

ENVIRONMENTAL MANAGEMENT PLAN (EMP)

**FOR THE PROPOSED SUBDIVISION AND CREATION OF PRIVATE
RIGHT OF WAY SERVITUDE ON ERF 738 WALVIS BAY PROPER,
ERONGO REGION, NAMIBIA**

May 2026

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LIST OF ACRONYMS

Acronym	Meaning
EMP	Environmental Management Plan
EAP	Environmental Assessment Practitioner
ECC	Environmental Clearance Certificate
EIA	Environmental Impact Assessment
MEFT	Ministry of Environment, Forestry and Tourism
MURD	Ministry of Urban and Rural Development
URPB	Urban and Regional Planning Board
ECO	Environmental Control Officer
I&APs	Interested and Affected Parties

1. INTRODUCTION

1.1. Background

Mr. M.C. Khan (hereafter referred to as the Proponent) proposes the subdivision of Erf 738 located in Walvis Bay Proper in Erong Region into two separate erven, and establish a private right-of-way servitude to provide access to the rear portion. This Environmental Management Plan (EMP) has been prepared as part of the Environmental Assessment process and provides a framework for managing and monitoring potential environmental and socio-economic considerations associated with the proposed development. The EMP has been developed in accordance with the Environmental Management Act, 2007 (Act No. 7 of 2007) and the Environmental Impact Assessment Regulations, 2012.

The project is administrative in nature and does not involve construction or physical disturbance. The EMP therefore focuses primarily on planning compliance, servitude management, and operational considerations. This EMP forms part of the Environmental Clearance process and is binding upon the Proponent and relevant stakeholders.

1.2. Location of the Project

The proposed project is located on Erf 738 in Walvis Bay Proper, within the Erongo Region in Namibia. The site is accessed via Sam Nujoma Avenue and is situated within an established urban area.

1.3. Description of the Proposed Site

The site measures approximately 1,250 m² and is fully developed with two existing dwelling units. It is fully serviced with water, sewer, electricity, and road infrastructure. The environment is fully transformed, with no sensitive ecological features present. The proposed development includes:

- Subdivision into two portions (±593 m² and ±657 m²)
- Establishment of a right-of-way servitude

Table 1 Proposed Subdivision Description

Erf Number	±Area (m²)	Zoning	Density
738	1,250 m ²	Single Residential	1;500 m ²
Subdivision			
Remainder of Erf 738	593 m ²	Single Residential	1;500 m ²
Portion X	657 m ²	Single Residential	1;500 m ²

1.4. Objectives of the Environmental Management Plan

The objectives of this Environmental Management Plan are to:

- Ensure compliance with applicable environmental and planning legislation
- Provide management measures for the servitude to prevent potential access conflicts between property owners
- Ensure sustainable land use practices to provide monitoring and reporting mechanisms
- Define roles and responsibilities for implementation

2. INSTITUTIONAL ARRANGEMENTS AND RESPONSIBILITIES

2.1. Project Proponent - Mr. M.C. Khan/ property owner

The Proponent or any future owners of these subdivided portions are responsible for:

- Appoint Town Planning Officer to undertake and finalise the subdivision process (currently in progress)
- Ensure the registration of the servitude condition on the notarial deed
- Comply with servitude conditions and Prevent obstruction of right-of-way
- Overall implementation of the EMP and ensuring compliance with ECC conditions

2.2. Consultant (Planning and Design, Surveying)

Responsibilities:

- Preparation of subdivision diagrams
- Integration of servitude into planning design
- Ensuring compliance with planning regulations
- Survey and prepare diagrams for the subdivision and right of way servitude

2.3. Government Authorities

The following government bodies play a role in monitoring and supporting the project:

- **Ministry of Environment, Forestry and Tourism (MEFT):** Oversees environmental compliance and enforces the Environmental Clearance Certificate (ECC).
- **Ministry of Urban and Rural Development (MURD) / Urban and Regional Planning Board (URPB):** Responsible for approval of the subdivision in accordance with the Urban and Regional Planning Act.
- **Walvis Bay Municipality:** Approves the subdivision, ensures the right-of-way servitude remains accessible and unobstructed, and confirms that both portions are fully serviced.
- Ensures appointment of a conveyancer and proper registration of the servitude in the Deeds Office.

2.4. Environmental Assessment Practitioner (EAP)

The EAP is responsible for:

- Assessment and submitting environmental reports to MEFT.
- Providing additional information to I&APs and authorities as required.
- Updating the EMP based on EIA recommendations or changes in legislation or project scope during the appointed period.

3. LEGAL REQUIREMENTS

As part of the implementation of this Environmental Management Plan (EMP, the Proponent shall comply with all applicable national legislation, policies, and regulatory frameworks governing environmental protection, waste management, public health, occupational safety, land use, and natural resource protection in Namibia.

Table 2 Applicable National Laws

THEME	LEGISLATION	KEY PROVISIONS	EMP REQUIREMENTS
Environmental Governance	Environmental Management Act (2007)	ECC requirements	Compliance with EMP
Planning	Urban and Regional Planning Act (2018)	Subdivision approval	Obtain approvals
Local Authority	Local Authorities Act (1992)	Municipal control	Compliance with municipal requirements
Land Registration	Deeds Registries Act (1937)	Servitude registration	Register servitude
Survey	Land Survey Act (1993)	Survey requirements	Approved diagrams
Heritage	National Heritage Act (2004)	Protection of heritage	Compliance if triggered

4. IMPLEMENTATION OF THE ENVIRONMENTAL MANAGEMENT PLAN

The Proponent shall play a central role in the implementation of this Environmental Management Plan (EMP). Each party shall perform its respective roles and responsibilities in accordance with the provisions of this EMP and applicable national legislation.

4.1. Management Plan - Planning and Design Phase

The planning and design phase is crucial because it addresses and mitigates all risks related to the project.

Table 3 Management Plan – Planning and Design Phase

Environmental Impacts	Mitigation Measures	Implementation	Monitoring
Legal non-compliance	Obtain all approvals	Consultant	Proponent
Access conflict	Define servitude clearly	Consultant	Proponent
Documentation errors	Accurate survey plans	Surveyor	Proponent

4.2. Management Plan - Operational Phase

Operational phase controls are critical, as this phase carries the highest environmental risk profile.

Table 4 Proposed Mitigation Measures – Operational Phase

Environmental Impacts	Mitigation Measures	Roles and Responsibilities (Implementation)	Roles and Responsibilities (Monitoring)
Access obstruction	Legal servitude restrictions	Property owners	Municipality
User conflict	Registration of servitude on Title Deed	Property owners	Proponent
Infrastructure pressure	Maintain service standards	Owners	Municipality

Notes:

- Servitude must remain unobstructed
- Shared access must be respected
- Municipal bylaws must be adhered to.

5. ENVIRONMENTAL MANAGEMENT REQUIREMENTS

This chapter provides an integrated framework of mitigation measures, to monitor protocols, reporting obligations, and enforcement mechanisms applicable. These requirements are legally binding in terms of the Environmental Management Act, 2007 and its 2012 Regulations and form part of the conditions of the Environmental Clearance Certificate (ECC) issued by the Ministry of Environment, Forestry and Tourism (MEFT).

5.1. Awareness and Training

- Property owners must be aware of servitude conditions
- Awareness of municipal regulations

5.2. **Record-Keeping and Documentation**

The following records shall be maintained:

- Subdivision approval
- Registration of Servitude Notarial Deed
- ECC documentation

5.3. **Environmental Reporting**

The Proponent shall:

- Reporting only required if issues arise
- Complaints must be documented
- Municipality may require compliance updates

5.4. **Non-Compliance, Enforcement, and Corrective Action**

- Non-compliance must be corrected immediately
- Municipality may enforce compliance through enforcement of servitude registration

5.5. **Review and Continuous Improvement**

- EMP reviewed if land use changes
- Update required if future construction occurs

6. **CONCLUSION**

The proposed subdivision of Erf 738 and creation of a right-of-way servitude is a low-risk, administrative activity with no significant environmental impacts. This EMP provides a practical framework to ensure Legal compliance and Proper servitude management. The project is environmentally acceptable. This EMP forms part of the Environmental Clearance process and is binding on all relevant parties.