

ENVIRONMENTAL IMPACT ASSESSMENT FOR  
THE SUBDIVISION, CLOSURE, AND REZONING  
OF PORTIONS; "A & B" OF ERF 1023 AND  
PORTION "C" OF ERF 3778 AND THE CREATION  
OF A STREET AT ERF3654, SWAKOPMUND

**ENVIRONMENTAL MANAGEMENT PLAN  
(EMP)**



**Prepared For**

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**MAY 2022**

## DOCUMENT INFORMATION

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<b>Project Name</b>	Subdivision, Closure, and Rezoning of portions; "A & B" of Erf 1023 and portion "C" of Erf 3778 and Creation of a street at Erf 3654, Swakopmund
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<b>Report Type</b>	Environmental scoping Report
<b>Application No.</b>	APP03851
<b>Assessment Period</b>	April to May 2022

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## List of acronyms

DEAF:	Directorate of Environmental Affairs and Forestry
EAP:	Environmental Assessment Policy
EIA:	Environmental Impact Assessments
EMA:	Environmental Management Act
ECC:	Environmental Clearance Certificate
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
MURD:	Ministry of Urban and Rural Development
PPE:	Personal Protective Equipment

# 1. Introduction and Background

## 1.1 Introduction

This EMP has been prepared for the following activities as proposed by the Municipality of Swakopmund.

- ❖ **Subdivision of Erf 1023 into portions A, B and Remainder, permanent closure of portions “A and B” as “streets” and Rezoning of portions A and B from “street” to “general business”**
  
- ❖ **Subdivision of Erf 3778 into portion C and Remainder, permanent closure of portion C as a “street”, and Rezoning of portion C from “street” to “general business”**
  
- ❖ **Subdivision of Erf 3654 into portion A and Remainder for the creation of a street on the Remainder of Erf 3654.**

The main purpose of the EMP is to ensure that undue or reasonably avoidable adverse caused by the proposed project are minimized or prevented and the positive benefits of the project are enhanced. The EMP was prepared as part of the EIA process with the purpose of ensuring that the management actions arising from Environmental Impact Assessment (EIA) processes are clearly defined and implemented through all phases of the project life cycle.

The implementation of the EMP is ultimate responsibility of the proponent. However, all parties that have roles to play in the proposed activities should be made aware of the contents of the EMP, to plan the relevant activities that the project will include accordingly and in an environmentally sound manner.

## 1.2 Objectives of the EMP

The EMP has the following objectives:

- To provide information on the potential negative impacts associated with the present and future brick manufacturing activities.
- Present mitigation measures for the identified negative impacts and enhancement measures for the positive impacts.
- To provide guidelines for the management and monitoring of the identified environmental issues.
- To provide guidelines to the responsible persons to follow appropriate contingency plans in the case of various possible impacts.

## 2. Responsibilities

It is the responsibility of the proponent to ensure the successful implementation of this EMP and any condition to be imposed by the Ministry of Environment, Forestry and Tourism (MEFT). However, the implementation of this EMP also requires the involvement of various role players, each with specific responsibilities to ensure that the project is operated in an environmentally sensible manner.

### 2.1 The Proponent: Municipality of Swakopmund

#### Responsibilities

- a) Approve the need and desirability for the proposed subdivisions (already approved).
- b) Oversee the implementation of the final EMP after approval by DEAF and ensure the project comply with the EMP and conditions therein.
- c) Ensure that the proposed subdivision by the planner is done in compliance to this EMP and the Townships and Division of Land Ordinance 11 of 1963 and the urban and Regional Planning act, 05 of 2018.
- d) Appoint the responsible official/s to take the responsibility of the following.
  - Provide Environmental training and awareness on the EMP to all contractors, sub-contractors and employees involved in the construction.
  - Conduct regular inspections and monitoring during construction phase.
  - Review of the on-site environmental management and implementation of the EMP by the maintenance team or Contractor and sub-contractors.
- e) In the absence of this appointments, the Accounting Officer shall take the responsibility.

## **2.2 Contractor and sub-contractors**

It is expected that various contractors and sub-contractors will be appointed at various times and for various tasks throughout the life cycle of this project. All appointed contractors shall ensure to comply with the EMP and its conditions. The proponent must ensure that a copy of the EMP is given to all contractors before commencement of any work at the project. The contractor upon receiving this EMP should ensure.

- To undertake their activities in an environmentally sensible manner and within the context of this EMP
- To undertake good housekeeping practices during duration of the activities
- To ensure that adequate environmental awareness training takes place in the language of the employees.

### 3. Legal framework

The proponent must ensure compliance with that all project activities complies the following legislations.

LEGISLATION	PROVISION
<b>Constitution of the Republic of Namibia (1990)</b>	<p>The articles 91(c) and 95 (i) commits the state to actively promote and sustain environmental welfare of the nation by formulating and institutionalizing policies to accomplish the sustainable objectives which include:</p> <ul style="list-style-type: none"> <li>- Guarding against overutilization of biological natural resources,</li> <li>- Limiting over-exploitation of non-renewable resources,</li> <li>- Ensuring ecosystem functionality,</li> <li>- Maintain biological diversity.</li> </ul>
<b>Environmental Management Act No. 07 of 2007</b>	<p>The purpose of this Act is to promote the sustainable management of the environment and the use of natural resources by establishing principles for decision-making on matters affecting the environment; to provide for a process of assessment and control of projects which may have significant effects on the environment; and to provide for incidental matters. The Act gives legislative effect to the Environmental Impact Assessment Policy. Moreover, the act also provides procedure for adequate public participation during the environmental assessment process for the interested and affected parties to voice and register their opinions and concern about the proposed project.</p>
<b>Water Resources Management Act 2004</b>	<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>
<b>Pollution Control and Waste Management Bill</b>	<p>This Bill serves to regulate and prevent the discharge of pollutants to air and water as well as providing for general waste management. This Bill will license discharge into watercourses and emissions into the air.</p>
<b>Labour Act (No 11 of 2007)</b>	<p>135 (f): “the steps to be taken by the owners of premises used or intended for use as factories or places where machinery is used, or by occupiers of such premises or by users of machinery in connection with the structure of such buildings of otherwise in order to prevent or extinguish fires, and to ensure the safety in the event of fire, of persons in such building;” (Ministry of Labour and Employment Creation)</p>



<p><b>Noise Control Regulations (Labour Act)</b></p>	<p>It is essential to ensure that before any development project is approved and undertaken, an assessment or evaluation of expected noise level is done.</p>
<p><b>Town and Regional Planners Act, 1996 (Act No. 9 of 1996)</b></p>	<p>This Act establishes the Namibian Council for Town and Regional Planners, defines functions, and powers of the Council and provides for the registration of town and regional planners and the supervision over their conduct. The Minister may, on recommendation of the Council prescribe the kinds of work of a town and regional planning nature which shall be reserved for town and regional planners. The Act also defines improper conduct and defines disciplinary powers of the Council. Furthermore, the Act provides for the establishment of national, regional, and urban structure plans, and the development of zoning schemes. It also deals with a variety of related land use control issues such as the subdivision and consolidation of land and the establishment and extension or urban areas.</p>
<p><b>Land Survey Act 33 of 1993</b></p>	<p>To regulate the survey of land; and to provide for matters incidental thereto.</p>
<p><b>Townships and Division of Land Ordinance 11 of 1963, as amended</b></p>	<p>The objective of this Ordinance is to consolidate and amend the laws relating to the establishment of townships and to provide for the regulation and control of the development and subdivision of land and for matters incidental thereto.</p>
<p><b>Local Authorities Act (No. 23 of 1992)</b></p>	<p>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.</p>
<p><b>Soil Conservation Act 76 of 1969</b></p>	<p>The Soil Conservation Act stipulates that the combating and preventing of soil erosion should take place; the soil should also be conserved, protected, and improved, vegetation and water sources and resources should also be preserved and maintained. When proper mitigation measures are followed along the construction and implementation phase of the project, the natural characteristic of the property is expected to have a moderate to low impact on the environment.</p>

## **4. PROPOSED MITIGATION MEASURES**

It is the core responsibility of the proponent to ensure the successful implementation of this EMP during the planning & design and construction phase and adhere to any condition to be imposed by the competent authority or by the regulatory authority. The proponent must ensure that a copy of the EMP is given to all contractors before commencement of any work at the project.

### **4.1 Measures during planning and construction phase**

The proposed subdivisions and rezoning are meant to normalize the existing situation; hence no actual construction work will be carried out. Thus, in this case there are no potential impacts of the construction phase in this regard.

## 4.2 Measures during Operation phase

**Table 1: Mitigation measures during Operation phase**

Environmental Issue/Impacts	Mitigation Measures	Roles and Responsibilities
		Implementation
<b>Legal compliance</b>	<ul style="list-style-type: none"> <li>The proposed subdivision should be submitted for approval to URPB</li> <li>The Rezoning should be in line with the Swakopmund Town Planning Scheme</li> </ul>	Municipality of Swakopmund
<b>Public Safety</b>	<ul style="list-style-type: none"> <li>The General Business must be fenced of</li> <li>Provide and maintain pedestrian crossing across the street</li> </ul>	Municipality of Swakopmund
<b>Impact of surface drainage</b>	<ul style="list-style-type: none"> <li>Provide routine maintenance to drainage channels</li> </ul>	Municipality of Swakopmund
<b>Impact on water</b>	<ul style="list-style-type: none"> <li>No applicable</li> </ul>	Municipality of Swakopmund
<b>Impact to the soil</b>	<ul style="list-style-type: none"> <li>Not applicable</li> </ul>	Municipality of Swakopmund
<b>Aesthetic view of the area</b>	<ul style="list-style-type: none"> <li>The site must be clear of litter.</li> <li>All waste must be removed and disposed of to the landfill site.</li> <li>Plant ornamental vegetation to enhance the aesthetic view.</li> <li>Provide routine maintenance to the road infrastructures, signatures markings etc.</li> </ul>	Municipality of Swakopmund
<b>Traffic impacts</b>	<ul style="list-style-type: none"> <li>Ensure road signs and markings at the intersection to the existing roads.</li> </ul>	Municipality of Swakopmund
<b>Waste generation</b>	<ul style="list-style-type: none"> <li>Provide street liter bins.</li> <li>Ensure regular picking up and street sweeping</li> </ul>	Municipality of Swakopmund

## **5. Conclusion**

Although the implementation of this EMP requires a multitude of administration of different role players, the proponent should play a pivotal role in the implementation of this EMP as outlined in the report. The proponent should therefore ensure proper coordination with other stakeholders and may provide training to contractors and sub-contractors on the content of this EMP.

The proponent should also ensure to avail necessary resources and synergies to enable the implementation of this EMP. Upon approval by the authority, the EMP shall be considered a legally binding document and any deviation or transgression from this EMP is punishable by law as per the Environmental Management Act, No. 07 of 2007. A copy of this EMP shall be always kept by the proponent or responsible person. Lastly, this EMP is valid until the project is fully implemented.