

ENVIRONMENTAL IMPACT ASSESSMENT (EIA) FOR THE PROPOSED REZONING OF ERF 3291, MONDESA EXTENSION 7, FROM GENERAL RESIDENTIAL TO BUSINESS

Prepared For

Grow More Investments cc
P. O. Box 1926
Tsumeb

Prepared by



 +264 81142 2927

 info@greengain.com.na

 <https://www.greengain.com.na>

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DOCUMENT INFORMATION

Project Name	Proposed Rezoning of Erf 3291, Mondesa Extension 7, from General residential to Business
Proponent	Grow More Investments cc P. O. Box 1926, Tsumeb
EAP	Green Gain Consultants cc Address: P. O. Box 5303, Walvis Bay Contact: Mr. Joseph K. Amushila Cell: 0811422927 Email: info@gregain.com.na
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List of acronyms

DEAF:	Directorate of Environmental Affairs and Forestry
EAP:	Environmental Assessment Policy
ECC:	Environmental Clearance Certificate
EIA:	Environmental Impact Assessments
EMA:	Environmental Management Act
EMP:	Environmental Management Plan
I&APs:	Interested and Affected Parties
MEFT:	Ministry of Environment, Forestry and Tourism
MURD:	Ministry of Urban and Rural Development
PPE:	Personal Protective Equipment
SANS:	South African National Standard
URPB:	Urban and Regional Planning Board

1. Introduction and Background

1.1 Introduction

Grow More Investment cc hereinafter referred to as the proponent, intends to apply for the Rezoning of Erf 3291, Mondesa Extension 7, Swakopmund from General Residential to Business for the purpose of establishing a Supermarket. The property measures 4506.49m² in extent and is currently vacant and is adjacent to business properties.

The proponent will appoint a registered Town planner to apply to the Swakopmund Municipality in terms of the Urban and Regional Planning Board (URPB) in terms of Section 105(1)(a) & (e) and to apply certain statutory town planning procedures need to be applied in terms of Section 50(3)(a)(ii) and Section 50(3)(a)(iv) of the Local Authorities Act, 1992 (Act No. 23 of 1992).

In terms of the Environmental Management Act (EMA) No. 7 of 2007 (Schedule 5.1) and its regulations (GN No. 30 of 2012), The rezoning of land Residential use to industrial or commercial use” cannot be undertaken without any EIA being undertaken and an ECC being obtained.

Green Gain Consultants cc was appointed to conduct the required Environmental Impacts Assessment (EIA) study and apply for the ECC from the Ministry of Environment, Forestry and Tourism (MEFT). This study will follow a multidisciplinary approach in line with the requirements of the Environment and Management Act (Act No. 07 of 2007) and its Regulations (GN No. 30 of February 2012).

1.2 Objectives of the EMP

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 specific objectives of this EMP are as follows.

- To provide information on the potential negative impacts associated with the proposed rezoning.
- 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 person responsible 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 conditions 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 proposed activities are carried out in an environmentally sensible manner.

2.1 The Proponent: Grow More Investment cc

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 complies with the EMP and conditions therein.
- c) Ensure that the proposed subdivision by the planner is done in compliance with 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 responsibility for the following.
 - Provide Environmental training and awareness on the EMP to all contractors, subcontractors, and employees involved in the construction.
 - Conduct regular inspections and monitoring during the construction phase.
 - Review of the on-site environmental management and implementation of the EMP by the maintenance team or Contractor and sub-contractors.

2.2 Town Planner

The appointed Town Planner shall ensure that.

- Consider input from adjacent properties and the Municipality.
- Apply all the necessary relevant town planning procedures in line with the Town Planning Act.
- Make submission to the URPB in the prescribed manner and obtain approval.
- Notify the Municipality of the approval of the URPB.

2.3 Contractor and sub-contractors

It is expected that various contractors and sub-contractors might be appointed at various times and for various tasks for 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 on the project. The contractor upon receiving this EMP should ensure.

- To undertake their activities in an environmentally sensitive manner and within the context of this EMP
- To undertake good housekeeping practices during the 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
Environmental Management Act No. 07 of 2007	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.
Pollution Control and Waste Management Bill	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.
Labour Act (No 11 of 2007)	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)
Noise Control Regulations (Labour Act)	It is essential to ensure that before any development project is approved and undertaken, an assessment or evaluation of expected noise level is done.
Town and Regional Planners Act, 1996 (Act No. 9 of 1996)	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.

Land Survey Act 33 of 1993	To regulate the survey of land; and to provide for matters incidental thereto.
Townships and Division of Land Ordinance 11 of 1963, as amended	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.
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.
Soil Conservation Act 76 of 1969	The Soil Conservation Act stipulates that the combating and prevention 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.
General Business Building Restrictions - Swakopmund Municipality	Provide guidance and restrictions on the following. <ul style="list-style-type: none"> • Land use restrictions • Height Control • Building lane • Projections • Access/exist points and Parking spaces
SANS 10400, Standard Building Regulations.	The SANS general principles and requirements specify the details that must be included on different plans, as well as the size and scale required on plans and drawings. They also state what colours to use to identify different materials on plans. For instance, new masonry must be shaded red and new concrete green. All existing materials are shown in grey. When architects, designers and engineers draw plans, they use symbols to identify certain details. These are also specified in Part A.

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 design phase

4.1.1 Approval required.

The proponent should obtain the following approvals prior to the commencement of the project.

- Consent from neighboring properties in line with town planning procedures (Initial consultation has been done through the EIA and site notice by the proponent)
- Approval should be obtained from the Urban Planning Board (URPB) under the MURD for the proposed rezoning.
- Effect changes in the Swakopmund Town Planning Scheme to reflect the new zone of Erf1 3291, upon approval from URPB.

4.1.2 Applicable Restrictions and Requirements

- Provision for pedestrian crossing on affected streets
- Land use coverage on Erf 3291 should not exceed 85% and height should not exceed 13 meters.
- All projections on the building should be subjected to Regulations 2.5 (a) of General Business Building Restrictions
- The parking space to be provided should be 1 per 33,33m² of floor area, or as arranged with Council according to Clause 8:D/7/2 of General Business Building Restrictions
- The points of access and exit should be wide enough (at least 10m or as approved by Council) to accommodate traffic.

4.2 Measures during construction phase

The following measures should be applied during the planning and design phase.

Table 1: Proposed measures during construction phase

Environmental Issue/Impacts	Mitigation Measures	Roles and Responsibilities
		Implementation
Legal compliance	<ul style="list-style-type: none"> Approval should be approved from the URPB for the intended Rezoning. The Building Plans should be approved by the Swakopmund Municipality 	Proponent
Public Safety	<ul style="list-style-type: none"> Follow the General Health Safety Regulations GN 121 of 14 October 1969 as amended. General safety regulations provided by the Swakopmund Municipality should be adhered to Provide and maintain pedestrian crossing across the street 	Proponent
Impact of surface drainage	<ul style="list-style-type: none"> Do not block the drainage system and keep sand and waste away 	Contractor
Impact on water	<ul style="list-style-type: none"> Use water sparingly 	Contractor
Impact on the soil	<ul style="list-style-type: none"> Contain all wastewater and avoid any seepage of contamination into the soil 	Contractor
The aesthetic view of the area	<ul style="list-style-type: none"> The site must be clear of litter. All waste must be removed and disposed of to the landfill site. Plant ornamental vegetation enhances the aesthetic view. Provide routine maintenance to the property 	Contractor
Traffic impacts	<ul style="list-style-type: none"> Ensure road signs and markings at the intersection of the existing roads. 	Swakopmund Municipality
Waste management	<ul style="list-style-type: none"> Provide sufficient refuse bins or skips. All construction waste should be collected and disposed of at the Swakopmund landfill site 	Contractor

4.3 Measures during the operation phase

Table 2: Mitigation measures during the operation phase

Environmental Issue/Impacts	Mitigation Measures	Roles and Responsibilities
Legal compliance	<ul style="list-style-type: none"> • All business should be in line with the “Business primary use category as specified in the” Swakopmund Municipality Town Planning Scheme • Obtain consent for all businesses specified under the consent use category. • All businesses should obtain Fitness Certificate from the Municipality • Liquor stores should obtain Trading Licence from the Erongo Liquor Board 	Proponent
Public Safety and Hygiene	<ul style="list-style-type: none"> • Follow the General Health Safety Regulations GN 121 of 14 October 1969 as amended. • General safety regulations provided by the Swakopmund Municipality should be adhered to • Look after the building and contract security personnel to always patrol the building, prevent loitering for the sake of safety of adjacent properties. • Ensure hygiene around the building by collecting litter and providing public toilets. • Ensure proper traffic control of delivery trucks, avoid delivery during odd hours and no parking on nearby streets. • No street vendors should be allowed on pavements and sidewalks next to the Supermarket 	Proponent
Impact of surface drainage	<ul style="list-style-type: none"> • Provide routine maintenance to drainage channels 	Proponent
Impact on the soil	<ul style="list-style-type: none"> • Provide regular maintenance to sewage lines, prevent overflows and • Avoid any seepage of contaminants into the soil. • Provide a stormwater drainage system around the site and avoid soil erosion 	Proponent
The aesthetic view of the area	<ul style="list-style-type: none"> • Plant and maintain ornamental vegetation to enhance the aesthetic view. • Provide routine maintenance to the property 	Proponent
Traffic impacts	<ul style="list-style-type: none"> • Ensure road signs and markings at the intersection of the existing roads. 	Swakopmund Municipality
Waste generation	<ul style="list-style-type: none"> • Provide sufficient refuse bins or skips. • Ensure regular waste collection and disposal to the Swakopmund land fill site • Encourage waste recycling onsite by placing separate containers for each waste type 	Proponent

5. Conclusion

The proponent, Grow More Trading cc should play a pivotal role in the implementation of this EMP. The proponent should also ensure to avail of necessary resources and synergies to enable the implementation of this EMP. The proponent should therefore ensure proper coordination with other stakeholders and may provide training on the content of this EMP to contractors and any other parties involved in this project.

Upon approval by the authority (Swakopmund Municipality), the EMP shall be considered a legally binding document, and any deviation or transgression from this EMP is punishable by law as prescribed in the Environmental Management Act, No. 07 of 2007. A copy of this EMP shall be always kept by the proponent or responsible person on site.