

***RENEWAL OF THE ENVIRONMENTAL
CLEARANCE FOR THE OPERATION OF
A FUEL RETAIL FACILITY ON ERVEN
63 AND 64, KATIMA MULILO, ZAMBEZI
REGION***

June 2022

App - 0010323



<p>Project Name:</p>	<p>RENEWAL OF THE ENVIRONMENTAL CLEARANCE FOR THE OPERATION OF A FUEL RETAIL FACILITY ON ERVEN 63 AND 64, KATIMA MULILO, ZAMBEZI REGION</p>
<p>The Proponent:</p>	 <p>ZAMBEZI AUTO CITY P O Box 591 Katima Mulilo</p>
<p>Prepared by:</p>	<div data-bbox="574 949 1453 1186" style="border: 1px solid black; padding: 5px;">  <p>Green Earth ENVIRONMENTAL CONSULTANTS</p> </div> <p>1st floor Bridgeview Offices & Apartments, No. 4 Dr Kwame Nkrumah Avenue, Klein Windhoek, Namibia PO Box 6871, Ausspanplatz, Windhoek</p>
<p>Release Date:</p>	<p>June 2022</p>
<p>Consultant:</p>	<p>C. Du Toit C. Van Der Walt Cell: 081 127 3145 Email: charlie@greenearthnamibia.com</p>

EXECUTIVE SUMMARY

Green Earth Environmental Consultants were appointed by the proponent, Zambezi Auto City, to conduct the Environmental Impact Assessment renewal for the operation of the fuel retail facility on Erf 63 and 64, Katima Mulilo, Zambezi Region.

An Environmental Impact Assessment was conducted 16 July 2018 and therefore the Environmental Clearance is due for renewal.

In accordance with the Environmental Impact Assessment Regulations (GN 30 in GG 4878 of 6 February 2012) of the Environmental Management Act (No. 7 of 2007), the activities listed below, which forms part of the proposed operations, may not be undertaken without a renewed Environmental Clearance:

ENERGY GENERATION, TRANSMISSION AND STORAGE ACTIVITIES

- *The construction of facilities for the refining of gas, oil and petroleum products.*

HAZARDOUS SUBSTANCE TREATMENT, HANDLING AND STORAGE

- *The storage and handling of dangerous goods, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30 cubic meters at any one location.*
- *Construction of filling stations or any other facility for the underground and aboveground storage of dangerous goods, including petrol, diesel, liquid, petroleum, gas or paraffin.*

The environmental impacts during the operational phase of the proposed project:

IMPACTS DURING OPERATIONAL PHASE			
Aspect	Impact Type	Significance of impacts Unmitigated	Significance of impacts Mitigated
Ecology Impacts	-	L	M
Dust and Air Quality	-	L	M
Groundwater Contamination	-	L	M
Waste Generation	-	L	M
Failure of Reticulation Pipeline	-	L	M
Fires and Explosions	-	L	M
Safety and Security	-	L	M

IMPACT EVALUATION CRITERION (DEAT 2006):		
Criteria	Rating (Severity)	
Impact Type	+	Positive
	O	No Impact
	-	Negative
	L	Low (Little or no impact)

Significance of impacts	M	Medium (Manageable impacts)
	H	High (Adverse impact)

The type of activities that is carried out on the site does not negatively affect the amenity of the locality and the activities will not adversely affect the environmental quality of the area. None of the potential impacts identified are regarded as having a significant impact to the extent that the proposed project should not be allowed. However, the operational activities further on need to be controlled and monitored by the assigned managers and the proponent. Mitigation measures will be provided that can control the extent, intensity, and frequency of these named impacts in order not to have substantial negative effects or results. It is believed that the overall cumulative impact on the biophysical environment will be low and there will be a positive impact on the socio-economic environment.

The Environmental Impact Assessment which follows upon this paragraph was conducted in accordance with the guidelines and stipulations of the Environmental Management Act (No 7 of 2007) meaning that all possible impacts have been considered and the details are presented in the report.

Based upon the conclusions and recommendations of the renewed Environmental Impact Assessment Report and Environmental Management Plan, the Environmental Commissioner of the Ministry of Environment, Forestry and Tourism is herewith requested to:

1. Accept and approve the Environmental Impact Assessment Renewal.
2. Accept and approve the renewed Environmental Management Plan.
3. Issue an Environmental Clearance Renewal for the operation of the fuel retail facility on Erf 63 and 64, Katima Mulilo, Zambezi Region and for the following listed activities:

ENERGY GENERATION, TRANSMISSION AND STORAGE ACTIVITIES

- *The construction of facilities for the refining of gas, oil and petroleum products.*

HAZARDOUS SUBSTANCE TREATMENT, HANDLING AND STORAGE

- *The storage and handling of dangerous goods, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30 cubic meters at any one location.*
- *Construction of filling stations or any other facility for the underground and aboveground storage of dangerous goods, including petrol, diesel, liquid, petroleum, gas or paraffin.*

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LIST OF ABBREVIATIONS

EC	Environmental Clearance
ECO	Environment Control Officer
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
I&APs	Interested and Affected Parties
MAWLR	Ministry of Agriculture, Water and Land Reform
MEFT	Ministry of Environment, Forestry and Tourism

1. INTRODUCTION

Green Earth Environmental Consultants were appointed by the proponent, Zambezi Auto City, to obtain an environmental clearance renewal for the operation of a fuel retail facility on Erf 63 and 64, Katima Mulilo, Zambezi Region.

An Environmental Impact Assessment was conducted 16 July 2018 and therefore the Environmental Clearance is due for renewal.

In accordance with the Environmental Impact Assessment Regulations (GN 30 in GG 4878 of 6 February 2012) of the Environmental Management Act (No. 7 of 2007), the activities listed below, which forms part of the proposed operations, may not be undertaken without an Environmental Clearance:

ENERGY GENERATION, TRANSMISSION AND STORAGE ACTIVITIES

- *The construction of facilities for the refining of gas, oil and petroleum products.*

HAZARDOUS SUBSTANCE TREATMENT, HANDLING AND STORAGE

- *The storage and handling of dangerous goods, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30 cubic meters at any one location.*
- *Construction of filling stations or any other facility for the underground and aboveground storage of dangerous goods, including petrol, diesel, liquid, petroleum, gas or paraffin.*

The following Environmental Impact Assessment Renewal contains information on the project and the surrounding areas and activities.

2. TERMS OF REFERENCE

To be able to continue with the operations of the project, an Environmental Clearance Renewal is required. For this environmental impact exercise, *Green Earth Environmental Consultants* followed the terms of reference as stipulated under the Environmental Management Act.

The aim of the initial environmental impact assessment was:

- To ascertain existing environmental conditions on the site to determine its environmental sensitivity.
- To inform I&APs and relevant authorities of the details of the proposed activities and to provide them with an opportunity to raise issues and concerns.
- To assess the significance of issues and concerns raised.
- To compile a report detailing all identified issues and possible impacts, stipulating the way forward and identify specialist investigations required.
- To outline management guidelines in an Environmental Management Plan (EMP) to minimize and/or mitigate potentially negative impacts.
- To comply with Namibia's Environmental Management Act (2007) and its regulations (2012).

The tasks that were undertaken for the Environmental Impact Assessment Renewal included the evaluation of the following: climate, water (hydrology), vegetation, geology, soils, social, cultural heritage, groundwater, sedimentation, erosion, biodiversity, sense of place, socio-economic environment, health, safety and traffic.

The EIA and EMP from the assessment will be submitted to the Environmental Commissioner for consideration. An Environmental Clearance Renewal will only be obtained (from the DEA) once the renewed EIA and EMP has been examined and approved for the listed activities.

The public consultation process as per the guidelines of the Act has been followed. The methods that were used to assess the environmental issues and alternatives included the collection of data on the project site and area from the proponent and identified stakeholders. All other permits, licenses or certificates that are further on required for the operation of the proposed project still needs to be applied for by the proponent.

3. PROJECT DESCRIPTION/SITE INFORMATION

3.1. LOCALITY OF SITE

Katima Mulilo is the commercial centre of the East Caprivi region and Namibia's far northeast extension into central Southern Africa. It lies at the southern riverbanks of the slow-flowing Zambesi. The town is located on the national road B8 on the banks of the Zambesi River. The town has an airport with a tarred landing strip, a modern hospital, schools, supermarkets and petrol stations. Since the completion of the Sesheke Bridge over the Zambesi in 2004, Katima became important for the Zambia traffic.

Zambezi Auto City constructed and is now operating a fuel retail facility on Erf 63 and 64, Katima Mulilo. See below locality maps of the project area namely Erf 63 and 64, Katima Mulilo:

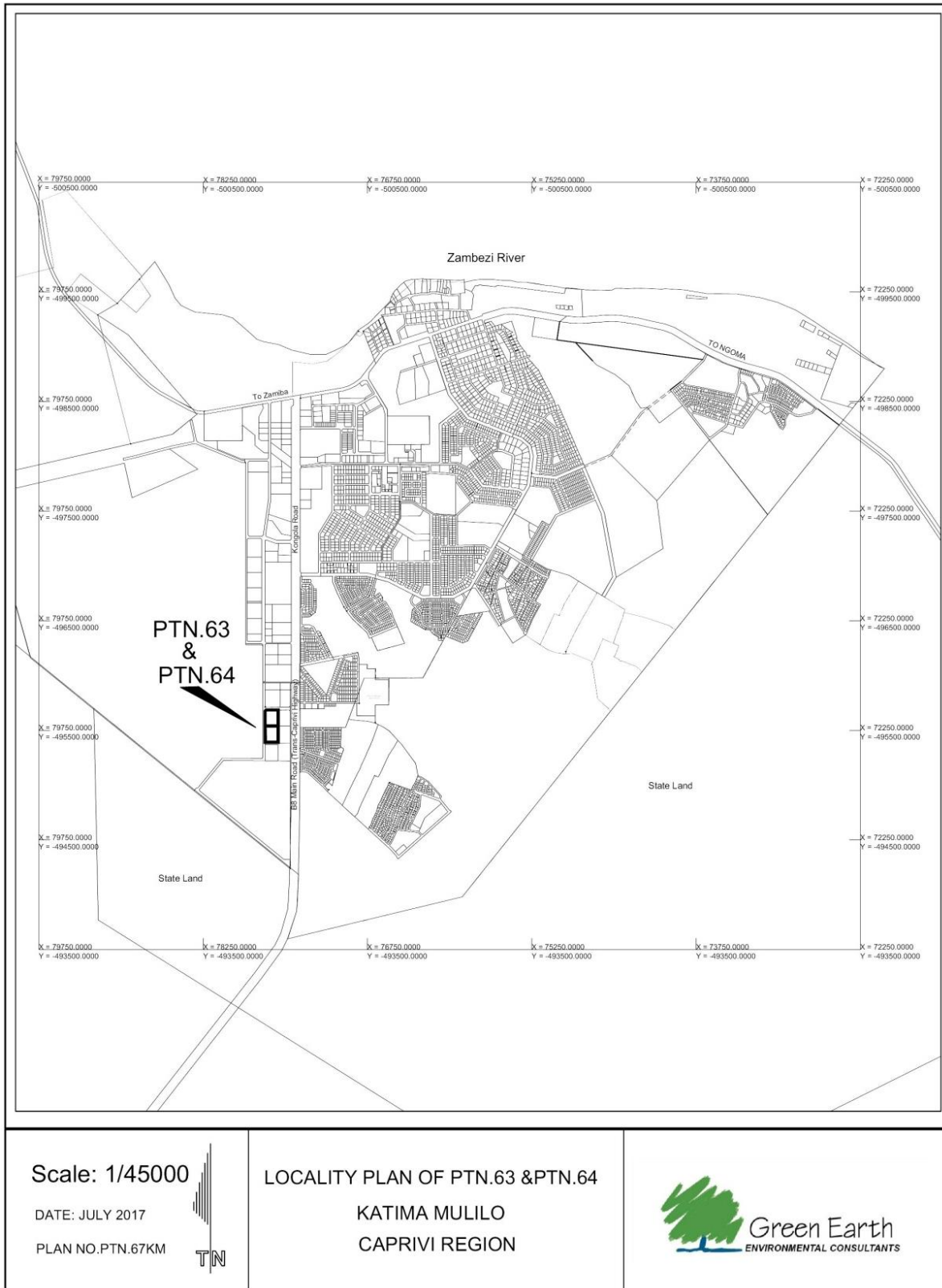


Figure 1: Locality Plan of Erf 63 and 64, Katima Mulilo

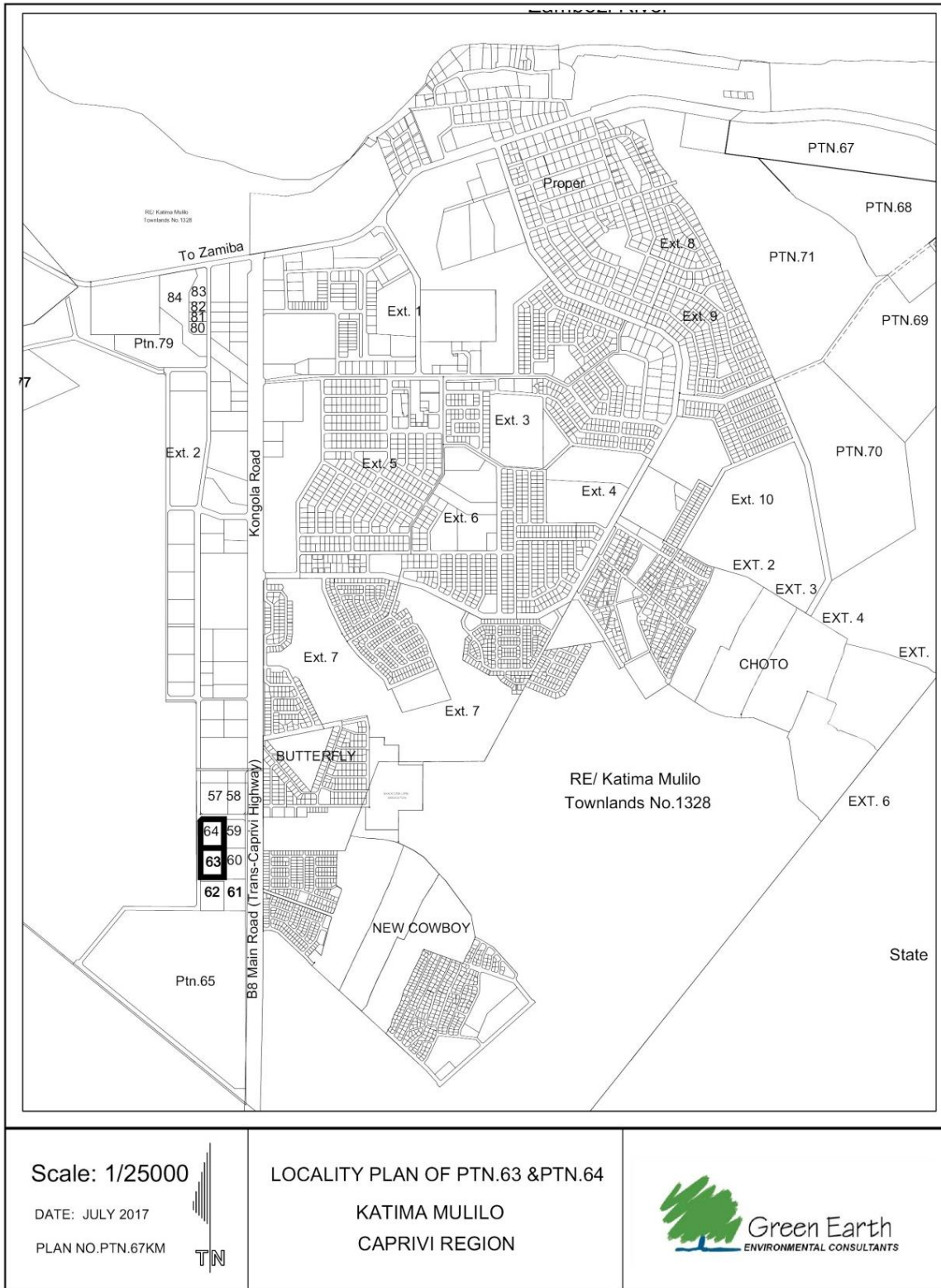


Figure 2: Locality Plan

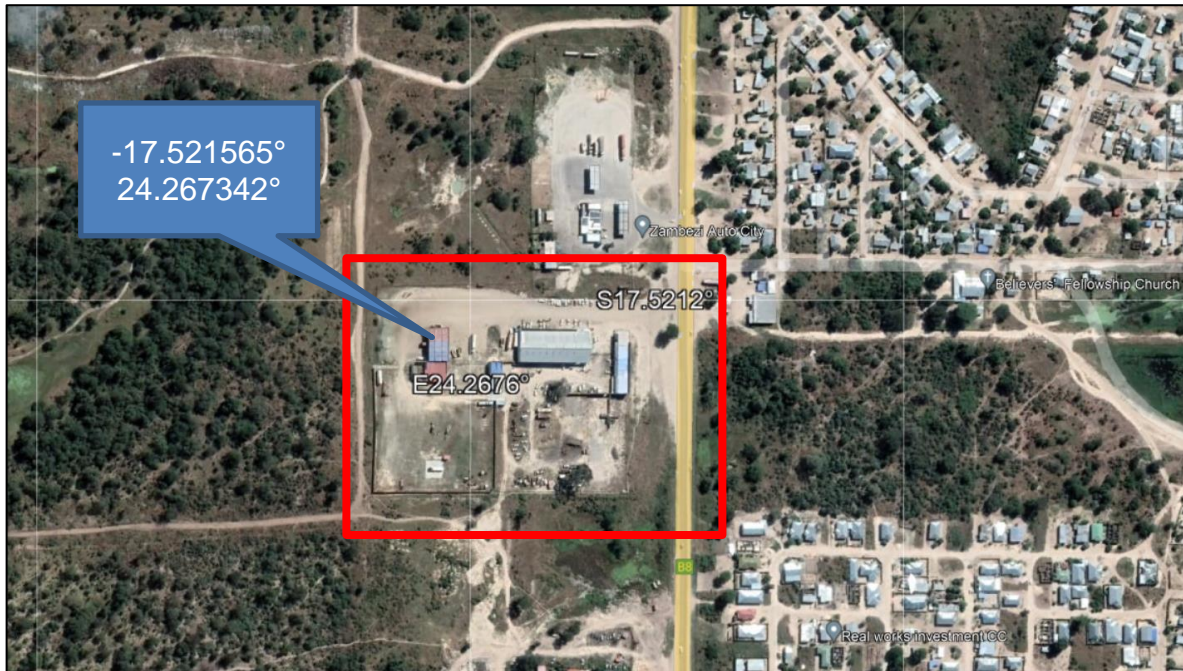


Figure 3: Project Site area



Figure 4: Photo of operations on site

Infrastructure on the site:

- Facilities for the storage, handling and selling of Diesel 500ppm and Diesel 50ppm.
- The total tank capacity on the site is 129 000L. Storage capacity will be increased to 138 000L.
- The current tanks will be removed and replaced by new tanks.
- Underground tanks with the following capacities will be installed:
 - 3 x 46 000 Diesel tanks
 - 3 x pumps with 2 x nozzles each
 - Six dispensing points

- Spill containment infrastructure, with an oil/water separator was installed to protect against spillages.
- A concrete slab was constructed around the island.
- The refuelling area is covered by an overhead canopy.
- The entire driveway area, the area surrounding the dispensing points and area below the canopy was raised by land infill and sloped and landscaped and provided with proper drainage in order not to be subject to storm water damage/flooding.
- The site is operating 24h per day.
- A small convenience shop (quick spar shop) including ablution facilities is in the process of being constructed and operated on site to provide in the basic requirements of the truck drivers/clients.

The operational activities on the site are:

- Entrance and exit of heavy and light vehicles to and from the service station.
- Circulation and parking of vehicles on the site, at the filling points, the kiosk, shops and offices.
- Movement of people on the site, including pedestrians visiting the kiosk, shops and offices.
- Filling of trucks with fuel.
- Filling of fuel into the aboveground tanks by direct closed transfer.
- Delivery of supplies for the shops, offices and kiosk.
- Administrative activities related to the businesses.

The site layout:

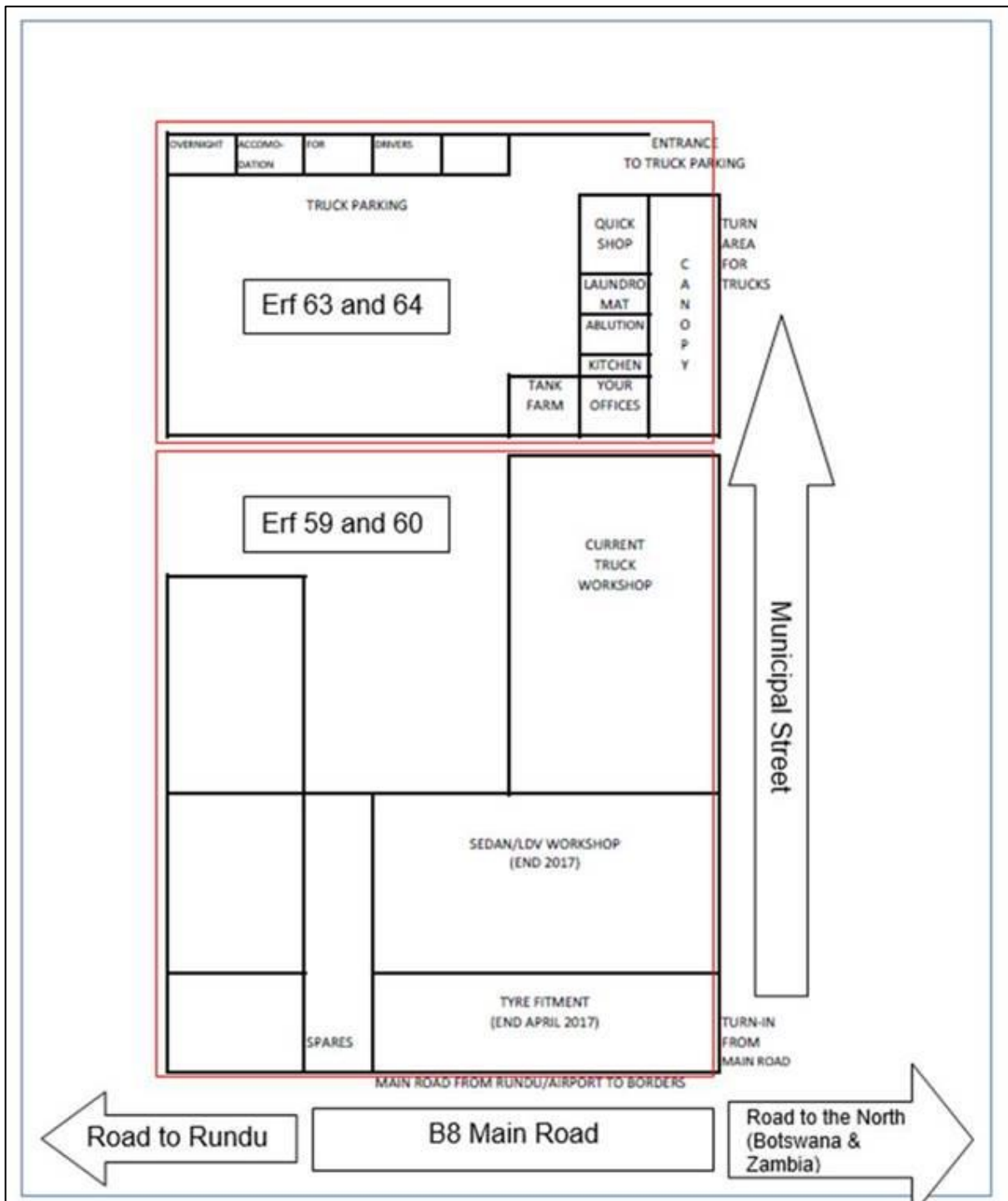


Figure 5: Site Layout Plan

Photo of site:



Figure 6: Position of dispensing point and tanks

4. BULK SERVICES AND INFRASTRUCTURE

Erf 63 and 64, Katima Mulilo are located in an area which is fully serviced by all municipal bulk services. The bulk services were provided as follows:

4.1. ACCESS

Access to Erf 63 and 64, Katima Mulilo is from the street directly to the west of the site.

4.2. WATER SUPPLY

The erven are already linked to the existing municipal water supply network.

4.3. ELECTRICITY SUPPLY

The erven obtain electricity from the existing electrical network supplying the town.

4.4. SEWAGE DISPOSAL





The erf is connected to the existing sewer connection which is linked with the Municipal sewer system.

4.5. SOLID WASTE DISPOSAL

The solid waste generated on the site is collected by the Municipal waste management collection system and be disposed of at the landfill site. Hazardous Waste which might be generated on the site will be dealt with in accordance with the waste procedures for hazardous waste.

5. APPROVALS OBTAINED

See below previous Environmental Clearance Certificate obtained 16 July 2018:

 REPUBLIC OF NAMIBIA	
MINISTRY OF ENVIRONMENT AND TOURISM	
Tel: (00 26461) 284 2111 Fax: (00 26461) 232 057 E-mail: johannes.hambia@met.gov.na	Cnr Robert Mugabe & Dr Kenneth Kaunda Street Private Bag 13306 Windhoek Namibia 16 July 2018
Enquiries: Mr. J. Hambia	
OFFICE OF THE ENVIRONMENTAL COMMISSIONER	
The Managing Director Zambezi Auto City P O Box 591 Katima Mulilo Namibia	
Dear Sir /Madam	
SUBJECT: ENVIRONMENTAL CLEARANCE CERTIFICATE FOR THE CONSTRUCTION AND OPERATION OF THE FUEL RETAIL FACILITY ON ERVEN 63 AND 64 IN KATIMA MULILO, ZAMBEZI REGION	
<p>The Environmental Impact Assessment report and the Environmental Management Plan submitted are sufficient as these make provisions of the environmental management concerning the project's activities. From this perspective regular environmental monitoring and evaluations on environmental performance should be conducted. Targets for improvements should be established and monitored throughout this process.</p>	
<p>This Ministry reserves the right to attach further legislative and regulatory conditions during the operational phase of the project. From this perspective, I issue this clearance with the following condition: (a) relevant permitting authorities involved must be properly consulted and written consent obtained from them.</p>	
<p>On the basis of the above, this letter serves as an environmental clearance for the project to commence. However, this clearance letter does not in any way hold the Ministry of Environment and Tourism accountable for misleading information, nor any adverse effects that may arise from this project's activities. Instead, full accountability rests with Zambezi Auto City and its consultants.</p>	
<p>This environmental clearance is valid for a period of 3 (three) years, from the date of issue unless withdrawn by this office.</p>	
Yours sincerely,	 
Teofilus Nghitila ENVIRONMENTAL COMMISSIONER	
 "Stop the poaching of our rhinos" <small>All official correspondence must be addressed to the Permanent Secretary</small>	

6. APPROACH TO THE STUDY

The assessment included the following activities:

a) Desktop sensitivity assessment

Literature, legislation, and guidance documents related to the natural environment and land use activities available on the area in general were reviewed in order to determine potential environmental issues and concerns.

b) Site assessment (site visit)

A site visit was conducted in the immediate neighbourhood and the surrounding area was assessed. Previous site visits to investigate the environmental parameters on site to enable further understanding of the potential impacts on site also took place.

c) Public participation

Public notices, informing the general public of the proposed project and inviting Interested and Affected Parties to provide comments on the proposed development, appeared in the Namibian and Republikein of 6 and 13 July 2017. A notice was also displayed on site. No objections or comments were received in respect of these notices.

c) Scoping

Based on the desk top study, site visit and public participation, the environmental impacts were determined in five categories: nature of project, expected duration of impact, geographical extent of the event, probability of occurring and the expected intensity. The findings of the scoping have been incorporated in the environmental impact assessment report below.

7. ASSUMPTIONS AND LIMITATIONS

It is assumed that the information provided by the proponent/client is accurate. A limitation is that no alternative site for assessment was provided. Erf 63 and 64, Katima Mulilo is owned by the client and ideally located for fuel storage and sales and will complement the existing operations on the site. The proponent has no alternative site in this area for the proposed fuel facility and therefore has to use this site. The assessment is based on the prevailing environmental conditions and not on future happenings on the site. However, it is assumed that there will be no significant changes to the proposed project, and the environment will not adversely be affected between the compilation of the assessment and the implementation of the proposed construction activities.

8. ADMINISTRATIVE, LEGAL AND POLICY REQUIREMENTS

To protect the environment and achieve sustainable development, all projects, plans, programs and policies deemed to have adverse impacts on the environment require an

EIA according to Namibian legislation. The administrative, legal and policy requirements to be considered during the Environmental Assessment for the proposed project are the following:

- The Namibian Constitution
- The Environmental Management Act (No. 7 of 2007)
- Other Laws, Acts, Regulations and Policies

THE NAMIBIAN CONSTITUTION

Article 95 of Namibia's constitution provides that:

"The State shall actively promote and maintain the welfare of the people by adopting, inter alia, policies aimed at the following:

Management of ecosystems, essential ecological processes and biological diversity of Namibia and utilization of living natural resources on a sustainable basis for the benefit of all Namibians, both present and future; in particular, the Government shall provide measures against the dumping or recycling of foreign nuclear and toxic waste on Namibian territory." This article recommends that a relatively high level of environmental protection is called for in respect of pollution control and waste management.

Article 144 of the Namibian Constitution deals with environmental law and it states:

"Unless otherwise provided by this Constitution or Act of Parliament, the general rules of public international agreements binding upon Namibia under this Constitution shall form part of the law of Namibia". This article incorporates international law, if it conforms to the Constitution, automatically as "law of the land". These include international agreements, conventions, protocols, covenants, charters, statutes, acts, declarations, concords, exchanges of notes, agreed minutes, memoranda of understanding, and agreements (*Ruppel & Ruppel-Schlichting, 2013*).

CONCLUSION AND IMPACT

In considering the environmental rights, Zambezi Auto City should consider the following in devising an action plan in response to the articles:

- Implement a "zero-harm" policy that would guide decisions.
- Ensure that no management practice or decision result in the degradation of future natural resources.
- Take a decision on how this part of the Constitution will be implemented as part of Zambezi Auto City's Environmental Control System (ECS).

ENVIRONMENTAL MANAGEMENT ACT (NO. 7 OF 2007)

The Environmental Impact Assessment Regulations (GN 30 in GG 4878 of 6 February 2012) of the Environmental Management Act (No. 7 of 2007) that came into effect in 2012 requires/recommends that an Environmental Impact Assessment Renewal and an Environmental Management Plan (EMP) be conducted for the following listed activities in order to obtain an Environmental Clearance Certificate:

ENERGY GENERATION, TRANSMISSION AND STORAGE ACTIVITIES

- *The construction of facilities for the refining of gas, oil and petroleum products.*

HAZARDOUS SUBSTANCE TREATMENT, HANDLING AND STORAGE

- *The storage and handling of dangerous goods, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30 cubic meters at any one location.*
- *Construction of filling stations or any other facility for the underground and aboveground storage of dangerous goods, including petrol, diesel, liquid, petroleum, gas or paraffin.*

Cumulative impacts associated with the project must be included as well as public consultation. The Act further requires all major industries to prepare waste management plans and present these to the local authorities for approval.

The Act, Regulations, Procedures and Guidelines have integrated the following sustainability principles. They need to be given due consideration, particularly to achieve proper waste management and pollution control:

Cradle to Grave Responsibility

This principle provides that those who handle or manufacture potentially harmful products must be liable for their safe production, use and disposal and that those who initiate potentially polluting activities must be liable for their commissioning, operation and decommissioning.

Precautionary Principle

If there is any doubt about the effects of a potentially polluting activity, a cautious approach must be adopted.

The Polluter Pays Principle

A person who generates waste or causes pollution must, in theory, pay the full costs of its treatment or of the harm, which it causes to the environment.

Public Participation and Access to Information

In the context of environmental management, citizens must have access to information and the right to participate in decisions making.

CONCLUSION AND IMPACT

The proposed activities have been assessed in terms of the Environmental Management Act (No. 7 of 2007) and the Regulations (2012). From the assessment, it can be concluded that the activities will have impacts on the prevailing environment but that the negative impacts can be sufficiently mitigated and managed by the Environmental Management Plan which is part of this document.

Table 1: Other laws, acts, regulations and policies

Laws, Acts, Regulations & Policies consulted:		
Electricity Act (No. 4 of 2007)	In accordance with the Electricity Act (No. 4 of 2007) which provides for the establishment of the Electricity Control Board and provide for its powers and functions; to provide for the requirements and conditions for obtaining licenses for the provision of electricity; to provide for the powers and obligations of licenses; and to provide for incidental matters: the necessary permits and licenses will be obtained.	The Proponent must abide to the Electricity Act.
Pollution Control and Waste Management Bill (guideline only)	The Pollution Control and Waste Management Bill is currently in preparation and is therefore included as a guideline only. Of reference to the mining, Parts 2, 7 and 8 apply. Part 2 provides that no person shall discharge or cause to be discharged, any pollutant to the air from a process except under and in accordance with the provisions of an air pollution license issued under section 23. Part 2 also further provides for procedures to be followed in license application, fees to be paid and required terms of conditions for air pollution licenses. Part 7 states that any person who sells, stores, transports or uses any hazardous substances or products containing hazardous substances shall notify the competent authority, in accordance with sub-	The Proponent must adhere to the Pollution Control and Waste Management Bill.

	<p>section (2), of the presence and quantity of those substances. The competent authority for the purposes of section 74 shall maintain a register of substances notified in accordance with that section and the register shall be maintained in accordance with the provisions. Part 8 provides for emergency preparedness by the person handling hazardous substances, through emergency response plans.</p>	
<p>Water Resources Management Act</p>	<p>The Water Resources Management Act (No. 11 of 2013) stipulates conditions that ensure effluent that is produced to be of a certain standard. There should also be controls on the disposal of sewage, the purification of effluent, measures should be taken to ensure the prevention of surface and groundwater pollution and water resources should be used in a sustainable manner.</p>	<p>The Act must be consulted. Fresh water abstraction and waste-water discharge permits should be obtained when required.</p>
<p>Solid and Hazardous Waste Management Regulations: Local Authorities 1992</p>	<p>Provides for management and handling of industrial, business and domestic waste.</p>	<p>The Proponent must abide to the solid waste management provisions.</p>
<p>Hazardous Substances Ordinance (No. 14 of 1974)</p>	<p>The Ordinance applies to the manufacture, sale, use, disposal and dumping of hazardous substances, as well as their import and export and is administered by the Minister of Health and Social Welfare. Its primary purpose is to prevent hazardous substances from causing injury, ill-health or the death of human beings.</p>	<p>The Proponent must abide to the Ordinance's provisions.</p>
<p>Atmospheric Pollution Prevention Ordinance of</p>	<p>Part 2 of the Ordinance governs the control of noxious or offensive gases. The Ordinance prohibits anyone from carrying on a scheduled process without a</p>	<p>The proponent should adhere to the stipulations of the Atmospheric Pollution Prevention Ordinance.</p>

Namibia (No. 11 of 1976)	registration certificate in a controlled area. The registration certificate must be issued if it can be demonstrated that the best practical means are being adopted for preventing or reducing the escape into the atmosphere of noxious or offensive gases produced by the scheduled process.	
Nature Conservation Ordinance	The Nature Conservation Ordinance (No. 4 of 1975) covers game parks and nature reserves, the hunting and protection of wild animals, problem animals, fish and indigenous plant species. The Ministry of Environment, Forestry and Tourism (MEFT) administer it and provides for the establishment of the Nature Conservation Board.	The proposed project implementation is not located in a demarcated conservation area, national park or unique environments.
Forestry Act	The Forestry Act (No. 12 of 2001) specifies that there be a general protection of the receiving and surrounding environment. The protection of natural vegetation is of great importance, the Forestry Act especially stipulates that no living tree, bush, shrub or indigenous plants within 100m from any river, stream or watercourse, may be removed without the necessary license.	No removal of protected tree species or removal of mature trees should happen. The Ministry of Environment, Forestry and Tourism should be consulted when required.
EU Timber Regulation: FSC (2013)	Forest Stewardship Council (FSC) came into effect in March 2013, with the aim of preventing sales of illegal timber and timber products in the EU market. Now, any actor who places timber or timber products on the market for the first time must ensure that the timber used has been legally harvested and, where applicable, exported legally from the country of harvest.	The Proponent is advised to adhere to the regulation.
Labour Act	The Labour Act (No. 11 of 2007) contains regulations relating to the Health, Safety and Welfare of employees at work. These regulations are prescribed for	The proponent and contractor should adhere to the Labour Act.

	<p>among others safety relating to hazardous substances, exposure limits and physical hazards. Regulations relating to the Health and Safety of Employees at Work are promulgated in terms of the Labour Act 6 of 1992 (GN156, GG1617 of 1 August 1997).</p>	
Communal Land Rights	<p>Communal land is land that belongs to the State and is held in trust for the benefit of the traditional communities living in those areas. Communal land cannot be bought or sold, but one can be given a customary land right or right of leasehold to a part of communal land in accordance with the provisions of the Communal Land Reform Act (No. 5 of 2002) and Communal Land Reform Amendment Act (No. 13 of 2013). The Communal Land Reform Act provide for the allocation of rights in respect of communal land to establish Communal Land Boards to provide for the powers of Chiefs and Traditional Authorities and boards in relation to communal land and to make provision for incidental matters. Consent and access to land for the proposed project should be requested from the relevant traditional authority through the Regional Council and Regional Communal Land Boards.</p>	<p>Consent should be obtained from Traditional Authorities, Communal Boards, Chiefs, Kings, Queens etc. if required.</p>
Traditional Authorities Act (No. 17 of 1995)	<p>The Traditional Authorities Act (No. 17 of 1995) provide for the establishment of traditional authorities, the designation and recognition of traditional leaders; to define their functions, duties and powers; and to provide for matters incidental thereto.</p>	<p>Traditional Authorities should be consulted when required.</p>
Public and Environmental Health Act	<p>The Public and Environmental Health Act (No. 1 of 2015) provides with respect to matters of public health in Namibia. The objects of</p>	<p>The proponent and contractor should adhere to the Public and Environmental Health Act.</p>

	<p>this Act are to: (a) promote public health and wellbeing; (b) prevent injuries, diseases and disabilities; (c) protect individuals and communities from public health risks; (d) encourage community participation in order to create a healthy environment; and (e) provide for early detection of diseases and public health risks.</p>	
<p>Coronavirus (Covid-19) Pandemic</p>	<p>The current global Coronavirus (Covid-19) pandemic and the associated State of Emergency and health restrictions globally may result in some delays and logistic disruptions. The pandemic might have an impact on obtaining equipment, specialist workforce mobilisation and implementation of the project. The health restrictions may have an impact on campsite set-up, traveling of personal/workers and building of the infrastructure. The proponent, contractor and subcontractors should adhere to all the international, regional and local Covid-19 health restrictions and protocols.</p>	<p>The proponent, contractor and workforce should adhere to the restrictions and regulations.</p>
<p>National Heritage Act (No. 27 of 2004)</p>	<p>All protected heritage resources discovered need to be reported immediately to the National Heritage Council (NHC) and require a permit from the NHC before it may be relocated. This should be applied from the NHC.</p>	<p>The National Heritage Council should be consulted when required.</p>
<p>National Monuments Act of Namibia (No. 28 of 1969) as amended until 1979</p>	<p>No person shall destroy, damage, excavate, alter, remove from its original site or export from Namibia:</p> <p>(a) any meteorite or fossil; or (b) any drawing or painting on stone or a petroglyph known or commonly believed to have been executed by any people who inhabited or visited Namibia before the year 1900 AD; or</p>	<p>The proposed site for development is not within any known monument site both movable or immovable as specified in the Act, however in such an instance that any material or sites or archeologic importance are identified, it will be the responsibility of the developer to take the required route and notify the relevant commission.</p>

	<p>(c) any implement, ornament or structure known or commonly believed to have been used as a mace, used or erected by people referred to in paragraph; or</p> <p>(d) the anthropological or archaeological contents of graves, caves, rock shelters, middens, shell mounds or other sites used by such people; or</p> <p>(e) any other archaeological or palaeontological finds, material or object; except under the authority of and in accordance with a permit issued under this section.</p>	
Public Health Act (No. 36 of 1919)	<p>Under this act, in section 119: “No person shall cause a nuisance or shall suffer to exist on any land or premises owned or occupied by him or of which he is in charge any nuisance or other condition liable to be injurious or dangerous to health.”</p>	<p>The proponent will ensure that all legal requirements of the project in relation to protection of the health of their employees and surrounding residents is protected and will be included in the EMP. Relevant protective equipment shall be provided for employees in construction. The development shall follow requirements and specifications in relation to water supply and sewerage handling and solid waste management so as not to threaten public health of future residents on this piece of land.</p>
Soil Conservation Act (No. 76 of 1969)	<p>The objectives of this Act are to:</p> <p>Make provisions for the combating and prevention of soil erosion;</p> <p>Promote the conservation, protection and improvement of the soil, vegetation, sources and resources of the Republic;</p>	<p>Only the area required for the operations should be cleared from vegetation to ensure the minimum impact on the soil through clearance for construction.</p>
Air Quality Act (NO. 39 of 2004)	<p>The Air Quality Act (No. 39 of 2004) intends to provide for national norms and standards regulating air quality monitoring, management and control by all spheres of government; for specific air quality measures; and for matters incidental thereto.</p>	<p>The proponent and contractor should adhere to the Air Quality Act.</p>

Vision 2030 and National Development Plans	Namibia's overall development ambitions are articulated in the Nation's Vision 2030. At the operational level, five-yearly national development plans (NDP's) are prepared in extensive consultations led by the National Planning Commission in the Office of the President. Currently the Government has so far launched a 4th NDP which pursues three overarching goals for the Namibian nation: high and sustained economic growth; increased income equality; and employment creation.	The proposed project is an important element in employment creation.
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CONCLUSION AND IMPACT

It is believed the above administrative, legal and policy requirements which specifically guide and governs the activity will be followed and complied with in the planning, implementation and operations process.

A flowchart indicating the entire EIA process is shown in the *Figure* below:

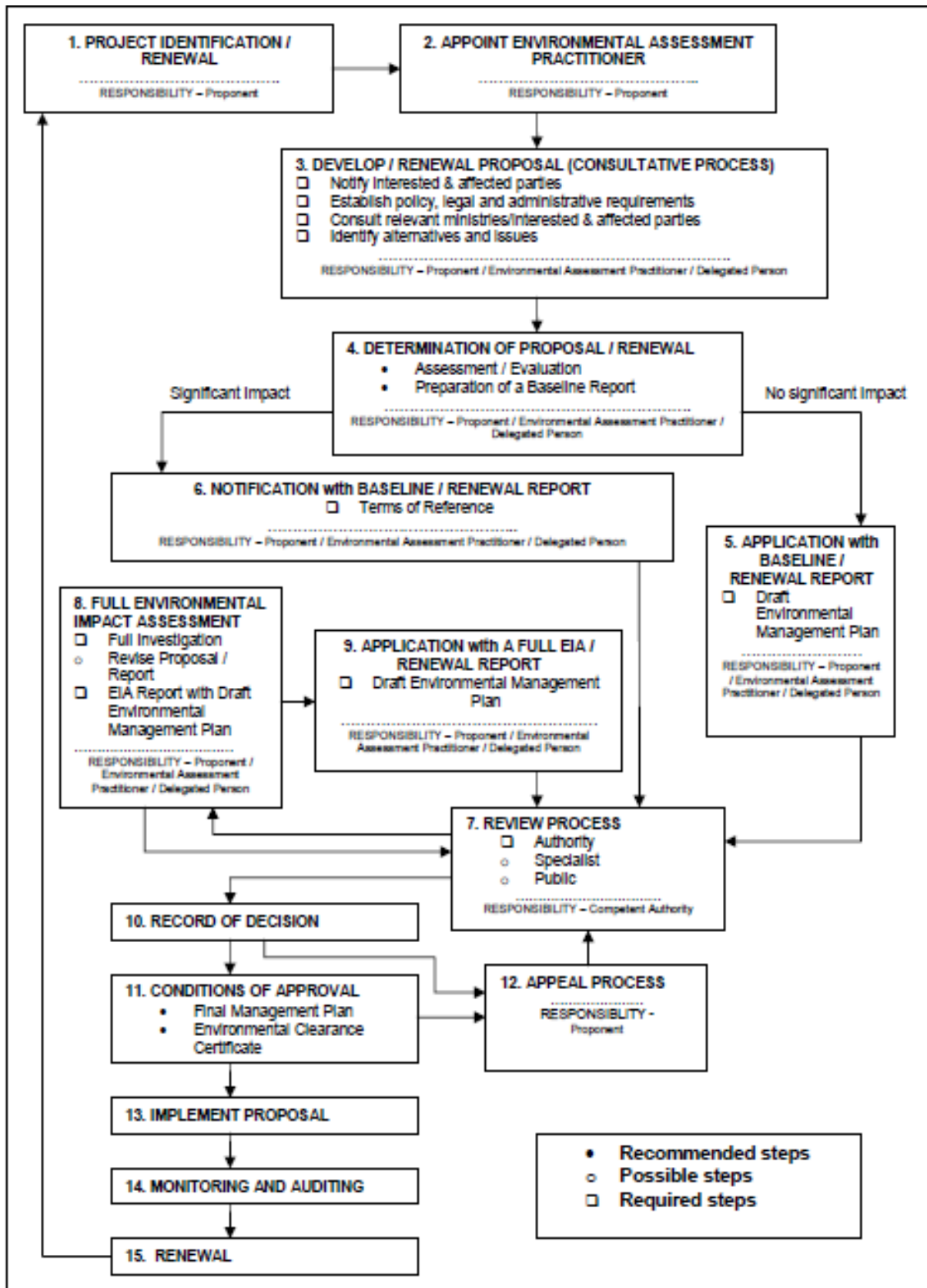


Figure 7: Flowchart of the assessment Process

9. AFFECTED NATURAL AND SOCIAL ENVIRONMENT

9.1. CLIMATE

The Caprivi belongs to the tropical climate zone and receives high rainfalls during the rainy season (December to March). High humidity is most often experienced in this region. The Caprivi is the wettest region in Namibia with its high annual rainfall of ± 700 mm. Rainfall however can also be variable and drought years are common. The majority of rain appears in summer especially between January and February. The hottest months in Katima Mulilo are September, October and November with temperatures of 30°C. The prevailing wind in the area is southeast and eastern winds. The prevailing wind direction is expected to prevent the spread of any nuisance namely noise and smell.

Strong winds during certain times of the year may aggravate dust impacts during the construction phase. The fuel storage and handling facilities as well as the supporting structures to be constructed must meet all prescribed Municipal requirements and therefore should not pose any environmental threat due to Katima Mulilo's climatic conditions. The climate of the study area is summarized in the table below:

Climate data for Katima Mulilo, Namibia													[hide]
Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year
Average high °C (°F)	31.3 (88.3)	30.5 (86.9)	29.8 (85.6)	29.1 (84.4)	27.4 (81.3)	24.5 (76.1)	25.0 (77)	29.1 (84.4)	33.8 (92.8)	33.0 (91.4)	30.3 (86.5)	29.8 (85.6)	29.5 (85.1)
Average low °C (°F)	19.1 (66.4)	19.1 (66.4)	18.7 (65.7)	14.6 (58.3)	10.2 (50.4)	6.1 (43)	4.6 (40.3)	8.3 (46.9)	14.1 (57.4)	17.8 (64)	19.3 (66.7)	18.8 (65.8)	14.2 (57.6)
Average precipitation mm (inches)	169.4 (6.669)	160.6 (6.323)	88.7 (3.492)	17.7 (0.697)	1.9 (0.075)	0.5 (0.02)	0 (0)	0.2 (0.008)	2.6 (0.102)	18.8 (0.74)	69.7 (2.744)	151.8 (5.976)	681.9 (26.846)
Average relative humidity (%)	68	66	70	61	53	53	62	50	42	46	49	57	56.4

Source: Ministry of Works and Transport (Meteorological Service Division)

Figure 8: Katima Mulilo Climate Data

CONCLUSION AND IMPACT

The activities will not have an impact on the climate.

9.2. GEOLOGY, SOILS AND GEOHYDROLOGY

The surface geology of the area consists of formations of the Kalahari Group which has a thickness of up to 30m in the study area. Within the Kalahari Group the following six lithological classifications are recognized: Duricrusts, Kalahari sand, Alluvium and lacustrine deposits, Sandstone, Marl, Basal conglomerate and gravel.

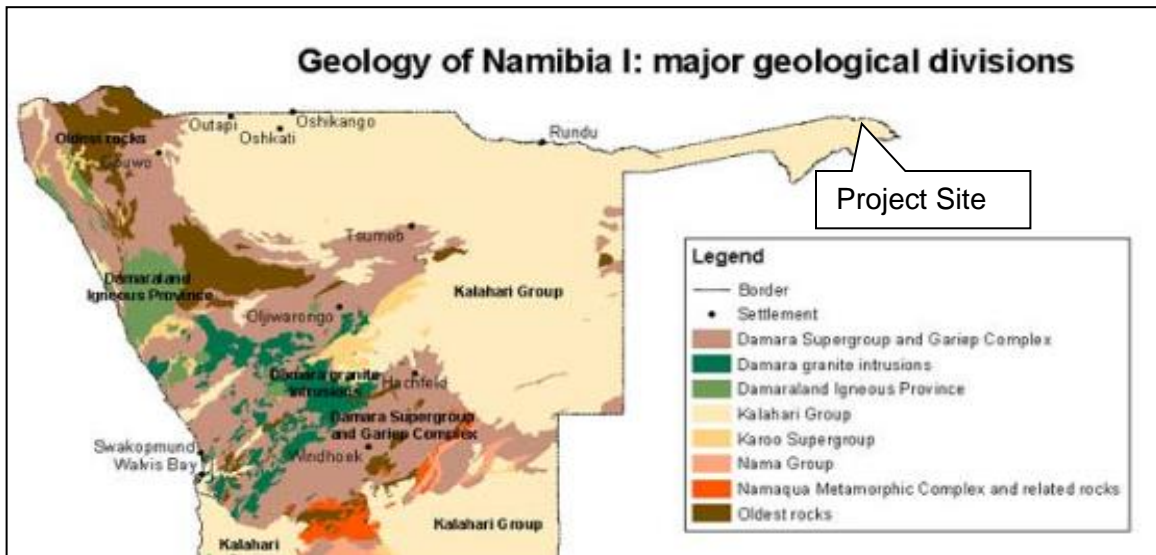


Figure 9: Geology of Namibia (Atlas of Namibia Project, 2002)

CONCLUSION AND IMPACT

The activities will not impact on the geology, soils and geohydrology of the area. The surface drainage canals will be kept open in order that water can flow through.

9.3. BIODIVERSITY AND VEGETATION

Erf 63 and 64, Katima Mulilo is located in the Tree and Scrub Savannah Biome which is characterized by woodland vegetation structure type with extremely high green vegetation biomass. However, the project site is located in the build-up Municipal Area which means that it has been cleared of vegetation and is thus showing evidence of serious human inference namely informal tracks, lacking vegetation and gravel roads.

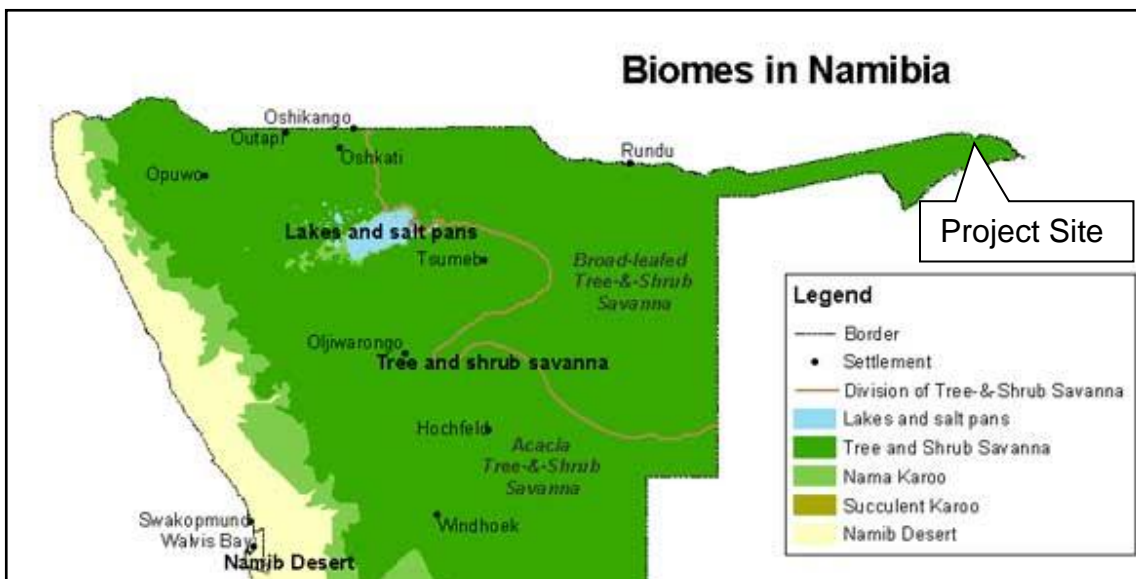


Figure 10: Biomes in Namibia (Atlas of Namibia, 2002)

The proposed construction and operation of the service station is expected to have a low impact on the natural environment.

CONCLUSION AND IMPACT

The activities will have a low impact on vegetation, shrubs and trees.

9.4. SOCIAL-ECONOMIC COMPONENT

A large amount of the town's economy relies on the farming community (game, cattle, sheep and goat farming), over border trading from neighbouring countries like Zambia, Botswana and Angola which includes grocery stores, banks, schools, hospitals and other service industries. Katima Mulilo will benefit from more employment opportunities, skills and technology transfer during construction and operations of the development. The spending power of locals is likely to increase because of employment during the construction and operational phase.

The area where Erf 63 and 64, Katima Mulilo is located has already been partially developed and is fully serviced with municipal bulk services. The buildings erected in this area are mainly used for warehousing, business, retail and residential purposes. The proposed service station will not have a negative impact on the social environment as it is in line with the current uses in this area. It will thus have a positive impact on the social environment. The socio-economic characteristics of the area are continuously changing as more economic activities are established within the area.

CONCLUSION AND IMPACT

The activities will have a positive impact on the community since employment will be created and fuel will be made available.

9.5. CULTURAL HERITAGE

The proposed project site is not known to have any historical significance prior to or after Independence in 1990. The specific area does not have any National Monuments and the specific site has no record of any cultural or historical importance or on-site resemblance of any nature. No graveyard or related article was found in the area. However, the Namibian National Heritage Act (No. 27 of 2004) provides for the protection and conservation of places and objects of heritage significance and the registration of such places and objects and to provide for incidental matters.

CONCLUSION AND IMPACT

No heritage resources or graveyards were observed on the site or in the area.

9.6. SENSE OF PLACE

Erf 63 and 64, Katima Mulilo is located inside the already established industrial area of the town. The site is also situated in reaching distance to bulk infrastructural networks consisting of roads and electricity. The proposed activities will not have a negative impact on the sense of place in the area. An untidy or badly managed site can detract from the ecological well-being and individuality of the area. Unnecessary disturbance to the surroundings could be caused by poorly planned or poorly managed operational activities. The project site should be kept neat and clean where possible. Vegetation should not be removed or harmed if not necessary since it covers topsoil which prevents erosion. Noise and dust should be limited in the construction phase because of the neighbouring industrial and business activities.

CONCLUSION AND IMPACT

The impact on the sense of place will be low.

9.7. HEALTH

The safety, security and health of the labour force, employees and neighbours are of great importance, workers should be orientated with the maintenance of safety and health procedures and they should be provided with PPE (Personal Protective Equipment). A health and safety officer are employed to manage, coordinate and monitor risk and hazard and report all health and safety related issues in the workplace. The introduction of external workers into the area is sometimes accompanied with criminal activities posing security risks for neighbours. However, the proponent will take certain measures to prevent any activity of this sort. The welfare and quality of life of the neighbours and workforce needs to be considered for the project to be a success on its environmental performance. Conversely, the process should not affect the overall health of persons related to the project including the neighbours.

CONCLUSION AND IMPACT

The proposed activities will have a low impact on the health of the community.

10. INCOMPLETE OR UNAVAILABLE INFORMATION

The number of people that will be employed on the site will depend on the type and scope of the activities.

11. IMPACT ASSESSMENT AND EVALUATION

The Environmental Impact Assessment sets out potential positive and negative environmental impacts associated with the project site. The following assessment methodology will be used to examine each impact identified, see *Table* below:

Table 2: Impact Evaluation Criterion (DEAT 2006)

Criteria	Rating (Severity)	
Impact Type	+	Positive
	O	No Impact
	-	Negative
Significance of impact being either	L	Low (Little or no impact)
	M	Medium (Manageable impacts)
	H	High (Adverse impact)

Probability:	Duration:
5 – Definite/do not know	5 - Permanent
4 – Highly probable	4 – Long-term (impact ceases)
3 – Medium probability	3 – Medium term (5 – 15 years)
2 – Low probability	2 – Short-term (0 – 5 years)
1 – Improbable	1 - Immediate
0 - None	
Scale:	Magnitude:
5 – International	10 – Very high/do not know
4 – National	8 - High
3 – Regional	6 - Moderate
2 – Local	4 - Low
1 – Site only	2 - Minor
	0 - None

The impacts on the receiving environment are discussed in the paragraphs below:

11.1. IMPACTS DURING THE OPERATIONAL PHASE

11.1.1. ECOLOGICAL IMPACTS

Staff, workers and visitors should only make use of walkways and existing roads to minimise the impact on the environment. Minimise the area of disturbance by restricting movement to the designated working areas during maintenance.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Ecology Impacts	-	2	2	4	2	L	M

11.1.2. DUST POLLUTION AND AIR QUALITY

Vehicles transporting goods and staff will contribute to the release of hydrocarbon vapours, carbon monoxide and sulphur oxides into the air. Possible release of sewer odour, due to sewer system failure or maintenance might also occur. All maintenance of bulk services and infrastructure at the project site has to be designed to enable environmental protection.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Dust & Air Quality	-	2	2	4	3	L	M

11.1.3. CONTAMINATION OF GROUNDWATER

Spillages might also occur during maintenance. This could have impacts on groundwater especially in cases of large sewer spills. Proper containment should be used in cases of sewerage system maintenance. Oil and chemical spillages may have a health impact on groundwater users. Potential impact on the natural environment from possible polluted groundwater also exists.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Groundwater contamination	-	2	2	4	2	L	M

11.1.4. GENERATION OF WASTE

Household waste from the activities at the site and from the staff working at the site will be generated. The waste will be collected, sorted to be recycled and stored in on site for transportation and disposal at an approved landfill site.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Waste Generation	-	1	2	2	2	L	M

11.1.5. FAILURE IN RETICULATION PIPELINES

There may be a potential release of sewage, stormwater or water into the environment due to pipeline/system failure. As a result, the spillage could be released into the environment and could potentially be a health hazard to surface and groundwater. Proper reticulation pipelines and drainage systems should be installed. Regular bulk services infrastructure and system inspection should be conducted.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Failure of Reticulation Pipeline	-	2	2	4	2	L	M

11.1.6. FIRES AND EXPLOSIONS

There should be sufficient water available for firefighting purposes. Ensure that all fire-fighting devices are in good working order and are serviced. All personnel have to be trained about responsible fire protection measures and good housekeeping such as the removal of flammable materials on site. Regular inspections should be carried out to inspect and test firefighting equipment by the contractor.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Fires and Explosions	-	2	2	4	2	L	M

11.1.7. HEALTH, SAFETY AND SECURITY

The safety, security and health of the labour force, employees and neighbours are of great importance, workers should be orientated with the maintenance of safety and health procedures and they should be provided with PPE (Personal Protective Equipment). No open flames, smoking or any potential sources of ignition should be allowed at the project location. Signs such as 'NO SMOKING' must be prominently displayed in parts where inflammable materials are stored on the premises.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Safety & Security	-	1	2	4	2	L	M

11.2. CUMULATIVE IMPACTS

These are impacts on the environment, which results from the incremental impacts when added to other past, present, and reasonably foreseeable future actions regardless of which person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. In relation to an activity, it means the impact of an activity that in it may not become significant when added to the existing and potential impacts resulting from similar or diverse activities or undertakings in the area.

Possible cumulative impacts associated with the proposed project include sewer damages/maintenance, uncontrolled traffic and destruction of the vegetation or the environment. These impacts could become significant especially if it is not properly supervised and controlled. This could collectively impact on the environmental conditions in the area.

Impact Evaluation

Aspect	Impact Type	Scale	Duration	Magnitude	Probability	Significance	
						Unmitigated	Mitigated
Cumulative Impacts	-	2	3	4	2	L	M

12. CONCLUSION

In line with the Environmental Management Act (No 7 of 2007), *Green Earth Environmental Consultants* have been appointed to conduct an Environmental Impact Assessment Renewal for the operation of the fuel retail facility on Erf 63 and 64, Katima Mulilo, Zambezi Region for Zambezi Auto City. It is believed that the proposed activities can largely benefit the employment needs and fuel supply.

The negative environmental impacts that may be visible in the operational phase of the project include: increases in solid waste generation for example food and plastics, etc., increased stress on waste disposal facilities, increase in water consumption and waste water generation, possibility of fuel spillages, can result in an increase in traffic on the nearby roads and there can be an impact on the occupational health and safety of workers. However, this project is believed to be an asset to this area.

After assessing all information available on this project, *Green Earth Environmental Consultants* believe that the activities will not have a large negative effect on the environment if operations are conducted in accordance with the Environmental Management Plan.

13. RECOMMENDATION

It is therefore recommended that the Ministry of Environment, Forestry and Tourism through the Environmental Commissioner support and approve the Environmental Clearance Renewal for the operation of the fuel retail facility on Erf 63 and 64, Katima Mulilo, Zambezi Region for Zambezi Auto City and for the following listed activities:

ENERGY GENERATION, TRANSMISSION AND STORAGE ACTIVITIES

- *The construction of facilities for the refining of gas, oil and petroleum products.*

HAZARDOUS SUBSTANCE TREATMENT, HANDLING AND STORAGE

- *The storage and handling of dangerous goods, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30 cubic meters at any one location.*
- *Construction of filling stations or any other facility for the underground and aboveground storage of dangerous goods, including petrol, diesel, liquid, petroleum, gas or paraffin.*

LIST OF REFERENCES

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Mannheimer, C. & Curtis, B. 2009. *Le Roux and Muller's Guide to the Trees & Shrubs of Namibia*. Windhoek: Macmillan Education Namibia, pp. 249 – 439.

Namibian Environmental Assessment Policy, 1995. *Ministry of Environment, Forestry and Tourism*. Windhoek. Namibia, pp. 3 – 7.

Nature Conservation Ordinance, 1975. Windhoek. Namibia, pp. 4 – 47.

Soil Conservation Act, 1969. *Office of the Prime Minister*. Windhoek. Namibia, pp. 1 – 14.

Water Resource Management Act, 2004. *Office of the Prime Minister*. Windhoek. Namibia, pp. 6 – 67.

APPENDIX A: CURRICULUM VITAE OF CHARLIE DU TOIT

1. **Position:** Environmental Practitioner
2. **Name/Surname:** Charl du Toit
3. **Date of Birth:** 29 October 1960
4. **Nationality:** Namibian

5. **Education:**

Name of Institution	University of Stellenbosch, South Africa		
Degree/Qualification	Hons B (B + A) in Business Administration and Management		
Date Obtained	1985-1987		
Name of Institution	University of Stellenbosch, South Africa		
Degree/Qualification	BSc Agric Hons (Chemistry, Agronomy and Soil Science)		
Date Obtained	1979-1982		
Name of Institution	Boland Agricultural High School, Paarl, South Africa		
Degree/Qualification	Grade 12		
Date Obtained	1974-1978		

6. **Membership of Professional Association:** EAPAN Member (Membership Number: 112)

7. **Languages:**

	<u>Speaking</u>	<u>Reading</u>	<u>Writing</u>
English	Good	Good	Good
Afrikaans	Good	Good	Good

8. **Employment Record:**

	<u>From</u>	<u>To</u>	<u>Employer</u>	<u>Position(s) held</u>
	2009	Present	Green Earth Environmental Consultants	Environmental Practitioner
	2005	2008	Elmarie Du Toit Town Planning Consultants	Manager
	2003	2005	Pupkewitz Megabuild	General Manager
	1995	2003	Agra Cooperative Limited	Manager Trade
	1989	1995		Chief Agricultural Consultant

		Namibia	
		Development	Agricultural
1985	1988	Corporation	Researcher
		Ministry of	
		Agriculture	

Certification:

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience. I understand that any wilful misstatement described herein may lead to my disqualification or dismissal, if engaged.



Charl du Toit

APPENDIX B: CURRICULUM VITAE OF CARIEN VAN DER WALT

1. **Position:** Environmental Consultant
2. **Name/Surname:** Carien van der Walt
3. **Date of Birth:** 6 August 1990
4. **Nationality:** Namibian

5. **Education:**

Institution	Degree/Diploma	Years
University of Stellenbosch	B.A. (Degree) Environment and Development	2009 to 2011
University of South Africa	B.A. (Honours) Environmental Management	2012 to 2013

6. **Membership of Professional Associations:**

EAPAN Member (Membership Number: 113)

7. **Languages:**

Language	Speaking	Reading	Writing
English	Good	Good	Good
Afrikaans	Good	Good	Good

8. **Employment Record:**

From	To	Employer	Positions Held
07/2013	Present	Green Earth Environmental Consultants	Environmental Consultant
06/2012	03/2013	Enviro Management Consultants Namibia	Environmental Consultant
12/2011	05/2012	Green Earth Environmental Consultants	Environmental Consultant

9. **Detailed Tasks Assigned:**

Conducting the Environmental Impact Assessment, Environmental Management Plan, Public Participation, Environmental Compliance and Environmental Control Officer

Certification:

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience. I understand that any wilful misstatement described herein may lead to my disqualification or dismissal, if engage.

Carien van der Walt

APPENDIX C: ENVIRONMENTAL MANAGEMENT PLAN