Environmental Management Plan for:

The Rezoning of Erf 159 Block D, Extension 1 from “Single Residential” with a density of 1:600 to “Business” with a bulk of 1.0.

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TOWN & REGIONAL PLANNING CONSULTANTS

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DEA: Directorate of Environmental Affairs
EA: Environmental Assessment
EM: Environmental Management
ECC: Environmental Clearance Certificate
ECO: Environmental Control Officer
EIA: Environmental Impact Assessment
EMA: Environmental Management Act
EMP: Environmental Management Plan
I&APS: Interested and Affected Parties
IMP: Impact Management Plan
MEFT: Ministry of Environment, Forestry and Tourism
PR: Proponent's Representative

1. Introduction

Mr. Johann & Mrs. Enda Van Wyk hereinafter referred to as the proponent intend to undertake the following activities:

The Rezoning of Erf 159 Block D, Extension 1 from "Single Residential" with a density of 1:600 to "Business" with a bulk of 1.0.

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

Harmonic Town Planning Consultants is appointed to undertake an Environmental Scoping Assessment (ESA), formulate an Environmental Management Plan (EMP), and apply for an Environmental Clearance Certificate (ECC) to the Ministry of Urban and Rural Development and the Directorate of Environmental Affairs (DEA) for the rezoning of Erf 159. In this respect, this document forms part of the application to be made to the DEA's office for an Environmental Clearance Certificate for the proposed rezoning according to the guidelines and statutes of the Environmental Management Act No.7 of 2007 and the Environmental Impact Regulations (GN 30 in GG 4878 of 6 February 2012).

The objective of this EMP is to formulate mitigating measures that should be enforced to all the contractors during all phases of the project to prevent negative impacts where possible. The EMP stipulates the management of environmental programs in a systematic, planned, and documented manner.

The aim is to ensure that the proponent maintains adequate control over the project operations to:

- To prevent negative impacts where possible;
- Reduce or minimise the extent of impact during the project life cycle;
- Prevent long-term environmental degradation; and
- Ensure public safety and health is protected

This EMP details the mitigation and monitoring actions to be implemented during the following phases of these developments:

- Planning and Design

The period, prior to construction, during which preliminary legislative and administrative arrangements, necessary for the preparation of the development designs are carried out. The preparation of construction tender documents forms part of this phase.

- Construction

The period during which the proponent, having dealt with the necessary legislative and administrative arrangements, appoints a contractor for the development of any construction process(s) within the development areas.

- Operation and Maintenance

The period during which the services infrastructure will be fully functional and maintained. The operational phase is the most critical component of project implementation since it is more long-term, however, and it is normally associated with less impact as compared to the construction phase.

2. Proposed Development

2.1 Locality

Erf No. Rehoboth Block D 159 Extension 1 is located in a well-established neighbourhood surrounded by "Residential" erven and is across the Dr. Lemmer High School, as depicted in Figure 1 below and it measures 1 099m² in extent.

2.2 Ownership

Erf No. Rehoboth Block D 159 Extension 1 is owned by Mr. Johann and Mrs Enda Van Wyk**.** There is no title deed restriction on the proposed rezoning of the Erf. There are existing structures on the Erf and the Roads Authority currently operates on the Erf.

2.3 Zoning

The Erf No. Rehoboth Block D 159 Extension 1 is currently zoned Single Residential with a density of 1:600m^2 as per the Rehoboth Zoning Scheme.

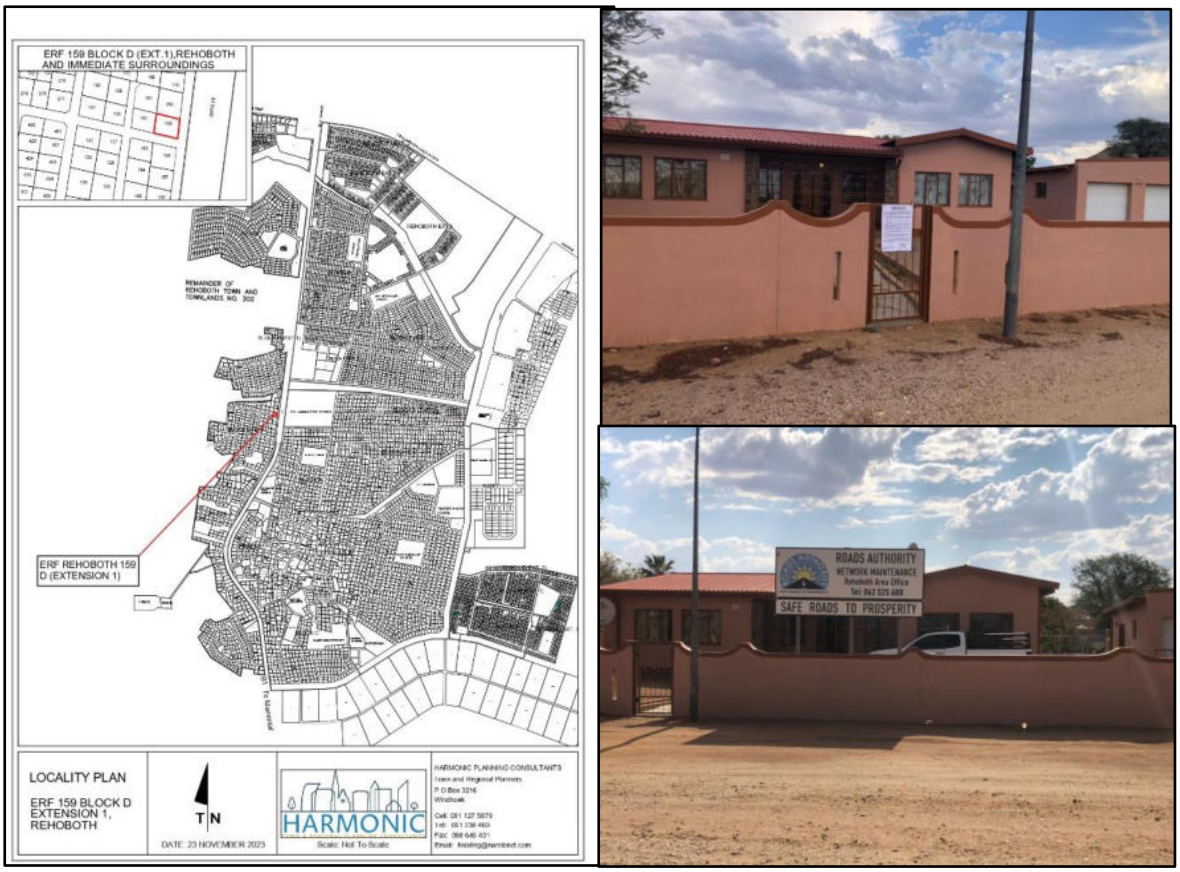

Figure 1, Locality Map & photographs of Erf 159

2.4 Development Description

The owners intend to rezone their property to “Business” with a bulk of 1.0. The proposed zoning will allow the owners to operate an administration office and a coffee shop in line with the Rehoboth Town Council regulations. This proposed development will ensure that the owners utilise their property to its fullest potential.

No immediate building improvements are envisaged, the existing building will be modified internally to accommodate the proposed office. In the future, the owners intend to use their Erf as a mixed-use development that will consist of an office space and associated activities. For their short-term goal, the office space will be utilised as an administration office that is currently being rented out to the Roads Authority. Therefore, the office space will avail employment opportunities to the community and will bring vital services closer to the residents of Block D.

For the long-term goal, the owners intend to provide a more mixed-use facility. The mixed-use development will add value to the town as a whole as more options will be available in a town as such services are in short supply.

The rezoning of the Erf to “Business” will serve and provide a nearby office space and related activities in Block D. The proposed rezoning of Erf Rehoboth D 159 to “Business” will add more convenience and mixed-use options in the neighbourhood.

Rehoboth has seen an increase in its population due to the search for affordable housing in the town. This further increased the need for professional offices in close proximity to residential areas. This proposed development will also bring vibrancy to the neighbourhood and ensure that we move away from monofunctional neighbourhoods. In addition, the presence of a business erf within the neighbourhood will mean shorter travel distances to access commercial facilities.

Further, in order to achieve a liveable and convenient neighbourhood, services need to be in close proximity to the consumers, which this rezoning aims to achieve. Although Erf 159 is located in a predominantly residential area this rezoning to “Business” with a bulk of 1.0 will not change the nature of the neighbourhood, as residential erven remains the majority, and the proposed office use will fit into the existing residential use.

3. Roles and Responsibilities

The implementation of this EMP requires the involvement of several stakeholders, each fulfilling a different but vital role to ensure sound environmental management during each phase. The proponent is ultimately responsible for the implementation of the EMP, from the planning and design phase to the decommissioning phase (if these developments are in the future decommissioned) of these developments. The proponent will delegate this responsibility as the project progresses through its life cycle. The delegated responsibility for the effective implementation of this EMP will rest on the following key individuals:

- Proponent’s Representative;
- Environmental Control Officer; and
- Contractor (Construction and Operations and Maintenance).

3.1. Proponent’s Representative

The proponent should assign the responsibility of managing all aspects of these developments for all development phases (including all contracts for work outsourced) to a designated member of staff, referred to in this EMP as the Proponent’s Representative (PR). The proponent may decide to assign this role to one person for the full duration of

these developments or may assign a different PR to each of the development phases – i.e. one for the planning and design phase, one for the construction phase, and one for the operation and maintenance phase. The PR's responsibilities are as follows:

The responsibilities of the Proponent's Representative

- Making sure the necessary approvals and permissions laid out in ***Table 1*** are obtained/adhered to;
- Making sure that the relevant provisions detailed in ***Table 2*** are addressed during the planning and design phase;
- Monitoring the implementation of the EMP monthly;
- Suspending/evicting individuals and/or equipment not complying with the EMP; and
- Issuing fines for contravening EMP provisions.

3.2. Environmental Control Officer

In the future, when construction starts, the PR should assign the responsibility of overseeing the implementation of the whole EMP on the ground during the construction and operation and maintenance phases to an independent external consultant, referred to in this EMP as the Environmental Control Officer (ECO). The PR/ proponent may decide to assign this role to one person for both phases and may assign a different ECO for each phase. The ECO will have the following responsibilities during the construction and operation and maintenance phases of these developments:

- Management and facilitation of communication between the PR, the contractors, and Interested and Affected Parties (I&APs) with regard to this EMP;
- Conducting site inspections (recommended minimum frequency is weekly) of all construction and/or infrastructure maintenance areas with respect to the implementation of this EMP (audit the implementation of the EMP);
- Assisting the Contractor in finding solutions with respect to matters pertaining to the implementation of this EMP;
- Advising the PR on the removal of person(s) and/or equipment not complying with the provisions of this EMP;
- Making recommendations to the PR with respect to the issuing of fines for contraventions of the EMP; and

- Undertaking an annual review and bi-annual audit of the EMP and recommending additions and/or changes to this document.

3.3. Contractor

Contractors appointed by the proponent are automatically responsible for implementing all provisions contained within the relevant chapters of this EMP. Contractors will be responsible for the implementation of this EMP applicable to any work outsourced to subcontractors. ***Table 3*** applies to contractors appointed during the construction phase and ***Table 4*** to those appointed during the operation and maintenance phase. In order to ensure effective environmental management, the aforementioned chapters should be included in the applicable contracts for outsourced construction, operation, and maintenance work.

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

4. Management Actions

Mitigating measures for negative impacts during all phases of the project will be outlined in this section.

The aim of the management actions in this chapter of the EMP is to avoid potential impacts where possible. Where impacts cannot be avoided, measures are provided to reduce the significance of these impacts. The following tables provide the management actions recommended to manage the potential impacts rated in the scoping-level EA conducted for these developments. These management actions have been organised temporally according to the project phase:

- Applicable legislation (Table 1);
- Planning and design phase management actions (Table 2);
- Construction phase management actions (Table 3);
- Operation and maintenance phase management actions (Table 4); and
- Decommissioning phase management actions (Table 5).
- The proponent should assess these commitments in detail and should acknowledge their commitment to the specific management actions detailed in the tables below.

4.1. Applicable Legislation

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

Table 1: Legislation Applicable to the Proposed Development

Legislation/Policies	***Relevant Provisions***	***Relevance to Project***
The Constitution of the Republic of Namibia (1990)	Article 91 (c) provides for the duty to guard against "the degradation and destruction of ecosystems and failure to protect the beauty and character of Namibia." Article 95(l) deals with the "maintenance of ecosystems, essential ecological processes and biological diversity" and sustainable use of the country's natural resources.	The proposed development must have sound environmental management objectives
Environmental Management Act No. 7 of 2007 (EMA)	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 that 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 the procedure for adequate public participation during the environmental assessment process for the interested and affected parties to voice and register their opinions and concerns about the proposed project.	The development should be informed by the EMA.
Environmental Assessment Policy of Namibia (1995)	The Policy seeks to ensure that the environmental consequences of development projects and policies are considered, understood, and incorporated into the planning process and that the term ENVIRONMENT is broadly interpreted to include biophysical,	This EIA considers this term of Environment.

	social, economic, cultural, historical, and political components	
EIA Regulations Government Notice 28, 29, and 30 of EMA (2012)	Government Notice 29 Identifies and lists certain activities that cannot be undertaken without an environmental clearance certificate. Government Notice 30 provides the regulations governing the environmental assessment (EA) process.	The following listed activity is triggered by the proposed development: Activity 5.1 (a) Land Use and Development Activities
Draft Procedures and Guidelines for conducting EIAs and compiling EMPs (2008)	Part 1, Stage 8 of the guidelines states that if a proposal is likely to affect people, certain guidelines should be considered by the proponent in the scoping process.	The EA process should incorporate the aspects outlined in the guidelines.
Water Act No. 54 of 1956	Section 23(1) deals with the prohibition of pollution of underground and surface water bodies.	The pollution of water resources should be avoided during the construction and operation of the development.
Water Resources Management Act No. 11 of 2013	Part 12 deals with the control and protection of groundwater Part 13 deals with water pollution control	The pollution of water resources should be avoided during the construction and operation of the development. Should water need to be abstracted, a water abstraction permit will be required from the Ministry of Water, Agriculture, and Forestry.
Town and Regional Planners Act, 1996 (Act No. 9 of 1996)	This Act establishes the Namibian Council for Town and Regional Planners, defines the 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	A registered Town Planner has been appointed for this project.

	land use control issues such as A registered Town Planner has been appointed for this project. the subdivision and consolidation of land and the establishment and extension of urban areas.	
Urban and Regional Planning Act No. 5 of 2018	To consolidate the laws relating to urban and regional planning; to provide for a legal framework for spatial planning in Namibia; to provide for principles and standards of spatial planning; to establish the urban and regional planning board; to decentralise certain matters relating to spatial planning; to provide for the preparation, approval, and review of the national spatial development framework, regional structure plans, and urban structure plans; to provide for the preparation, approval, review, and amendment of zoning schemes; to provide for the establishment of townships; to provide for the alteration of boundaries of approved townships, to provide for the disestablishment of approved townships; to provide for the change of name of approved townships; to provide for the subdivision and consolidation of land; to provide for the alteration, suspension, and deletion of conditions relating to land; and to provide for incidental matters.	The proposed development must adhere to the provisions regarding the subdivision and rezoning of land.
Land Survey Act 33 of 1993	To regulate the survey of land; and to provide for matters incidental thereto.	Surveying procedures must be applied accordingly.
Local Authorities Act (No. 23 of 1992)	The Local Authorities Act prescribes the manner in which a town or municipality should be managed by the Town or Municipal Council.	The development must comply with provisions of the Local Authorities Act.
Labour Act No.11 of 2007	Chapter 2 details the fundamental rights and protections. Chapter 3 deals with the basic conditions of employment.	Given the employment opportunities presented by the development, compliance with the labour law is essential.
Soil Conservation Act 76 of 1969	Act to consolidate and amend the law relating to the combating and prevention of soil erosion, the	The proposed activity should ensure that soil erosion and soil pollution

	conservation, improvement, and manner of use of the soil and vegetation, and the protection of the water sources	are avoided during construction and operation.

4.2. Planning and Design Phase

The PR should ensure that the management actions detailed below should be adhered to during the period before the construction of the development starts.

Table 2: Planning and Design Management Actions

Aspect	***Management Actions***
Stormwater	Stormwater runoff should be accommodated within the street creation to ensure that the natural flow of water is not disturbed.
Flora and Fauna (Biodiversity)	Do not clear cut the entire development site, but rather keep the few individual trees/shrubs not directly affecting the developments as part of the landscaping. Protected trees are not to be removed without a valid permit from the Department of Forestry.

4.3. Construction Phase

The management actions listed in Table 3 apply during the construction phase. This table may be used as a guide when developing EMPs for other construction activities within these development areas.

Table 3: Construction Phase Management Actions

Environmental Feature	***Impact***	***Management Actions***	***Responsible Person***
EMP training	Lack of EMP awareness and the implications thereof.	All construction workers are to undergo EMP training that should include as a minimum the following: Explanation of the importance of complying with the EMP. Discussion of the potential environmental impacts of construction activities. Employees' roles and responsibilities, including emergency preparedness. Explanation of the mitigation measures that must be implemented when particular work groups carry out their respective activities.	Contractor, PR
Conservation of vegetation	Loss of biodiversity	The layout and development design should incorporate existing trees.	Contractor

		The Contractor should compile a Plant Management Plan which should include the following as a minimum: Trees to be preserved should be marked with paint (or other means to be readily visible) and protected; Trees, which are impossible to conserve, need to be identified and; The Contractor should apply to the local authority for a permit to remove these trees (prior to removing them). Each tree that is removed needs to be replaced with an Indigenous tree species after construction; Workers are prohibited from collecting wood or other plant products on or near work sites.	
Water, Sewage, and greywater	Contamination of surface and groundwater sources and water-wasting	The wash water (grey water) collected from the cleaning of equipment on-site should not be left standing for long periods of time as this promotes parasite and bacterial proliferation. Grey water should be recycled: Used for dust suppression; Used to water a vegetable garden, or to support a small nursery; Used (reused) to clean equipment. Grey water that is not recycled should be removed on a regular basis. No dumping of waste products of any kind in or in close proximity to water bodies. Heavy construction vehicles should be kept out of any water bodies and the movement of construction	Contractor
General waste	Visual impact and soil contamination	The construction site should be kept tidy at all times. All domestic and general construction waste produced on a daily basis should be cleaned and contained daily.	Contractor

		No waste may be buried or burned. Waste containers (bins) should be emptied regularly and removed from the site to a recognised (municipal) waste disposal site. A sufficient number of separate bins for hazardous and domestic/general waste must be provided on-site. These should be clearly marked as such. Construction labourers should be sensitised to dispose of waste in a responsible manner and not to litter. No waste may remain on site after the completion of the project.	
Topsoil	Loss of topsoil and associated opportunity costs	When excavations are carried out, topsoil should be stockpiled in a demarcated area. Stockpiled topsoil should be used to rehabilitate post-construction degraded areas and/or other nearby degraded areas if such an area is located a reasonable distance from the stockpile.	
Dust	Nuisance and health impacts	Dust suppression will be done by watering dust source surfaces. Watering down dusty surfaces, Cover any stockpiles with plastic to minimise windblown dust. Dust protection masks should be provided to workers if they complain about dust.	Contractor, Environmental Control Officer
Noise	Noise pollution	A construction interval will be established, used, and adhered to. Construction activities will be conducted during the daytime. Site notices will be erected on and around the site notifying visitors and nearby residents of different hazards on site	Environmental Control Officer

4.4. Operation and Maintenance Phase

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

Table 4: Operation and Maintenance Management Actions

Environmental Feature	***Impact***	***Management Actions***	***Person Responsible***
EMP training	Lack of EMP awareness and the implications thereof	All contractors appointed for maintenance work on the respective streets must ensure that all personnel are aware of necessary health, safety, and environmental considerations applicable to their respective work.	Contractor
Water	Surface and groundwater contamination	Ensure that surface run-off water accumulating on-site are channelled and captured through a proper storm water management system to be treated in an appropriate manner before disposal into the environment.	Proponent, Contractor
Dust	Dust impacts	Should dust levels become significant dust suppression techniques should be applied. Waterless dust suppression means should be utilised within areas experiencing water scarcity.	Proponent
Energy usage	High energy consumption	to use energy saving equipment and gadgets with a green rating.	Contractor
Sewerage and effluent waste	Domestic activities will result in ablution sewer water Health Hazard	All sewerage waste should be channelled into the Council sewer reticulation system	Contractor

4.5. Decommission Phase

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

Table 5: Decommissioning Phase Management Actions

Environmental Feature	***Management Actions***
Decommissioning activity	Many of the mitigation measures prescribed for construction activity for these developments (Table 4-3 above) would be applicable to some of the decommissioning activities. These should be adhered to where applicable.

5. Conclusion

The management actions included in this report aim to assist in the avoidance, management, and/or mitigation of potential impacts on the environment that may result from the proposed activities.

Arising from the analysis by the consultants, the proposed project is going to create permanent land cover/use change on the proposed project site. The document has thus provided adequate mitigation measures for the identified impacts for sustainable land development because land must develop, but with land development, there should not be environmental degradation, thus the EMP provides for the sustainable land development for the proposed development.

6. References

- Republic of Namibia, Ministry of Environment and Tourism. (1994) National Environmental Assessment Policy.
- Republic of Namibia, Ministry of Environment and Tourism. (2002) National Environmental Management Bill.
- Ruppel and Ruppel Schlichting (eds) (2011). Environmental Law and Policy in Namibia.