it, geological materials underlying the soil, stream channels carrying surface water and the zones where water is held in the soil and moves below the surface. It also includes constructed elements such as pipes and culverts, cleared and compacted land surfaces, and pavement and other impervious surfaces unable to absorb water. The hydrology of a region is thus characterised by the collection, movement and storage of water through a drainage basin.

CONCLUSION AND IMPACT

It is required from the Proponent to submit building plans for the proposed turning circle. These building plans must provide for the management of stormwater or surface water

as per the City of Windhoek's Building Control Regulations to ensure that the natural flow of surface water is accommodated. The surface drainage canals will be kept open in order that water can flow through.

9.4. BIODIVERSITY AND VEGETATION

The project site forms part of the Tree and Shrub Savannah Biome (specifically the Highland Savannah). There are no vegetation/trees/shrubs on the project site. Human interference is largely visible. Vegetation was cleared on the majority of the project site and surrounding areas.



Figure 12: Biomes of 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 a low impact on the environment before the mitigation measures are taken and after the mitigation measures are taken, the impact will be very low.

CONCLUSION AND IMPACT

Erf 8731 has no vegetation on it. The activities will have a low impact on vegetation, shrubs and trees.

9.5. SOCIAL-ECONOMIC COMPONENT

The Project Site is mainly surrounded by offices, business buildings and some residential uses. The proposed street closure, creation and construction and utilisation will have a positive impact on the socio-economic environment because additional parking and turning space will be created. This will create additional employment during construction. The streets/parking will be built with little disturbance to the environment and towards the individuals that are residing or working in the area. People residing in the area will benefit

from employment created during planning, construction and operation of the process. The construction impacts will be little if mitigated by the Environmental Management Plan.

CONCLUSION AND IMPACT

The activities will have a positive impact on the community since employment will be created during construction and it will have a positive impact on the flow and safety of traffic and pedestrian movement.

9.6. 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 in the area. However, the Namibian National Heritage Act (No. 27 of 2004) provides for the protection and conservation of places and objects of heritage significance and the registration of such places and objects and to provide for incidental matters.

CONCLUSION AND IMPACT

No heritage resources or graveyards were observed on the site or in the area.

9.7. SENSE OF PLACE

The proposed activities do not have a large/negative impact on the sense of place in the area. An untidy or badly managed site can detract from the ecological well-being and individuality of the area. Unnecessary disturbance to the surroundings could be caused by poorly planned or poorly managed operational activities. The project site should be kept neat and clean where possible. Vegetation should not be removed or harmed if not necessary since it covers topsoil which prevents erosion. Noise and dust should be limited because of the neighbouring activities.

CONCLUSION AND IMPACT

The impact on the sense of place will be low.

9.8. HEALTH

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). 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. The introduction

of external workers into the area is sometimes accompanied with criminal activities posing security risks for neighbours. However, the proponent will take certain measures to prevent any activity of this sort. The welfare and quality of life of the neighbours and workforce needs to be considered for the project to be a success on its environmental performance. Conversely, the process should not affect the overall health of persons related to the project including the neighbours.

CONCLUSION AND IMPACT

The proposed activities will have a low impact on the health of the affected community.

10. INCOMPLETE OR UNAVAILABLE INFORMATION

The number of people that will be employed on the site will depend on the type and scope of the activities.

11. IMPACT ASSESSMENT AND EVALUATION

The Environmental Impact Assessment sets out potential positive and negative environmental impacts associated with the project site. The following assessment methodology will be used to examine each impact identified, see *Table* below:

Table 2: 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/do not 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/do not 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 CONSTRUCTION

Some of the impacts that the project will have on the environment includes: water will be used, electricity will be used, a sewer system might be altered 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 will make use of water in its operational phase.

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 project will take place in a disturbed natural area which is home to little vegetation. Therefore, the impact on fauna and flora will 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	1	2	1	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. 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	4	3	M	L

11.1.4. NOISE IMPACT

An increase of ambient noise levels at the site is expected due to the proposed activities. Noise pollution due to heavy-duty equipment and machinery might be generated.

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 staff should be equipped with ear protection equipment.

Impact evaluation

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

11.1.7. SEDIMENTATION AND EROSION

The area/project site is sparsely covered by vegetation. The proposed activities will not increase the number of impermeable surfaces. The amount of storm water during rainfall events could increase erosion. Proper storm water management measures should be implemented.

Impact Evaluation

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

11.1.8. GENERATION OF WASTE

This can be in the 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 equipment and machinery might also be generated.

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	-	2	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.

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	2	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	2	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 any infrastructure 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 land and it will not be visually displeasing.

Impact Evaluation

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

11.2. IMPACTS DURING THE OPERATIONAL PHASE

11.2.1. ECOLOGICAL IMPACTS

Staff, workers 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.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Ecology Impacts	-	2	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	3	M	L

11.2.3. CONTAMINATION OF GROUNDWATER

Spillages might also occur during maintenance. This could have impacts on groundwater especially in cases of large sewer spills. Proper containment should be used in cases of sewerage system maintenance. 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. The waste will be collected, sorted to be recycled and stored 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 a 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	-	2	2	4	2	L	L

11.2.6. 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	L	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). 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	L	L

11.3. CUMULATIVE IMPACTS

These are impacts on the environment, which results from the incremental impacts when added to other past, present, and reasonably foreseeable future actions regardless of which 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, uncontrolled traffic and destruction of the vegetation or the 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.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Cumulative Impacts	-	2	3	4	2	L	L

12. CONCLUSION

In line with the Environmental Management Act (No 7 of 2007), *Green Earth Environmental Consultants* have been appointed to conduct an Environmental Impact Assessment Renewal for the creation of a street on Erf 8731, Windhoek. It is believed that the proposed activities can largely benefit the employment and turning space needs of the area.

The negative environmental impacts that may be visible in the operational phase of the project include: increases in solid waste generation for example food and plastics, etc., increased stress on waste disposal facilities, increase in water consumption and waste water generation, can result in an increase in traffic on the nearby roads and there can be an impact on the occupational health and safety of workers. However, this project is believed to be an asset to this area. Employment and turning space will be made available for which there is a need.

After assessing all information available on this project, *Green Earth Environmental Consultants* believe that the activities will not have a large negative effect on the environment if operations are conducted in accordance with the Environmental Management Plan.

13. RECOMMENDATION

It is therefore recommended that the Ministry of Environment, Forestry and Tourism through the Environmental Commissioner support and approve the Environmental Clearance Renewal for the creation of a street on Erf 8731, Windhoek and for the following listed activities:

INFRASTRUCTURE

- 10.1 The construction of-
(b) public roads

LIST OF REFERENCES

Commencement of the Environmental Management Act, 2012. *Ministry of Environment, Forestry and Tourism*. Windhoek. Namibia, pp. 3 – 22.

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Mannheimer, C. & Curtis, B. 2009. *Le Roux and Muller's Guide to the Trees & Shrubs of Namibia*. Windhoek: Macmillan Education Namibia, pp. 249 – 439.

Namibian Environmental Assessment Policy, 1995. *Ministry of Environment, Forestry and Tourism*. Windhoek. Namibia, pp. 3 – 7.

Nature Conservation Ordinance, 1975. Windhoek. Namibia, pp. 4 – 47.

Soil Conservation Act, 1969. *Office of the Prime Minister*. Windhoek. Namibia, pp. 1 – 14.

Water Resource Management Act, 2004. *Office of the Prime Minister*. Windhoek. Namibia, pp. 6 – 67.

APPENDIX A: 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	Manager Trade
1989	1995		Chief Agricultural Consultant

		Namibia	
		Development	Agricultural
1985	1988	Corporation	Researcher
		Ministry of	
		Agriculture	

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 B: 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 C: ENVIRONMENTAL MANAGEMENT PLAN