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SCOPING REPORT:

Environmental Clearance: Subdivision, Rezoning and Consolidation of Erf 189 and Rem/Erf 172 Henties Bay Ext. No. 1.

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Date: 5 May 2025

Title	ENVIRONMENTAL SCOPING REPORT: Environmental		
	Clearance: Subdivision, Rezoning and Consolidation of Erf		
	189 and Rem/Erf 172 Henties Bay Ext. No. 1.		
Scope of Work	Environmental Clearance: Subdivision of Erf 189, Henties		
	Bay, Ext. No. 1, into Portion A and Remainder; rezoning of		
	proposed Portion A from Single Residential to General		
	Business; and consolidation of proposed Portion A with		
	Rem/Erf 172 Henties Bay Ext. No. 1 into Consolidated Erf "X".		
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Practitioner			
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Date	5 May 2025		
Signature of EAP	Yours Faithfully,		
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1. INTRODUCTION

The aim of this Scoping Report is to identify the potential negative impacts that may arise from the intentions of the Proponent. The intention of the Proponent is listed activity in terms of the Environmental Management Act and as such it is needed to apply for an Environmental Clearance Certificate.

The proponent recently acquired Rem/172, Henties Bay, and is in the process of transferring the property to his name. Upon consultation with the Municipality of Henties Bay for the required Building Compliance Certificate it was found that approved plans and actual buildings on site did not match and as a result no building compliance could be given. It was found that the some of the structures at the back of Rem/172 encroached onto Erf 189, Henties Bay.

This situation was caused by the previous owners of the properties. Since they owned both properties the encroachment was not of concern but with the recent sale of Rem/172 has now been stalled due to these encroachments. The encroachment is of a very insignificant nature and is situated at the rear ends of each property. The owner of Erf 189 has agreed to sell 69m² strip of land from Erf 189 to the new owner of Rem/Erf 172 and have it consolidated with Erf Rem/172. This will effectively deal with the physical structures and erf boundaries corresponding.

Erf 189, Henties Bay, is zoned as Singel Residential and Rem/Erf 172 is zoned as General Business and as such it will be required to first rezone proposed Portion A (69m² strip) of Erf 189 to General Business and then have it consolidated with Rem/Erf 172.

It is the intentions of the Proponent to apply to both the Ministry of Environment, Forestry and Tourism, Local Authority of Swakopmund and Ministry of Urban and Rural Development for the said intentions.

This Scoping Report will focus with the natural and Urban characteristics of the property itself and that of the surrounding area. The scoping report is based on numerous site visit that was conducted as well as other informative information concerning the land and the surrounding area.

This Scoping Report will form the baseline study for the identification of potential impacts, as foreseen and that may occur, and thus giving support to the compilation and effectiveness of the EMP. It is the intention of this Scoping Report to identify and mitigate any foreseen impacts during the Planning Phase, Application Phase and Construction and Maintenance Phases of the proposed intentions.

As with all Environmental Impact Assessment processes, the Environmental Management Plan is the most important document to effectively mitigate any potential or foreseen negative impacts on the natural and urban fabric. This can only be archived through a thorough site investigation and site analysis forming the basis of the Scoping Report.

To Follow will be an in-depth discussion of the natural and rural characteristics of Portion 82. This Scoping report is aimed at identifying any negative impact that might emanate from the intentions of the Proponent.

2. SITE ANALYSES AND INVESTIGATION

As with all EIA's the most important part of the process is a detailed site investigation and analysis that will ultimately lead to the correct mitigation methods to be applied for identified potential impacts. It should be kept in mind that the land on which the facility is situated is already developed and has never had any environmental of social impacts in the past. Due to the facility already being in existence and is operational for many years it is safe to assume that there will be no negative impacts whatsoever with the intentions to create a property to accommodate the Super Tube facility.

Below will follow a discussion on the Locality & Plot size, Zoning and Ownership.

2.1. Locality

Both the Rem/172 and Erf 189, Henties Bay, are located in the Business area of Henties Bay. Rem/172 has its entrance situated along Jakkalsputz Road being the main road of Henties Bay while Erf 189 is situated behind Rem/172 and having its front access from Flamink Street. Proposed Portion "A" can be found at the **Coordinates: -22.07'03''S, 14.16'59''E**.



2.2. Ownership and Current Status

According to the Deed of Transfer Nr. T 7158 / 2016, ownership of the Remaining Extent of Erf 172, Henties Bay, Ext No. 1 vests with Anna- Maria Loots and according to Deed of Transfer T 1798 / 1973 Erf 189, Henties Bay, Ext No. 1, currently vests with Gertrude Yvonne Eagleton.

Currently Erf 189 is used for residential purposes while Rem/Erf 172 is currently accommodation the Myl 50 Pub and Grill Restaurant. The restaurant has been in operation for many years from the premises as both properties at one stage belonged to the Eagleton family, hence the encroachment. Currently Mrs. Eagleton resides on Erf 189 in a normal residential home.

2.3. Zoning

2.3.1. Erf 189, Henties Bay, Ext. No. 1

The Current Zoning of Erf 189, Henties Bay Ext. No. 1 is Singel Residential with a density of 1:600m². The Land Use Table below, from the Henties Bay Town Planning Scheme, clearly indicated the allowable uses, both primary and consent use, as follows:

. ~						
		1	2	3	4	5
	HATCH	ZONE	MAP REFERENCE	PRIMARY USE (Purposes for which land may be used)	CONSENT USE (Purposes for which land may be used with consent from Council and subject to Clause 7)	OWNER CONSENT (Consent granted to owner of property in terms of Clause 7)
С		Residential	Yellow fill	Dwelling unit/s (also see Table E).	Place of worship, Place of instruction, Hotel pension (also see Table E), Heritage consent, Bed and breakfast, Guest house, Day care centre, Backpackers hotel.	Resident Occupation, Shebeen, Home Based Shop

Table B: Land Use Table

2.3.2. Rem/Erf 172, Henties Bay, Ext. No. 1

Rem/Erf 172, Henties Bay, Ext. No. 1, is zoned a general business and allows for a wider range of primary and consent uses of higher intensity than compared to the Singel residential zoning of Erf 189, Henties Bay. As previously indicated, the property is currently occupied and used as a bar and restaurant. This use has already been in existence for more than 20 years.

		1	2	3	4	5
	НАТСН	ZONE	MAP REFERENCE	PRIMARY USE (Purposes for which land may be used)	CONSENT USE (Purposes for which land may be used with consent from Council and subject to Clause 7)	OWNER CONSENT (Consent granted to owner of property in terms of Clause 7)
J		General Business	Blue fill	Shop, Business buildings, Parking garages, Hotels, Blocks of flats, Residential buildings, Office, Drive-in cafes, Hotel, Hotel pension, Boutique hotel, Driving school, Backpackers hotel, Bottle store, Convention centre, Bed and breakfast, Guest house, Self- catering accommodation establishment, Restaurant, Convention centre.	Service industry, Service stations, Dry cleaners and launderettes, Place of assembly, Place of amusement, Gambling house, Institutional buildings, Funeral parlours and chapels, Warehouses, Place of worship, Car wash, Nursery, Hotel pensions, Shop house.	None

Table B: Land Use Table

The difference in zoning between the donating and receiving properties are the reason for the application to obtain an ECC. The rezoning of Single residential land to General Business is a listed activity in terms of the Environmental Management Act and thus requires a Scoping Report to be done and an Environmental Management Plan to be compiled.

3. ENVIRONMENTAL ANALYSIS

In this section we will discuss the natural and rural environment as established by all the relevant documents, and most importantly, what was noticed on site after numerous site inspections. The sections below will focus more on the natural environment and the urban setting.

3.1. Climate

The Town of Henties Bay is characterized by a desert climate. There is virtually no rainfall all year long in Henties Bay. The average annual temperature in Henties Bay is 16.6 °C. The month that experiences the highest temperatures throughout the year is referred to as February, where an average temperature of 19.0 °C prevails. During the month of September, the mean temperature registers at a minimum value of 13.9 °C. This represents the coldest monthly average throughout the entire year. The geographical position of Henties Bay is situated in the southern hemisphere. Summer begins in December and ends at the end of January. The months of summer are: December, January, February, March.

In the winter months, starting from April to August the coastal region at times experience what is known as Berg Winds or what is commonly known as Eastwind's. During these months the coastal regions experience the highest temperatures during the year with temperature reaching the late 30°C to well in the 40°C range. The event take place sporadically and is highly dependent on the hinterland pressure systems. The sporadic East Wind Conditions normally last for only a few days to a week at a time. Such conditions can also become prevalent around 2 to 5 times a year. Such events are usually preceded and terminated by thick fog that drifts in from the Atlantic Ocean over the coastal region.



The image above indicates the Average Temperatures for Namibia

3.2. Precipitation

In terms of precipitation, the month with the lowest amount of rainfall is May, recording a mere 1 mm in its entirety. This denotes an exceptionally dry period within that particular time frame. The majority of rainfall occurs during the month with the highest precipitation, which is February, and has an average amount of 10 mm.

The situation surrounding the average rainfall per year has a significant impact on the type and quantity fauna and flora to be found not only on the site but a larger part of the coastal region.

This low average precipitation also signifies the low potential of flooding in the area. Flooding can occur at any place at any given time and not even the best control measures can stop the forces of nature.

3.3. Topography

Both the properties under discussion are already developed in terms of their respective zonings and as such the topography of the terrain will play no significant role in the intentions of the Proponent. In fact, Rem/Erf 172 is 100% covered in terms of its footprint and size.

The properties are relatively flat and there exist no natural features that would prohibit the proposed intentions of the proponent.

3.4. Soil

The soil conditions area also seen as stable due to the fact that the existing building have been present on site for more than 25 years without any solid related issues. Since most of the site area is already covered with buildings it is the opinion that no issues will arise in terms of soil.

3.5. Ground and Surface Water

Due to the location of proposed Portion "A" it is highly unlikely that any fresh water will be present on the site. No permanent water exists on the site and no natural streams are present.

In terms of water, it is our professional opinion that there exists no threat to any waterbodies or water courses on or around the property on both the surface or underground, if any exist at all.

3.6. Fauna and Flora

No Fauna or Flora exist on Rem/172 or on the already constructed 69m² that is being transferred to Rem/172. It is also highly unlikely that any fauna and/or flora will establish itself on the area.

4. INFRASTRUCTURE, SERVICES & ACCESS

No development can effectively exist without the relevant infrastructure and services. These services are made available by the Local Authority and other institutions with connection points to the main grids of these services. Developers normally communicate their needs to the relative institutions to ensure that the capacity is sufficient. In this case the there will be no need for any of the above as the statutory processes are purely to rectify an existing situation on paper.

4.1 Infrastructure

Currently there is no need for any additional infrastructure as the site is already operational and it is not foreseen that the intentions of the Proponent will be of such nature that it requires upgrading of any service

4.2. Services

Due to the fact that the use of the property is already existing and operational there will be no need for the provision of any services. Any additional requirements that might arise in the future shall be communicated to the relevant service provider and be for the account of the owner.

4.3. Access

Once the statutory processes are complete the 69m² portion of land will from part of Rem/Erf 172 Henties Bay Ext. No. 1 which already enjoys access from the Main Road being Jakkalsputz Road. No change in access or additional access points are foreseen in this case.

5. INTENTIONS OF PROPONENT

As previously indicated in this document, the intentions of the Proponent stems from past building activities across two boundaries by the previous owner of Erf Rem/172, Henties Bay, Ext. No. 1. The previous owner is also still the owner of Erf 189, Henties Bay, Ext. No. 1, onto which the encroachment took place. The size of the area concerned is approximately 69m² and is situated on the rear boundaries of Erf 189 and of Rem/Erf 172. The area of concern is not visible to the public nor accessible to the public.

In order to rectify the past erroneous building activities, it is needed to Subdivision of Erf 189, Henties Bay, Ext. No. 1, into Portion A and Remainder. Once the Subdivision is complete it is necessary to rezone proposed Portion A from Single Residential to General Business. It is for this specific action that the ECC must be applied for as the rezoning of a residential property to business requires Environmental Clearance. After the approval of the rezoning, it is then necessary to consolidate proposed portion A with Rem/Erf 172 Henties Bay Ext. No. 1 into consolidated Erf "X".

Only after the Environment Clearance is obtained can the statutory Town Planning procedures for the specific actions be initiated and completed.

These processes are as follows:

5.1. Proposed Subdivision of Erf 189, Henties Bay Ext. No. 1 into Portion A and Remainder

Below is a table indicating the individual sizes of the proposed subdivision of Erf 189, Henties Bay Ext. No. 1 into Portion A and Remainder into Portion A and Remainder.

Portion Number	Zoning	Size in m ²
Portion A	Residential	69 m²
Rem/189	Residential	929 m²
Total		998 m²

The sudivision will effectively deal with the past encroachments of Rem/Erf 172 onto Erf 189 Henties Bay. As can be noted on the proposed subdivision plan below the portion of land concerend is situated at the back boundary of both the properties, as they share a common rear boundary, and will have no impact on the surrounding properties whatsoever.



Proposed Subdivision Plan

5.2. Rezoning of proposed Portion A from Single Residential to General Business.

After the Subdivision Portion A still has a zoning of Singel Residential and it is thus required to rezone proposed Portion A Single residential to General Business to effectively be able to consolidate the newly created Portion A with Rem/Erf 172, Henties Bay.

It is for this exact reason of rezoning from Residential to General Business why it is necessary to apply for Environmental Clearance as it is a listed activity in terms of the Environmental Management Act.



Current Zoning: Single Residential



Proposed Zoning: General Business

5.3. Consolidation of proposed Portion A with Rem/Erf 172, Hentiesbaai.

Once the rezoning has been approved proposed Portion A from Residential to General Business has been approved the Consolidation of Portion A with Rem/Erf 172, into Consolidated Erf "X" can proceed and be approved. The plan below clearly indicated the new erf boundaries for the respective erven. Once the consolidation has been approved will the issue surrounding the encroachment be resolved.



Consolidation Plan: Consolidation of proposed Portion A with Rem/Erf 172, Hentiesbaai

The Consolidation of proposed Portion A with Rem/Erf 172, Hentiesbaai Ext. No. 1 into Consolidated Erf "X" will be as follows:

Portion Number	Zoning	Size in m ²
Portion A	General Business	69 m²
Rem/Erf 172	General Business	892 m²
Consolidated Erf "X"	General Business	961 m²

6. PUBLIC PARTICIPATION

6.1. Process

In terms of the Environment Management Act of 2007, it is required by the applicant/proponent to perform the Public Participation Process. It is thus required to advertise the Notice of Intention in two Newspapers for two consecutive weeks. Such Notices were placed in both the Republikein and New Era on the 25th of November 2024 and 2 December 2025 (See Annexure B).

It is also required to place a site notice on the site/property concerned with the application and such Notice was placed on the site upon commencement of the process. Such notice was also placed on the Municipal Notice Board (See Annexure B).

It is also required to notify neighbouring properties of the intention to apply for Environmental Clearance. Such Notice was sent via registered mail **(See Annexure B)**.

As per the requirements it is needed to conduct a site meeting for interested and affected parties to raise their concerns and give their input. Such meeting was advertised and held on the 16th of November 2023 at 12:00 at the site. Numerous persons attended the meeting **(Annexure B)**.

Closing date for comment/objection to the proposed intentions were on the 17th of December 2024. By the closing of the comments/objections period, **no** comments/objections against the proposed intentions were received.

7. MOTIVATION FOR INTENTIONS

It is clear from the above information that the statutory processes are necessary to rectify past construction encroachments and bring the properties in line with the provisions of the Henties Bay Town Planning Scheme.

Since the encroachment is a long existing situation and has not been of concern to any person there exist no reasoning not to support the application. It is also clear from the public participation process that the general public and neighbouring properties are in favour of the intentions of the Proponent

In order for the Proponent to take full owner ship of the property it is needed to perform the statutory procedures and obtain all the necessary approval. The properties cannot continue to operate in contravention of the Henties Bay Town Planning Scheme and as such need to be brought in line with the provisions of the Scheme.

The exist no impact that will be affecting negatively upon either the natural or social environment as the situation has been in existence for many years without any form of interference to the area.

8. SOCIO ECONOMIC EFFECT OF PROPOSED INTENTIONS

There exist very little to no socio-economic benefit to the greater public that emanates from the intentions of the Proponent. This is attributed to the fact that the situation is long existing and the fact that the rectifications are done on paper only. If in future the Proponent wish to enclose the acquired area or raise the boundary wall then only will there be any benefit to the unskilled, semi-skilled and skilled workforce in the construction industry. This will also be of short duration as opposed to new projects that must be constructed from the ground up.

In terms of the use of the Consolidated Erf X, nothing will change for the public and as such will continue to enjoy the service that is being provided by the Myl 50 establishment.

9. RESPONSIBILITIES OF DIFFERENT ROLE-PLAYERS

Sarel Jacobus Burger Oberholzer (Proponent/Developer) is ultimately responsible for the implementation of the EMP. The Proponent may delegate this responsibility at any time, as they deem necessary, from construction, operation and maintenance before handover of infrastructure. The implementation of this EMP requires the involvement of several key individuals, each fulfilling a different but vital role to ensure sound environmental management during each phase of these developments. The following positions and their respective responsibilities are outlined below:

9.1. The Developer/Proponent (Sarel Jacobus Burger Oberholzer)

Responsible for the implementation of the final EMP document, as approved by the Environmental Commissioner, before the commencement of the Construction phase and to ensure that the proposed development complies with the Environmental Management Act's requirements and the Environmental Clearance given.

9.2. The Proponent's Representative

If the Proponent does not manage all aspects of the planning & design, construction, and operation & maintenance phase activities, referred to in this EMP, they should assign this responsibility to a suitably qualified individual to oversee the activities. The Proponent may decide to assign the role of a Proponents Representative to one person for all phases. Alternatively, the Proponent may decide to assign a separate PR for each developmental phase of the project.

During the Planning & Design (tender preparation) Phase, the Representative will have the following responsibilities regarding the implementation of this EMP:

- Ensuring that the necessary legal authorizations have been obtained.
- Developing, managing, implementation of, and maintaining all Development Guidelines.
- To ensure the contractor signs the EMP before the commencement of the development.
- Ensure that the management requirements inform the planning and design of the relevant infrastructure developments (i.e., that these requirements are considered during the Planning and Design Phase, not as an afterthought); and
- Ensure that the management requirements inform the preparation of tender documents for the construction of the relevant infrastructure developments.

During the Construction, Operation and Maintenance Phases the Proponent Representative shall assist the Environmental Control Officer where necessary and will have the following responsibilities regarding the implementation of this EMP:

- Ensuring that the necessary legal authorizations and permits have been obtained by the Contractor.
- Assisting the Contractor in finding environmentally responsible solutions to problems with input from the Environmental Officer where necessary.
- Management and monitoring of individuals and/or equipment on-site in terms of compliance with the EMP.

- Issuing fines for the transgression of site rules and penalties for contravention of the EMP; and
- Providing input into the Environmental Officers ongoing internal review of the EMP. This review report should be submitted every month to the Proponent.

9.3. Environmental Control Officer

The Environmental Control Officer should be a competent person appointed by the Proponent. The Environmental Control Officer is the Developer's on-site representative primarily responsible for the monitoring and review of on-site environmental management and implementation of the EMP by the Contractor. If no Environmental Control Officer or Proponents Representative is appointed then all duties will fall upon the Proponent.

Responsibility:

- Assisting the Proponent / Proponents Representative in ensuring that the necessary legal authorizations have been obtained.
- Management and facilitation of communication between the Proponents Representative, Proponent, the Contractor, and I&APs about this EMP and matters incidental thereto.
- Conduct monthly site inspections of all construction and/or infrastructure maintenance areas about compliance with this EMP.
- Monitor and verify adherence to the EMP (audit the implementation of the EMP) and verify that environmental impacts are kept to a minimum.
- Taking appropriate action if the specifications of the EMP are not adhered to.
- Assisting the Contractor in finding environmentally responsible solutions to problems.
- Advising on the removal of person(s) and/or equipment not complying with the provisions of the EMP in consultation with the Proponents Representative.
- Recommending the issuing of fines for transgressions of site rules and penalties for contraventions of the EMP; and
- Undertaking an annual review of the EMP and recommending additions and/or changes to the document.

9.4. The Contractor & Sub-contractor/s

It is envisaged that various contractors might be appointed at various times for various tasks throughout the life cycle (construction through to operation & maintenance phase) of this project. To ensure sound environmental management, the relevant sections of this EMP should be included in all contracts of work outsourced thus legally binding all appointed contractors and sub-contractors.

Responsibility:

• To comply with the Environmental Clearance / Authorization and undertake construction activities in an environmentally sensitive manner and rehabilitation of the site.

- To undertake good housekeeping practices during the duration of the project.
- To ensure that adequate environmental awareness training takes place in the employees' language of choice.
- Report any environmental concerns noticed on and around the primary site of concern to the Site Manager, Proponent, Proponent's Representative and/or Environmental Officer.

9.5. The Environmental Assessment Practitioner

The Environmental Assessment Practitioner is responsible to conduct the required Environmental Application which includes compiling an EMP for the proposed development. The EMP is to be submitted with the scoping EA report as supporting documents to the application for an ECC to the Environmental Commissioner of the Ministry of Environment and Tourism. This EMP will be used by Contractors and Engineers as well as the Proponent in guiding them during the construction and operation to ensure that the impacts on the environment are limited or avoided altogether.

10. ENVIRONMENTAL AWARENESS TRAINING

All contractors should ensure that adequate environmental awareness training of senior site personnel takes place and that all construction workers and new employees receive an induction presentation on the importance and implications of the EMP before the work commencing. The presentation should be conducted by the ECO, in the employees' language of choice. Regular awareness meetings before commencement of work in the morning is recommended to ensure a constant awareness on and around the site.

11. APPLICABLE LEGISLATION

As with any formal application to the Local Authority, Ministry of Urban and Rural Development and Ministry of Environment and Tourism is imperative to follow the correct procedures. Each of these institutions have a set of requirements that have to be fulfilled in order to accomplish the desired result in terms of an application.

The legislative document that had to be taken into consideration while performing this exercise of applying for Environmental clearance were the following:

11.1. The Environmental Management Act of 2007

The Environmental Management Act specifically deals with the requirements for Environmental applications. It's objective is to: "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 establish the Sustainable Development Advisory Council; to provide for the appointment of the Environmental Commissioner and environmental officers; to provide for a process of assessment and control of activities which may have significant effects on the environment; and to provide for incidental matters".

11.2. The Urban and Regional Planning Act of 2018

The Urban and Regional Planning Act deals with the spatial development of land within Namibia and provides the framework for spatial development. The aim of the Act is 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 decentralize 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 alteration, suspension and deletion of conditions relating to land; and to provide for incidental matters".

11.3. The Henties Bay Town Planning Scheme

"The general purpose of the Scheme is the coordinated and harmonious development of the area of Henties Bay including where necessary the redevelopment of any part thereof which has already been subdivided and built upon, 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 and conservation of the existing character of the town, in the process of such development".

11.4. The Henties Bay Structure Plan

The purpose of this document is to provide guidelines to the Henties Bay Municipality in dealing with issues of urban sprawl; integration of urban areas; stimulation of mixed-use development areas and residential densification; guiding the urban form through building height restrictions in development areas; development of the beach area for the use of all and re-connecting the town to the beach; defining the urban edges; improving permeability and mobility; maintaining and enhancing the character of the historic town centre; promoting the tourism, education, medical and cleaner technology sectors and encourage environmentally sustainable and visionary development.

It is imperative that the proposed development is initiated and steered within the legal framework of these document in order for fulfilment of the requirements and the best possible outcome for the intended actions as being applied for.

12. PROJECT PHASES: IMPACTS, MITIGATIONS AND MANAGEMENT REQUIREMENTS / ACTIONS

The following will clearly define the possible impacts, mitigations and responsibilities concerned with the Planning and Design Phase, Construction Phase and the Maintenance and Operation Phase of project for the proposed additions, alteration, renovations and future interlocking of the parking area.

12.1. Possible Impacts, Mitigations & Management Requirements: Planning and Design Phase

12.1.1. Possible Impacts

Due to the nature of events surrounding the planning phase it is not foreseen that there will be any negative impacts exerted onto the natural environment or the general public in a socio-economic sense. This is due to most of the planning being done by means of telecommunication, emails and meetings between the different stakeholders in the project. The only negative effects that will be created by these operations will be emission of motor car fumes from driving to meeting. People drive every day for various reasons and submit large amounts of emissions. The only way to curb this to rely more on email and telecommunication but this can also prove to be problematic as face-to-face meetings opens the room for more effective discussions. A wider range of ideas and decisions can be actively discussed and formulated in face-to-face means.

The constant paper trail that results from emails that are sent back and forth can result in large amounts of paper to be used unnecessarily when face to face meetings will have far less paper to be filed.

In terms of this phase of the project, the most important negative impacts that is foreseen is the noncompliance with the laws governing the proposed intentions of the client. This will have a direct impact on the general public and Interested and Affected parties due to un-procedural acts and misrepresentation of information.

Mitigation

The relevant Acts to be identified and to effectively comply with the regulating laws pertaining the intentions of the Proponent. Establish direct lines of communication to enhance the coordination between the different role player. To ensure that the correct information is presented to the General Public and Interested and Affected Parties. To ensure that the correct procedures are followed during the public participation process with correct information in order to ensure transparency.

Establish what biodiversity is present on the site and what is required to effectively include the necessary conservation tools and establish possible mitigations for identified potential negative impacts. Sustainable planning be implemented in order to limit the impact on the natural surrounding by clearly demarcating the official worksite to avoid overspill of human activity on surrounding area.

All role players to be given an induction meeting to inform the workforce of the status of the area as well as what is allowed and what is not allowed. This will be filtered through in the EMP that will be presented to the labour force. It is thus imperative that an Environmental Awareness session be included in the induction process in order to ensure compliance with the EMP.

12.1.2. Management Requirements / Actions: Planning and Design Phase

During the planning and design phase of the project the following proposed Management Requirements / Actions should be attended to by the Management Team as part of the mitigation measures:

Feature	Management Requirements/Actions		
Applications and approval	Obtain all the relevant approvals from the relevant		
	Authorities. The include the following:		
	Environmental Clearance Certificate (MEFT)		
	Council Approval for intentions		
	 Ministerial Approval for intentions (MURD) 		
	 Obtain Approved Diagrams (Surveyor Generals Office) 		
	Transfer of Portion (Deeds Office)		
Channels of Communication	Clear channels of communication to be established between		
	the various role player.		
	 The various role-players should be clearly identified 		
General observation	The management team be response the ensure compliance		
	with the EMP.		
Flora and Fauna (Biodiversity)	None to be found on site (Not of Concern)		
Interested and Affected	Communication with I & AP's		
Parties	 Ensuring that the correct information is filtered through 		

Summary of Impacts for Planning and Design Phase of Project

POTENTIAL IMPACT	DURATION	MONITORING	IMPACT LEVEL
Non-compliance with Laws	Ongoing	Constant	High
Channels of Communication	Ongoing	Constant	High
General observation	Ongoing	Constant	Medium
Flora and Fauna (Biodiversity)	Ongoing	Constant	Very low
Interested and Affected Parties	Ongoing	Constant	Low

12.2. Possible Impacts, Mitigations & Management Requirements: Construction Phase

12.2.1 Possible impacts

Note should be taken of the fact that all structures are already existing on the property and as such no constructions is foreseen at this stage. The aim of this exercise is to rectify past building encroachments by following the correct processes to resolve the situation and bring the erven in line with the provisions of the Henties Bay Town Planning Scheme.

Due to the above-mentioned facts there is little need for an EMP. The only construction that is foreseen in this case might be the extension of the boundary wall upwards.

To follow is a discussion on the possible impacts as foreseen with the future extension of the boundary wall, with their possible mitigations:

12.2.1.1. Storage of building materials

The improper storage of constructions materials could pose as a potential risk in terms of safety to both the workers and the general public.

Mitigation

All construction materials to be properly demarcated to ensure visibility to the workers and general public. Only the necessary building materials be kept on site for the shortest possible time. No excessive stockpiling to take place.

12.2.1.2. Building rubble

Building rubble from future renovations and additions to the facility may, depending on the size and scope of the work, create a fair amount of building rubble that can cause unsightly conditions if not properly managed. Uncontrolled storage of building rubble is not only unsightly bust can also pose as risk to injury by both the general public and labourers. Poorly demarcated piles increase the potential risk of injury to all parties of the community and work force. Unregulated dumping of building rubble is a constant battle for the Local Authorities and poses as a serious environmental threat if not properly managed.

Mitigation

The local authority has measures in place for the building rubble generated on sites. Nonetheless, the area should be supplied with appropriate and approved disposal facilities for the various materials generated on site (skip/s and bin/s). Building rubble that is situated on the ground must be clearly demarcated with hazardous tape for clear demarcation and visibility. This should be done to avoid unnecessary injury or loss of life. Rubble and waste should be regularly disposed of to avoid unnecessary negative impact that might emanate from its presence on site. This will contribute to the visual quality of the area. Identify designated dumping areas of the Municipality of Henties Bay to dump unwanted debris of all volumes. Regular site inspections and meetings to ensure that the site is being kept clean. The onsite Environmental Officer should do regular checks and actively organise the removal of such bins and materials to the satisfaction of the Municipality of Henties Bay. The Proponent must ensure

that the site is kept clean from unwanted and unsightly situation.

12.2.1.3. Vehicular Movement

Unregulated vehicular movement to, from and around the sight during the construction phase of the interlocked paving could cause serious injury or loss of life to both the general public and the labourers. Poor road signage during the construction phase will have a direct impact on the degree of risk to all parties all involved.

Mitigation

Clearly demarcate the access route to the site to avoid creating unnecessary new access routes to the site. Have the site demarcated in order to contain movement within the site. Proper consolation to be done with the different role-players to ensure that only site disturbance takes place and no unnecessary movement is allowed outside the demarcated site. The traffic department of the Henties Bay Municipality to be consulted and included in the planning, construction and Maintenance phases.

12.2.1.4. Noise Pollution

Noise pollution is inevitable on any construction site but if unmanaged it can be a cause of concern to the surrounding area. Unregulated working hours can be a cause of nuisance the surrounding area.

Mitigation

Plan and coordinate the use of machinery as to allow for minimal use. Proper planning should eliminate the unnecessary running of machines. Ensure that all personnel have the required PPE at their disposal at all times. Proper planning during the planning phase will most effectively deal with the unnecessary duplication of unnecessary vehicular moment. Working hours be restricted to normal working hours be from 08:00 to 17:00.

12.2.1.5. Dust Pollution

With the interlocking of the surface area of the parking area there will be heavy machinery present to get the desired surface finish to lay the interlocks. The movement of the heavy machinery on the road and constructions activities on the premises may cause dust to be created. Sand is also one of the materials used in the flattening process of the surface area and then also afterwards vibrated into the gaps between the interlocks for strength. Stockpiles are needed for this and as such these can be a major cause of dust pollution especially in windy conditions.

Mitigation

It is suggested that the roads being used within the development site be dampened with water to decrease the dust clouds that might arise from vehicular movement. All sand stockpiles to be covered when not being used to reduce dust created by the southwest wind. PPE is also of importance to the contractors and it must be ensured that all personnel have the required PPE at their disposal at all times

12.2.1.6. Improper disposal of bulk solid waste and management.

The lack of disposal sites and areas will greatly contribute to the overall pollution of the immediate area and beyond. This can have a direct impact on the natural environment and the surrounding community. Unregulated dumping of large quantities of solid waste materials in unapproved areas with the Henties Bay Townlands can cause serious environmental concerns. Dumping of such material outside the Townlands of Henties bay will be of greater concern as such illegal activity will be done in the Dorob National Park.

Mitigation

Ensure that the site is well supplied with waste containers in order to reduce the possibility of unnecessary dumping. Identify designated dumping areas of the Municipality of Henties Bay to dump unwanted debris in large volumes. Regular site inspections and meetings to ensure that the site is being kept clean. The onsite environmental practitioner to do regular checks and actively organize the removal of such bins and materials to the satisfaction of the Municipality of Henties Bay. Environmental Awareness training to be presented to the labourers to ensure that all parties is properly informed of the consequences of illegal dumping.

12.2.1.7. Lack of ablution facilities

The lack of sanitation facilities can pose as a serious health risk. It may cause personnel to relieve themselves at various places creating bad odours and unhygienic surroundings.

Mitigation

As part of the service contract between the developer and the contractors it should be ensured that proper onsite ablution facilities are present to avoid any unwanted acts of self-relief to occur at any given place on the site. If both genders are present on the site, then it is recommended to have a have one ablution facility per gender.

12.2.1.8. General Waste

General waste can be generated by either the public or workers working in a specific area. This form of pollution is not site specific but is generated by workers leaving their plastic and paper bags, cans, bottles, etc. on the site and in some case on adjacent sites. Sometimes the public, due to the site being under construction, use the site as a dumping site. These actions will as a matter of fact detract from the visual quality of the area.

Mitigation

Do regular check-ups and clean-ups on the site to main a certain level of cleanliness that is socially acceptable. Extend the cleanliness to the adjacent area to ensure a broader spectrum of

cleanliness that is not just site specific. Supply proper disposal facilities for general waste created by the site (bags & skip). The disposal facilities should be regularly emptied and contents disposed of at a predefined and approved facility of the Henties Bay Municipality.

12.2.1.9. Road Safety

With construction on any site, it is often noticed that contractors cause blockages in road ways or streets and at times during peak traffic times. Some of these actions are done during times of the day or year that could have been avoided through better planning. Poor visual representation clearly indicating the construction actions can lead to accidents by the general public. The lack of proper road signs and personnel directing the flow of traffic can also have great repercussions in terms of safety to the workers and general public.

Mitigation

It is always good practice to clearly demarcate the site and display clear road signs indicating to the public that construction activities are taking place. Avoid closing off roads for construction activities during peak times of traveling to reduce the negative impact on the general public. If and when a road is to be closed off then such approval must be obtained from the Henties Bay Municipality and in collaboration with its s Traffic Department. It is always good practice the provide personnel that is specifically employed to deal with the traffic and road safety, if any road encroachments by the building activities are planned.

12.2.1.10. Safety around work site

The lack of safety awareness on site may lead to possible injury or loss of life in certain cases. The possible future excavations for the foundation of the road can cause great harm to both the work force and the general public. Most accidents happen due to poor judgement and a lack of safety analysis on site. Incorrect procedures in terms of specialised jobs can lead to serious injury or loss of life. The lack of appropriate PPE can also contribute to personal injury to the work force on site.

Mitigation

It is suggested that a Safety Talk is held in the morning before work commence in order to update all workers on the requirements and latest developments. A proper site analysis and planned analysis should to be done to predetermine the possible areas with high and medium possibility of injury. These areas are to be visually demarcated. In this case it will be the trenches for the foundations and as such it should be clearly demarcated. Building material stored on the ground should demarcated or fenced off to avoid possible injury. Again, proper PPE to be supplied to the work force to effectively increase the possibility of safety on site.

Only the correctly qualified workforce to perform specialised construction actions in order to avoid serious injury or loss of life on any scale.

12.2.1.11. General Health and Safety

Not wearing the correct protective clothing on site could result in injury or even loss of life. The lack

of awareness on site can lead to unwanted accident of the workforce.

Mitigation

Provide Health and Safety training to ensure that all workers are informed of the correct manner to use the different types of Personal Protective Equipment (PPE). All workers should have access to the appropriate PPE in order to ensure the safety of the workforce.

12.2.1.12. Daily Visual Inspection

Poor management and lack of supervision can pose as a serious problem during the construction phase of any project. Lack of supervision can lead to accidents, injury and loss of life. It can also have the undesired effect of creating visually unpleasant sites that will infringe on the social wellbeing of the surrounding area. Lack of supervision can lead to environmental destruction and degradation in certain cases due to overspill of activities and unsupervised dumping of materials.

Mitigation

Weekly visual inspections of the premises to be implemented and efficiently conducted by the appointed person or persons. A weekly report be drafted and submitted to the Proponent to ensure that the site is safe and conforms to the EMP. Adjustments to be clearly defined and implemented where needed to ensure a safe and clean environment.

POTENTIAL IMPACT (FEATURE)	DURATION	MONITORING	IMPACT LEVEL
Storage of building materials	Duration of Project	Daily	Low
Building rubble	Duration of Project	Daily	Medium
Vehicular Movement	Duration of Project	Daily	Low
Noise	Duration of Project	Daily	Low
Dust	Duration of Project	Daily	Low
Improper disposal of bulk solid waste and management.	Duration of Project	Daily	High
Ablution facilities	Duration of Project	Daily	Low
General waste	Duration of Project	Daily	Low
Road safety	Duration of Project	Daily	Medium
Safety around work sites	Duration of Project	Daily	Low
General health and	Duration of	Daily	Medium

Summary of Impacts during the Construction Phase of the Project.

safety	Project		
Daily Visual	Duration of	Weekly	High
Inspection	Project		

12.2.2. Possible impacts Management Requirements / Actions: Construction phase

During the Construction Phase the following Management Requirements / Actions should be attended to by the Proponent, Environmental Officer and Contractor:

Feature	IMPACT	Management Requirements / Actions	Responsible Entity
Storage of	Injury, loss of life,	 All building materials to be 	Contractor
Building Materials	visual and soil	property stored on site in a	
	contamination	safe manner.	
		 All material be clearly 	
		demarcated with	
		demarcation tape.	
Building rubble	Visual impact and	 Proper onsite disposal 	Contractor
	topsoil	facility (skip).	
	contamination	Regular site cleanup	
Vehicular	Social Impact and	 Intended disruption of local 	Contractor
Movement	safety	traffic flow to be well	
		planned and kept to a	
		minimum.	
		• A suitable person/s be	
		appointed to manage	
		traffic flow.	
		 Access and egress point/s 	
		be clearly demarcated and	
		defined.	
Noise	Nuisance impacts	• Work hours should be	Contractor
110136		restricted to between	Contractor
		Ğ	
		being 08h00 to 17h00.	

Dust	Nuisance and health impacts	 The use of power tools and heavy machinery should be limited and only be used when required in order to limit the noise pollution. Proper planning in order to minimise time on site. A watering truck should be used on gravel roads with 	Contractor
		 the heaviest vehicle movement especially during dry and windy conditions. The use of waterless dust suppression means. Cover all stockpiles with plastic to minimise windblown dust. Dust protection masks should be provided to workers 	
Improper disposal	Environmental	 Identify approved bulk 	Proponent,
		solid waste sites to be	• •
waste and		used.	and Contractor
management.		• Consultation with the Henties Bay Municipality.	
Ablution facilities	Non-compliance with Health and Safety Regulations / unhygienic site conditions	 Portable toilets (i.e. easily transportable) should be available at every construction site Separate toilets should be available for men and women and should clearly be indicated as such. 	Contractor

-			-
General waste	Visual impact and soil contamination	 The construction site should be kept tidy and neat at all times. No waste may be buried or burned on the site No waste may remain on site after the completion of the project. 	Contractor
Road safety	Injury or loss of life	Clear and Proper demarcation of road to be used by construction vehicles	Contractor
Safety around work sites	Injury or loss of life	 Excavations and trenches should be left open for the shortest time possible. Clearly Demarcate excavated areas and sand piles with demarcation tape to avoid injury. 	Contractor
General health and safety	Injury or loss of life	 All workers should have access to the relevant personal protective equipment (PPE). No workers should be allowed to drink alcohol during work hours. 	Contractor
Daily Visual inspection	Visual and Social Impact	Weekly site inspections to be done to ensure compliance with the EMP	Proponent, Environmental Officer and Contractor

12.3. Maintenance and Operation Phase of Project

With the maintenance and operation phases, at times, there might be the need for some extensive work or upgrading to be done. These actions also carry the risk of negatively impact on both the natural and Urban environment. To follow is the possible impact and their mitigations for the Maintenance and Operation Phases of the proposed project.

12.3.1. Potential Impacts

During the operation and maintenance phase of the project the always exist the possibility of disturbance to the surrounding area. The maintenance and operations phase are just as important as the other phases as it ensures the continuation of environmental and social wellbeing over a long period of time. Visually unattractive buildings and roadways have a direct impact on the social aspect of the neighbourhood. The accumulation of general waste on the property can also affect the wellbeing of the neighbourhood.

Construction that emanates from the upgrading and fixing of the street can have the same effect as normal construction activities. In fact, there is little difference and as such all the concerns mentioned under the constructions phase is also applicable in the maintenance and operation phases.

The lack of environmental awareness by employees and contractors can also during this phase cause damage to the surrounding vegetation and soil.

Lack of appropriate PPE can lead to injury or even loss of life on site. Wrong equipment used during the maintenance and operation phase can lead to interruptions in services impacting negatively on the quality of living of the neighbourhood.

Mitigations

It is imperative that regular checkups be done on the site to ensure general cleanliness of the site and the area surrounding it, as per the Henties Bay Town Planning Scheme. Proper disposal facilities be made available for the disposal of general waste.

Of great importance to any project is Environmental Awareness Training to the employees and contractors on site or visiting the site. Such training improves the overall effectiveness of the EMP being a vital part in the conservation and protection of Environmental aspects and the social aspects within the rural fabric.

Due to the movement on site during maintenance the possibility of dust being produced is relatively low but can be mitigated by apply water or waterless suppression methods. In order to minimise unwanted disturbance onto the adjacent Municipal land or National Park, it is proposed that all activities related to the operation and maintenance take place within a clearly demarcated area. This demarcation can be in the form of hazard tape defining the boundary or the physical boundary wall of the new erf itself.

The proponent must ensure that the correct PPE is available and provided to employees and contractors performing their duties on the site. Correct equipment to be supplied and used for the maintenance and operation phase to avoid unnecessary service interruption.

Summary of Impacts for Maintenance and Operation Phase

POTENTIAL IMPACT	DURATION	MONITORING	IMPACT LEVEL
Social Impact	Short term	Constant	Low
Dust	Short term	Constant	Low
Noise	Short term	Constant	Low
General Cleanliness	Ongoing	Constant	Medium
Visual apparency of Structures	Ongoing	Constant	Medium
General health and safety	Ongoing	Constant	Medium

12.3.2. Management Requirements / Actions: Maintenance and Operation phase

During the Maintenance and Operation phase the following Management Requirements / Actions should be attended to by the Proponent, Environmental Officer and Contractor:

Feature	Impact	Management Requirements / Actions	Responsible Entity
Social Impact	Impact on daily lives of surrounding residents and businesses	 All work to be performed should be preplanned in order to limit the impact on the surrounding area. Construction times be limited to working hours. 	Proponent, Environmental Control Officer and Contractor
Dust	Health and Social Impact	 Should dust levels become significant dust suppression techniques should be applied. Waterless dust suppression means should be utilised within areas experiencing water scarcity. 	Contractor
Noise	Health and Social	• Work hours should	Contractor,

	Impact	 be restricted to between normal working hours being 08h00 to 17h00. The use of power tools and heavy machinery should be limited and only be used when required in order to limit the noise pollution. Proper planning in order to minimise time on site. 	Environmental Control Officer
General Cleanliness	Visual & Social Impact	 Regular check-ups to see whether the site is and socially acceptable manner. 	Contractor, Environmental Control Officer and Proponent
Visual apparency of Structures	Visual & Social Impact	 Periodic renovation and painting of structures and walls. 	Proponent
General Health and Safety	Health Impacts, in just and loss of life	 All employees and contractors 	Proponent, Environmental Control Officer and Contractor

Since the Maintenance and Operation Phase have the same potential impact in terms of development and redevelopment of the road it is recommended that the EMP be applicable to both instances as opposed only the construction of the Interlocked parking area of renovations wise.

13. ENVIRONMENTAL MANAGEMENT PLAN

The Environmental Management Plan provides for management intervention and mitigating factors to ensure that any activity during the 3 phases is minimised. The EMP is a management tool aimed at curbing or eliminating any possible negative effects on environmental and social that might arise from activities on or around the site.

The main objectives of the Environmental Management Plan are:

- > To guide the various role-players involved in the project,
- To prescribe the best possible mitigation factors for any of the identified potential negative impacts on both the natural and urban environments.
- To monitor and assess the potential impacts and the performance of the employees in terms of the requirements of the EMP.
- To ensure that the appropriate Environmental Awareness training is provided to all sectors of the work force and various role-players.
- To ensure that the correct mitigating measures are available for any future work that might emanate from the project.

The EMP for the proposed is attached to this document as (Annexure C).

14. CONCLUSION

It is evident from the above scoping report that there exist very little to no impact to be exerted onto both the natural and physical environment. As previously indicated, the actions or intentions are seen as needed to bring the existing situation on ground in line with the provisions of the Henties Bay Town Planning Scheme.

The intended rectification will only be done on paper as the construction has already been completed years ago and being the source of the problem. No physical changes will emanate from the intentions of the Proponent. If the Proponent in future wish to extend the boundary wall, then only will physical construction take place. Although no ECC is need for the construction of a boundary wall, this document will through its EMP address the extension of the wall within a 3-year period.

We are of the opinion that all the requirements have been met in terms of the Public Participation Process and that the site investigation and analysis have been done to the satisfaction of all parties involved. All possible negative effects have been identified and mitigating responses have been identified and placed in place to actively address these foreseen negative impacts.

15. Interested and affected parties

NO Interested and affected parties to be registered.

16. APPLICATION

We herewith formally apply to the Environmental Commissioner for:

ENVIRONMENTAL CLEARANCE FOR THE SUBDIVISION, REZONING AND CONSOLIDATION OF ERF 189 AND REM/ERF 172 HENTIES BAY EXT. NO. 1.

It is trusted that you will find the application to your satisfaction.

Yours Faithfully,

A R VAN DER WESTHUIZEN

ANNEXURE A

Local Authority Support Letter

ANNEXURE B

Public Participation (Adverts, Neighbours Letters and Site Notice)

ANNEXURE C

Comments received from Portion 168 (a Portion of Portion 41 of Farm No.163) Swakopmund, Ms. Christine Ernst

ANNEXURE D

Environmental Management Plan (EMP Document)