Tortoise Environmental Consultants(TEC)
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VAT Number: 572893015
Company Reg: cc/2012/2523

ENVIRONMENTAL SCOPING REPORT (ESR)

FOR THE OPERATIONS AND MANAGEMENT OF THE JAN JAPAN MOTOR RETAILER, OPERATING IN BRAKWATER, WITHIN THE CITY OF WINDHOEK BOUNDARIES, KHOMAS REGION

JAN's GROUP

MAY 2021

+264 61 225 776 / +264 811 220 114
info@tec.com.na / www.tec.com.na
P.O.Box 35473, Kleine Kuppe, Windhoek
Unit 1A & B, Trift Place, 19 Schinz Street, Ausspannplatz, Windhoek, Namibia

DOCUMENT INFORMATION		
Title	Environmental Scoping Report for the operations and management of the Jan Japan Motor Retailer and Rezoning of Portion #381, of farm Brakwater #48, Windhoek Town Lands, Khomas Region	
ECC Application Reference number	APP-002407	
Listed Activity	Activity 5: Land Use and Development Activities 5.1 (a)The rezoning of land from Residential use to industrial or commercial use	
Location	Portion #381, of farm Brakwater #48, Windhoek Town Lands, Khomas Region	
Proponent	Jan Japan Motors cc Company Registration: P. O. Box 57, Windhoek Contact Person: Mr. Rico Firmus Tel: +264 818166633 E-mail: rico.firmus@gmail.com	
Author:	**Signature**	**Date**
Mr. Helao Shipani (EAP)[1]		May 2021
Reviewer: Mr. Jonas Heita (EAP)		May 2021

Office: +264 61 225 776
Mobile: +264 811 220 114
Email:info@tec.com.na
Website:www.tec.com.na

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Unit 1B, Trift Place,
19 Schinz Street,
Ausspannplatz
Windhoek, Namibia

1 EAP – Environmental Assessment Practitioner

Executive Summary

Economic activities such as the Jan Japan motor retailer forms part of the building blocks for socio-economic development and significantly contributes the local economic chain.

In-addition to employment creation, the Jan Japan Motor dealership enables local entrepreneurs such as the taxi operators to access international vehicle market at competitive / affordable prices.

However, such developmental activities should be conducted in a thoughtful and forward-looking manner. In other words, such activities should consider environmental and social sustainability of the land and surroundings. Hence, it is imperative that the principles and best environmental practices should be adopted for the day to management of the Jan Japan motor retailer.

ACRONYMS

BID	Background Information Document
DEA	Department of Environmental Affairs
DSR	Draft Scoping Report
EA	Environmental Assessment
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment
ECC	Environmental Clearance Certificate
ECO	Environmental Compliance Officer
EIA	Environmental Impact Assessment
EMA	Environmental Management Act (No. 7 of 2007)
EMP	Environmental Management Plan
ESR	Environmental Scoping Report
I&APs	Interested and Affected Parties
MEFT	Ministry of Environment, Forestry and Tourism
PPE	Personal Protective Equipment
SM	Site Manager
TEC	Tortoise Environmental Consultancy

Table of Contents

FIGURES

TABLES

1. INTRODUCTION

1.1. Terms of Reference

This document is prepared as part of the Environmental Impact Assessment (EIA) and scoping exercise, aimed at obtaining an Environmental Clearance Certificate (ECC) for the Rezoning of Portion 381 (Jan Japan Motors) of farm Brakwater #48, Windhoek Town Lands, Khomas Region.

1.2. What is an EIA?

An Environmental Impact Assessment (EIA) is a tool to manage negative environmental impacts that may arise from the proposed development and is aimed at guiding the proposed activities to be more environmentally friendly and to comply with the provisions of the Environmental Management Act (Act No.7 of 2007).

The aim of the EIA is to reduce negative impacts (effects) and maximise positive impacts, through the adoption of best environmental practices and application of the precautionary principle

1.3. Motivation for Developmental Activities

Economic activities such as the Jan Japan motor retailer forms part of the building blocks for socio-economic development and significantly contributes the local economic chain.

In-addition to employment creation, the Jan Japan Motor dealership enables local entrepreneurs such as the taxi operators to access international vehicle market at competitive / affordable prices (figure 2.1).

Site location: GPS coordinates: Latitude: -21.37927 & Longitude: 17.06019

1.4. EIA Process

An EIA is a systematic process of identifying, predicting, evaluating and mitigating the potential environmental and social effects that may arise from the activities of a proposed project.

1.4.1 Identification and Mitigation of Impacts

The backbone of the EIA report entails identification of impacts (whether real or perceived) and recommendations on suitable mitigation measures to

ensure compliance with the principles of environmental management and highlight risks and measures to ensure an environmentally friendly development.

1.4.2 Purpose of the EIA Scoping Exercise

The purpose of this EIA scoping exercise is to:

a) Provide description of the proposed activity;
b) Describe the affected environment (proposed area),
a) Identify potential environmental impacts / aspects of concern;
b) Describe the methodology followed to assess the potential impacts;
c) Mitigate negative impacts that may arise from the proposed project

1.4.3 Rehabilitation

The EIA should not only focus on mitigating the impacts of the activity during the active operations but also should go further and recommend rehabilitation measures at project closure (when activities cease). Rehabilitation measures should not be parked waiting for project closure but should be implemented from the beginning and incrementally throughout the project lifespan.

1.4.4 Scope and Purpose of this Report

The purpose of this report is to present the findings of the EIA for the proposed Dealership operations activities, as part of the application of the Environmental Clearance Certificate (ECC).

The environmental assessment has been undertaken in accordance with the requirements of the Environmental Management Act, 2007 and the EIA Regulations.

1.4.5 Application for ECC

Upon completion, the EIA Scoping Report and Environmental Management Plan (EMP), will be submitted to the Environmental Commissioner in the Ministry of Environment, Forestry and Tourism (MET), for review and decision, in accordance with Section 8 of the EIA Regulations.

1.4.6 Environmental Assessment Practitioner

Tortoise Environmental Consultants (TEC) has been appointed to carry out the requisite Environmental Impact Assessment (EIA) and develop an Environmental Management Plan (EMP).

1.5. Alternatives Considered

As stipulated in the Environmental Management Act (EMA) and EIA regulations, alternatives should be considered during the project design, to determine if an alternative site (different locality) or alternative project (different activity) would yield better environmental and socio-economic benefits.

1.6. Environment vs Economic Development

Namibia's economy is highly dependent on a healthy environment and striking a balance in meeting demands for socio-economic development and environmental sustainability.

Henceforth, it is of utmost importance that the environment and development sectors should work together and identify synergies in order to ensure that developmental activities such as the Jan Japan vehicle dealership are conducted in an environmentally friendly manner.

2 PROJECT INFORMATION

2.4 Project Location

The Jan Japan Motors dealership is located on potion #385 of the farm brakwater #48, within the Windhoek town land boundaries, Khomas region. (figure 2.1).

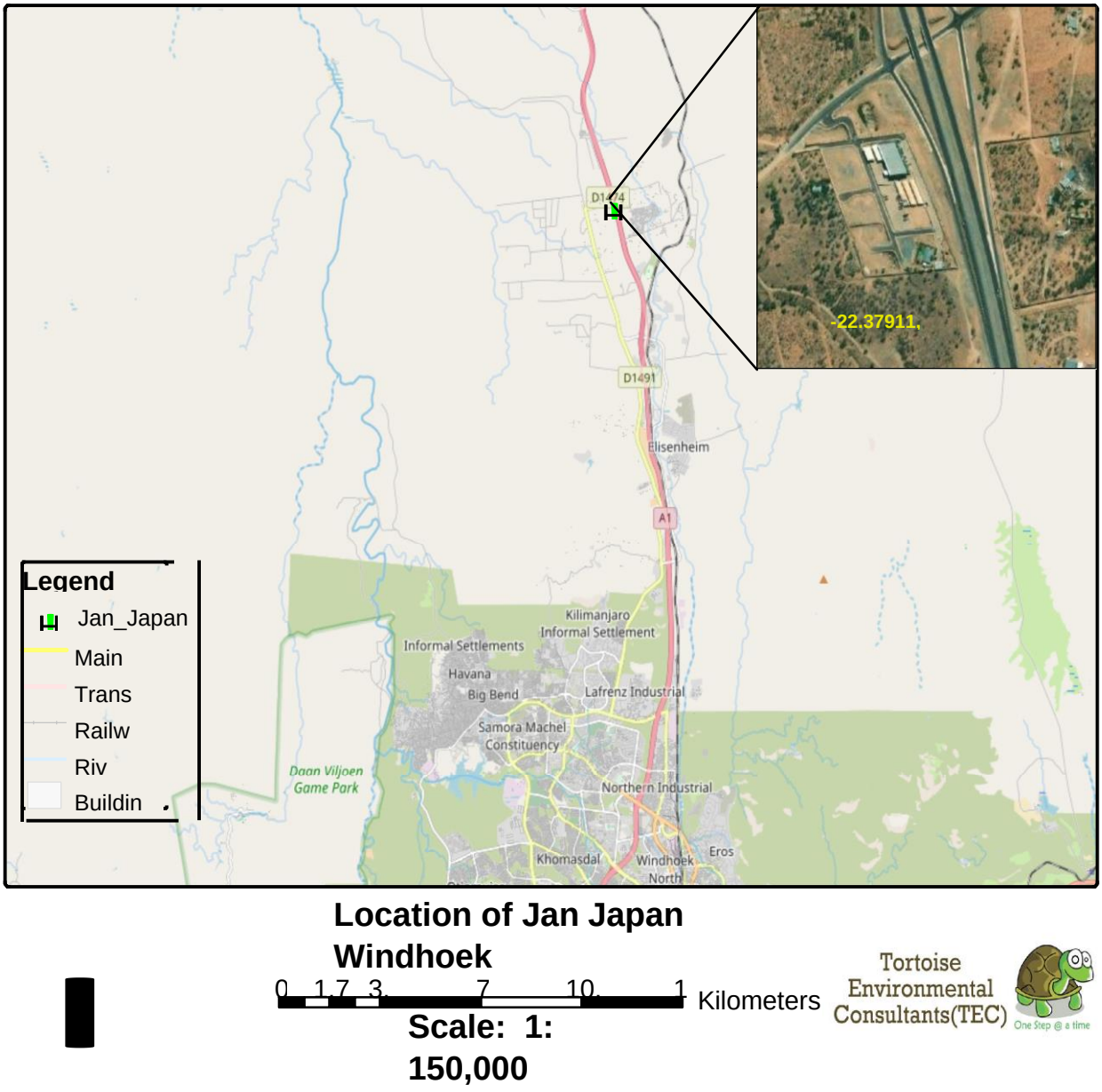

Figure 2.1: Location map of the Jan Japan motor retailor

Figure 2.2 Current view of the Jan Japan Motor Dealership - Brakwater

2.5 Waste Water Management

There is an onsite septic tank that is used to treat wastewater and return treated waste water back into the receiving environment (Fig 2-3 & 2-4). There is also a network of structures and underground pipelines that are used to carry stormwater to lakes, streams rivers etc (Figure 2.3).

Figure 1.3: Onsite Septic Tank for Wastewater management

Figure 2.4: Series of Wastewater management septic tanks

Figure 2.5: Stormwater drainage system

2.6 Solid Waste Management

Solid waste is sorted onsite and transported by trucks to a nearby disposal site, and later removed by staff from the City of Windhoek responsibe for solid waste management (Fig 2-6 & 2-7)

Figure 2.6: Solid Waste management

Figure 2.7: Solid Waste Disposal and collection

3 LEGAL AND DEVELOPMENTAL FRAMEWORK

This chapter outlines the regulatory framework applicable to the proposed project. Table 2 provides an overview of applicable policies, plans and strategies and Table 3.1 provides a list of applicable national legislation.

3.4 Compliance to the EMP to the Environmental Management Act

Section 27 of the Environmental Management Act 2007 (Act No. 7 of 2007) (EMA) provides a list of activities that may not be undertaken without an Environmental Clearance Certificate (ECC) (herein referred to as: listed activities). The proposed expansion of the hospital triggers the following listed activities.

The EMP should conform to the provisions of the Environmental Management Act (EMA), Act No. 7 of 2007 and EIA regulations of 2012 (Government Notice: 30).

The EIA Regulations defines a '*Management Plan*' as:

"…a plan that describes how activities that may have significant impacts on the environment are to be mitigated controlled and monitored."

3.5 Listed Activities

Listed Activities may not be undertaken without an Environmental Clearance Certificate (ECC), and hence an Environmental Impact Assessment (EIA) is required.

As the organ of state responsible for management and protection of its natural resources, the MET: DEA is committed to pursuing the principles of environmental management. The EMA provides a list of activities that require an EIA and the proposed Dealership activities is among the listed activities or activities that may not be conducted without at ECC. The purpose of listed activities for projects is to ensure that the associated impacts on the environment are carefully considered.

The proposed continuation of Dealership operations triggers a number of Listed Activities as set out in the Environmental Management Act, 2007 (Act No. 7 of 2007) (herein referred to as the EMA) and the Environmental Impact Assessment Regulation, 2007 (No. 30 of 2011) (herein referred to as the EIA Regulations).

Table 3-1: Listed Activities triggered by the proposed project

Activity	Applicability
3. Management and Operations activities 3.2 The Other forms of mining or extraction of any natural resources whether regulated by law or not.	The project entails operations and management of the Jan Japan motors retailers and rezoning of Rezoning of Portion #381, of farm Brakwater #48, Windhoek Town Lands, Khomas Region

3.6 Extended developmental and Legal Framework

In addition to the EMA and the Environmental Assessment Policy, there exists a host of legal and policy documents and guidelines that must be considered when undertaking an EIA as indicated in table 3.2, below. The proponent has the responsibility to ensure that the Dealership operations conforms to all other National developmental plans and legal framework.

Table 3-2: Policies, Plans and Strategies

Policy / Plan	Relevance	Applicability to the Proposed Project
5th National Development Plan (NDP) and Vision 2030	Outlines the country's National Development Plans (NDPs), in line with the Harambee Prosperity Plan (HPP) and vision 2030	The proposed project is a development that forms part of the bigger picture of achieving economic progression, social transformation and environmental sustainability. Agriculture as a pillar for social well-being, through food production, household income and improved livelihoods

Table 3.2: Other Legal Instruments / National Statutes

National Statutes	Relevance	Applicability to the Proposed Project
Environmental Assessment Policy (1995)	Promotes Sustainable development and Environmental Conservation emphasize the importance of	Environmental Protection

National Statutes	Relevance	Applicability to the Proposed Project
	environmental assessments as a key tool towards environmental sustainability	
Soil Conservation, 1969 (Act 76 of 1969) and the Soil Conservation Amendment Act (Act 38 of 1971)	Makes provision for the prevention and control of soil erosion	Monitor and apply the soil conservation mechanisms
Forest Act 12 of 2001 Forest Act Regulations 2015	To provide for the protection of the environment and the control and management of forest. Relevant sections: - Approval required for the clearance of vegetation on more than 15 hectares (Section 23, subsection 1 (b)).	Forestry permits maybe required for vegetation clearing
Public Health Act (Act No. 36 of 1919)	Advocates for Public Health and safety	Personal Protective Equipment (PPE)
The Occupational Safety and Health Act No. 11 of 2007	Advocates for employee and public safety, health	In the working context "SAFETY" implies "free from danger"
Local Authority Act No. 23 of 1992 Government Notice of No.116 of 1992.	Advocates for inclusive socio-economic development	Ensure communication and necessary approvals to township developmental activities
National Heritage Act, No. 27 of 2004.	The Act provides provision of the protection and conservation of places and objects with heritage significance.	No heritage features were observed within or around the site. Procedures and mitigation measures presented in the EMP should be applied

4 IMPACT ASSESSMENT METHODOLOGY

4.1 Assessment of Impact Significance

The significance of an impact is determined by considering and measuring the temporal and spatial scales and magnitude of the project and the specific activities associated with the project.

The assessment of the environmental impacts of development activities should strive to be objective and impartial at all times. However, environmental assessment processes can be exposed to subjectivity inherent in attempting to measure significance.

The determination of the significance of an impact depends on both the context (spatial and temporal scale) and intensity of that impact.

4.2 Impact Assessment Criteria

For each impact, the **EXTENT** (spatial scale), **MAGNITUDE** and **DURATION** will be described. These criteria would be used to ascertain the **SIGNIFICANCE** of the impact, firstly in the case of no mitigation and then with the most effective mitigation measure/s in place. The mitigation described in the Scoping Report would represent the full range of plausible and pragmatic measures.

Table 4-1: Assessment criteria for the evaluation of impacts

CRITERIA	CATEGORY	DESCRIPTION
Extent or spatial influence of impact	**National**	Beyond a 20km radius of the site
	Regional	Within a 20 km radius of the site
	Local	Within a 2 km radius of the centre of the site
	Site specific	On site or within the boundaries of the property
	Zero	
Magnitude of impact (at the indicated spatial scale)	**High**	Natural and/ or social functions and/ or processes are *severely* altered
	Medium	Natural and/ or social functions and/ or processes are *notably* altered
	Low	Natural and/ or social functions and/ or processes are *slightly* altered
	Very Low	Natural and/ or social functions and/ or processes are *negligibly* altered

	Zero	Natural and/ or social functions and/ or processes remain *unaltered*
Duration of impact	**Zero**	Zero time
	Short Term	Up to 18 months
	Medium Term	0-5 years (after operation)
	Long Term	5- 10 years (after operation)
	Permanent	More than 10 years (after operation)
Probability	**Definite**	Estimated greater than 95 % chance of the impact occurring.
	Very likely	Estimated 50 to 95% chance of the impact occurring
	Fairly likely	Estimated 5 to 50 % chance of the impact occurring.
	Unlikely	Estimated less than 5 % chance of the impact occurring.
	Zero	Definitely no chance of occurrence
Confidence	**Certain**	Wealth of information on and sound understanding of the environmental factors potentially influencing the impact.
	Sure	Reasonable amount of useful information on and relatively sound understanding of the environmental factors potentially influencing the impact.
	Unsure	Limited useful information on and understanding of the environmental factors potentially influencing this impact.
Reversibility	**Irreversible**	The activity will lead to an impact that is permanent.
	Reversible	The impact is reversible, within a period of 10 years.

4.3 Mitigation Measures

For each impact assessed, mitigation measures should be identified to reduce and/ or avoid negative impacts. These mitigation measures are also incorporated in the Environmental Management Plan (EMP) to ensure that they are implemented throughout the lifespan of the proposed activity. The EMP forms part of the Scoping Report, and upon project approval, the implementation thereof, would become a binding requirement.

4.4 Mitigation Hierarchy

Actions to mitigate a potential impact can be done in as systematic manner as guided by what is referred to as Mitigation Hierarchy (Figure 4.1).

From the onset, the positive impacts of the proposed activity should be enhanced, however, where an impact in is inevitable, the following sequence should be followed.

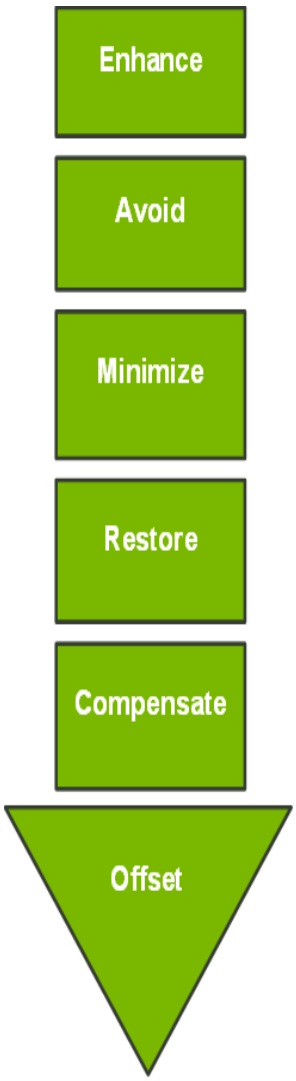

Figure 2.Mitigation Hierarchy

Impact avoidance: This step is most effective when applied at an early stage of project conceptualization and planning. It can be achieved by:

- Not undertaking certain projects or elements that could result in adverse impacts;
- Avoiding areas that are environmentally sensitive; and
- Putting in place preventative measures to stop adverse impacts from occurring.

Impact minimisation: This step is usually taken during impact identification and prediction to limit or reduce the degree, extent, magnitude, or duration of adverse impacts. It can be achieved by:

- Scaling down or relocating the proposal;
- Redesigning elements of the project; and
- Taking supplementary measures to manage the impacts.

Impact compensation: This step is usually applied to remedy unavoidable residual adverse impacts. It can be achieved by:

- Rehabilitation of the affected site or environment, for example, by habitat enhancement;
- Restoration of the affected site or environment to its previous state or better; and
- Replacement of the same resource values at another location (off-set), for example, by wetland engineering to provide an equivalent area to that lost to drainage or infill.

5 ENVIRONMENTAL IMPACT ASSESSMENT

This section presents the potential impacts that may arise from the proposed dealership activities. The full mitigation measures are presented in the EMP.

5.1 Access Roads

Establishment or creation of access roads to transport and from the site to the town.

<table>
<tr><td>IMPACT DESCRIPTION:</td><td colspan="3">Access Roads</td></tr>
<tr><td>Predicted for (specific activity)</td><td colspan="3">Establishment of Road Tracks</td></tr>
<tr><td>Dimension</td><td colspan="3">Rating</td></tr>
<tr><td>Duration</td><td>Permanent</td><td rowspan="3">Reversibility:
Reversible</td><td rowspan="4">Degree to which impact can be mitigated:
High</td></tr>
<tr><td>Extent</td><td>Site specific</td></tr>
<tr><td>Magnitude</td><td>Low</td></tr>
<tr><td>Probability</td><td colspan="2">Very likely</td></tr>
<tr><td colspan="4">MITIGATION:
• Access roads to the borrow pit already exist
• Stick to existing tracks and no new tracks should be established</td></tr>
</table>

5.2 Oil Spills (Pollution)

Soil pollution may occur as a result of oil leakages, fuel, or lubricants from the machinery and vehicles.

<table>
<tr><td>IMPACT DESCRIPTION</td><td colspan="3">Soil Pollution</td></tr>
<tr><td>Predicted for (specific activity / project phase)</td><td colspan="3">Oil Leakages from Machinery</td></tr>
<tr><td>Dimension</td><td colspan="3">Rating</td></tr>
<tr><td>Duration</td><td>Short-term</td><td rowspan="3">Reversibility:
Reversible</td><td rowspan="4">Degree to which impact can be mitigated:
Medium</td></tr>
<tr><td>Extent</td><td>Local</td></tr>
<tr><td>Magnitude</td><td>Low</td></tr>
<tr><td>Probability</td><td colspan="2">Definite</td></tr>
<tr><td colspan="4">MITIGATION:</td></tr>
</table>

- There must be an oil spill response kit on site. Workers should be properly trained on dangers oil pollutions and response actions;
- If an oil spill occurs, collect the contaminated soil, store in drums or appropriate structures and dispose at approved waste disposal site;
- Ensure all vehicles / machinery are well service, install drip trays and conduct regular leak inspection

5.3 Solid Waste Management

Littering and any other unsightly waste at the site or anywhere around the site, as a result of dealership operations will be an eye sore.

IMPACT DESCRIPTION:	**Solid Waste Management**		
Predicted for (specific activity / project phase)	**Dealership Operations**		
Dimension	**Rating**		
Duration	**Short term**	Reversibility: **Reversible**	Degree to which impact can be mitigated: **High**
Extent	**Local**		
Magnitude	**Medium**		
Probability	**Highly likely**		
MITIGATION: • No disposal of solid waste on sight • Adopt the principle of what goes in, goes out			

5.4 Socio-Economic Environment

Jan-Japan dealership activities is an important element for township development (sale of affordable vehicles, township development etc), and it is one of the key building blocks for socio-economic development, which further contributes to employment creation, food security and improvement of community livelihood.

IMPACT DESCRIPTION	**Socio-economic**		
Predicted for (specific activity / project phase)	**Development and Employment Opportunities**		
Dimension	**Rating**		
Duration	**Long and Short- term**	Reversibility: **Irreversible**	Degree to which impact can
Extent	**National & Local**		
Magnitude	**Medium**		

Probability	**Definite**	be mitigated: **Medium**
MITIGATION: • Employ local labour as far as possible • Establish on the job training and other capacity development training programs		

6 PUBLIC PARTICIPATION PROCESSESS

Public consultation is a requirement by law (EMA No 7 of 2007) to be incorporated into an EIA process, hence it is a fundamental part of the EIA. Public consultation ensures robust decision making by involving Interested and Affected Parties (I&APs). The PPP has therefore been structured to provide I&APs an opportunity to gain more information on the proposed project and for them to provide inputs through the review of documents/reports, and to flag any issue of concern during the PPP process.

6.1 Local Authority Consultation

Consultations were done with the ORTC during the EIA field assessment exercise, through which due information and documentation were provided to the Environmental Assessment Practitioner (EAP).

6.2 COVID-19 Challenges

- As a result, comments on the EIA Scoping Report and EMP can be submitted to the EAP for response and, or incorporation accordingly.

6.3 Comments

- Although it may consider good practice, the probability of holding a public meeting was further limited to due COVID-19 restrictions.

7 CULTURAL HERITAGE

7.1 Cultural Heritage – Legal Requirements

The principal instrument of legal protection for heritage resources in Namibia is the National Heritage Act (27 of 2004), Part V Section 46, which prohibits the removal, damage, alteration or excavation of heritage sites or remains (defined in Part 1, Definitions 1), whilst Section 48 sets out the procedure for application and granting of permits as may be required in the event of damage to a protected site occurring as an inevitable result of the proposed development.

Furthermore, Section 51 (3) sets out the requirements for impact assessment. Part VI Section 55 Paragraphs 3 and 4 require that any person who discovers an archaeological site should notify the National Heritage Council.

In-addition to the National Heritage Act (No. 27 of 2004), international guidelines such as the World Bank OP and BP of 2006, particularly guideline no: 4.11 which refers to the "Physical Cultural Resources" (R2006-0049), and provide direction regarding project screening, baseline survey and mitigation.

Archaeological impact assessment is also a requirement of the Environmental Management Act (7 of 2007) and EIA regulations (Government Notice 30 of 2012) includes the mitigation of impacts on archaeological sites, remains or and artefacts.

7.2 Archaeological Assessment Methodology

The archaeological assessment carried out in and around the proposed horticulture project relies on the indicative value of surface finds for cultural and heritage artefacts.

Following standard practice both in Namibia and internationally, a chance-find procedure for cultural heritage should be recommended as a component of the Environmental Management Plan (EMP), and the necessary precautions should be taken throughout the project lifespan.

7.3 Cultural Heritage sites / artefacts within the Proposed Dealership operations Site

a) **NO** cultural heritage sites or artefacts were observed within the proposed Dealership operations site,

b) **NO** cultural heritage sites or artefacts are known to occur in or around the Dealership operations site (local knowledge),

c) **NO** cultural heritage sites or artefacts are registered by the National Heritage council in or around the proposed Dealership operations site.

7.4 Limitations

Although, there were no surface finds for cultural and heritage artefacts, there is a possibility that there could be cultural or heritage artefacts underground (e.g., unknown war graves, fossils etc), that could be uncovered during the establishment and management of the Dealership operations project.

7.5 Recommendations

Based on the limitations, it is recommended that:

i. All employees, contractors or sub-contractors working on the establishment of horticulture project site should be made aware that it is a legal requirement under the National Heritage Act that if any items protected under the definition of heritage is found during the course of development should be reported to the National Heritage Council.

ii. The establishment and management of the horticulture project should be conducted in a vigilant and cautious manner, and

iii. If any cultural artefacts are found during the horticulture project activities, the necessary steps and due process as presented in the EMP should be followed.

8 CONCLUSION

Jan Japan Motors cc would like to conform to the Environmental Management Act of 2007 and EIA regulations of 2012. Upon approval of the Environmental Clearance Certificate, the proponent (Jan-Japan motors) should commit and abide to the recommended mitigation and rehabilitation measures as prescribed in the Environmental Management Plan (EMP).

9 REFERENCES

Burke, A. (2011). Eleven Steps to Mining Rehabilitation, Windhoek, Namibia

Madyise, T. (2013) Case studies of environmental impacts of Dealership operations and gravel extraction for urban development, Gaborone, Botswana

10 APPENDICES

7.1 I&AP Registration form

7.2 EAP CV