



REPUBLIC OF NAMIBIA
MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM

OFFICE OF THE ENVIRONMENTAL COMMISSIONER

ENVIRONMENTAL CLEARANCE CERTIFICATE

ISSUED

In accordance with Section 37(2) of the Environmental
Management Act (Act No. 7 of 2007)

TO

Cloud 9 Development CC
P.O. Box 25392, Windhoek

TO UNDERTAKE THE FOLLOWING LISTED ACTIVITY

**Township Establishment, Creation of Street and Installation of Bulk
Services for Cloud 9 Residential Estate, Omaruru, Erongo Region**

Issued on the date: **2022-09-15**
Expires on this date: **2025-09-15**



ENVIRONMENTAL COMMISSIONER

(See conditions printed over leaf)

This certificate is printed without erasures or alterations

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CONDITIONS OF APPROVAL

1. This environmental clearance is valid for a period of 3 (three) years, from the date of issue unless withdrawn by this office
2. This certificate does not in any way hold the Ministry of Environment, Forestry and Tourism accountable for misleading information, nor any adverse effects that may arise from these activities. Instead, full accountability rests with the proponent and its consultants
3. This Ministry reserves the right to attach further legislative and regulatory conditions during
4. the operational phase of the project
5. All applicable and required permits are obtained and mitigation measures stipulated in the EMP are applied particularly with respect to management of ecological impacts.
6. Strict compliance with national heritage guidelines and regulations is expected throughout the life-span of the proposed activity, therefore any new archaeological finds must be reported to the National Heritage Council for appropriate handling of such.



REPUBLIC OF NAMIBIA

MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM

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OFFICE OF THE ENVIRONMENTAL COMMISSIONER

NOTIFICATION OF DECISION

REF NUMBER: ECC- AP10319

DATE OF ISSUE: 15 SEPTEMBER 2022

DETAILS OF PROPONENT:

Cloud 9 Development CC
P.O. Box 25392
Windhoek
Namibia

Dear Sir/ Madam

SUBJECT: NOTIFICATION ON APPLICATION FOR ENVIRONMENTAL CLEARANCE TO UNDERTAKE THE PROPOSED LISTED ACTIVITY: Township Establishment, Creation of Street and Installation of Bulk Services for Cloud 9 Residential Estate, Omaruru, Erongo Region.

Notice is herewith given in accordance with section 37(2) of the Environmental Management Act, Act 7 of 2007 and Environmental Impact Assessment Regulations of 2012 (GG 4878): that a decision in respect to your application No. **APP 10319** for Environmental Clearance Certificate to undertake a listed activity has been reached.

DECISION

An Environmental Clearance Certificate (ECC) to undertake the listed activities specified in the environmental assessment report and draft management plan dated June 2022, is granted (ECC- AP10319). The applicant / proponent is therefore advised to comply with conditions of approval set out in **Section C** of this notification.

A. DETAILS OF THE PROPOSED ACTIVITY

A1: TITLE OF THE PROPOSED ACTIVITY

Township Establishment, Creation of Street and Installation of Bulk Services for Cloud 9 Residential Estate, Omaruru, Erongo Region.

“Stop the poaching of our rhinos”

A2: DETAILS OF ASSESSMENT PRACTITIONER

Stubenrauch Planning Consultants

P.O. Box 41404, Windhoek

Contact Person: Bronwynn Basson

Contact Number: +264 (61) 25 11 89

Fax Number: +264 (61) 25 11 89

Email: bronwynn@spc.com.na

A3: LOCATION OF PROPOSED ACTIVITY

(Annexure A – proposed site map)

B. RELEVANT LISTED ACTIVITIES

Legislation	Description of Listed Activity	Relevance to Proposed Activity
Regulation 29(sub-regulation 5) of Government Notice No. 29 of 2012	LAND USE AND DEVELOPMENT ACTIVITIES. The rezoning of land from - (a) residential use to industrial or commercial use; (b) light industrial use to heavy industrial use; (c) agricultural use to industrial use; and (d) use for nature conservation or zoned open space to any other land use. The establishment of land resettlement schemes. Construction of veterinary protected area or game proof and international boundary fences.	Township Establishment, Creation of Street and Installation of Bulk Services for Cloud 9 Residential Estate, Omaruru, Erongo Region.

C. CONDITIONS

C1: Conditions of Approval

1. This certificate does not in any way hold the Ministry of Environment and Tourism accountable for misleading information, nor any adverse effects that may arise from these activities. Instead, full accountability rests with the proponent and its consultants.
2. This Ministry reserves the right to attach further legislative and regulatory conditions during the operational phase of the project.
3. Regular environmental monitoring and evaluations on environmental performance should be conducted. Targets for improvements should be established and monitored throughout this process.
4. This environmental clearance is valid for a period of 3 (three) years, from the date of issue unless withdrawn by this office.

C2: Clearance Certificate Validity

1. On expiry of the ECC, the proponent is required to submit within a period not exceeding one month, and in the prescribed form and manner an application to the Office of the Environmental Commissioner for the renewal of the ECC.

2. Failure to renew an expired environmental clearance certificate shall result in permanent termination of the environmental clearance certificate.
3. In terms of Section 3 (2)C of the Environmental Impact Assessment, you are instructed to, within 14 days of this notice issuance date, ensure that all registered interested and affected parties (“ I&APs”) are notified that an environmental clearance certificate has been issued in respect to your application and of their right to appeal

C3: Compliance with authorization under other laws

4. All other applicable and required permits or authorization from relevant competent authorities must be obtained prior to commencing the proposed activities and accordingly adhered to.

C4: Implementation and Monitoring

5. The granting of the Environmental Clearance Certificate (ECC) constitute, an approval for the implementation of mitigation measures proposed in your approved Environmental Management Plan (EMP), hence making the approved EMP legally binding document.
6. The proponent shall appoint a suitably experienced environmental control officer, or site agent where appropriate, before the commencement of any listed activities to ensure compliance with the conditions of approval and mitigation stipulated in the approved EMP
7. A copy of the Environmental Clearance Certificate (ECC), EMP, Environmental Audit and monitoring reports must be kept at the site of the authorized activity and readily available for inspection by officials of the Ministry and registered Interested and affected Parties (I&APs) on request.
8. Officials of the environmental commissioner’s office may from time-to-time conduct spot-inspection (non-auditing) without prior notice and or Auditing Inspection (dates to be agreed prior to arrival to the site), hence access to the site and the aforementioned documentation must be granted to any authorized official representing the Office of the Environmental Commissioner and Registered Interested and Affected Parties (I&APs)
9. Officials representing the Office of the Environmental Commissioner must be, in possession and or by request and for the purpose of inspection referred to in C4(8) present their staff identification card in order to gain entry to the premises
10. The proponent is required, from the date of commencing implementation of project activities, to compile and submit environmental monitoring reports (on project progress and the environmental management profile) on a bi-annual basis to Office of Environmental Commissioner
11. Any changes to, or deviations from the scope of project activities approved in respect to the assessment received and reviewed for the purpose or granting this ECC Number (ECC- AP10319) are subject to an amendment application and approval by the Environmental Commissioner prior to adopting / implementing any such changes / deviations.
12. For the purpose of amending and or transferring the ECC, the proponent submit in the prescribed form and manner an application to the Office of the Environmental Commissioner, clearly indicating the need for amendment and or transfer of the ECC

13. Non-compliance with a condition of this Environmental Clearance Certificate or EMP may render the Proponent liable to criminal prosecution.

D. DISCLAIMER

1. The decision taken by the Office of Environmental Commissioner is based mainly on information provided by the proponent or their representative, therefore, it must be noted here that the proponent is accountable for any wrong and misleading information that may have been presented in the environmental assessment documents.

Yours sincerely,


Timoteus Mufeti

ENVIRONMENTAL COMMISSIONER



LOCALITY OF OF PORTION A OF THE REMAINDER OF THE FARM
OMARURU TOWN & TOWNLANDS NO. 85

PTN A

Legend

- Portion A
- Town Boundary
- Town Street
- Main Road
- Other Road
- River
- Railway Line

Scale

0 1 2 3 4 5 6 7 8 9 10

1:10,000

SPC

OMARURU