

**CHUMA CLADDAGH (PVT) LTD**

**T/A MCM VVIP CLUB**

**ESIA PROSPECTUS**

**FOR**

**SHINAREE PARK HOUSING DEVELOPMENT**

**MARONDERA-MASH EAST PROVINCE**

**Proponent Representative**

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THEOPTIMUS  
INVESTMENTS



PRIVATE LIMITED

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## **1.0 BACKGROUND OF PROPONENT**

Chuma Claddagh Pvt Ltd is a land development company based in Harare, with various land development projects in the country at different stages of development. They are currently working on a project in Marondera where they seek to develop up to 600 residential stands and a few commercial and recreational stands, on a piece of land measuring 14 hectares.

In its commitment to comply with the laws of the land, the proponent( Chuma Claddagh Pvt Ltd) has appointed Theoptimus Investments, an Environmental Consultancy Company registered with the Environmental Management Agency, as an independent Environmental Consultancy to prepare the Environmental Impact Assessment (EIA) Prospectus for the proposed service station, convenience store and office block project in Chitungwiza.

The company proposes to service and develop 600 residential stands and a few commercial and recreational stands in Marondera. This project comes after the realisation that there has been an increase in the population of Marondera and surrounding areas, leading to an increase in demand for housing stands in the area, which the central government is struggling to meet, hence the entry of private land developers. The proponent also intends to provide employment primarily to the locals in the area for unskilled and semi-skilled labour, a gesture whose cascading and ripple effect will benefit several people down the line.

However, before embarking on any activity on the proposed project site, the proponent is required to develop and submit a prospectus to the Environmental Management Agency (EMA). This prospectus is developed to comply with Section 98 of the Environmental Management Act (CAP 20:27) which stipulates that before doing an Environmental Impact Assessment for a project, a developer shall submit a prospectus to the Director-General of EMA containing such information regarding the assessment and the project as may be prescribed. Feedback from EMA will guide all developments regarding this project.

This prospectus is therefore compiled with the realisation that the organisation is willing to conduct its business in a sustainable and legal manner, i.e. ensuring that the environment is adequately protected, all legislations and regulations are complied with and the local communities derive maximum benefits through provisioning of employment opportunities and sound corporate social responsibility (CSR) plans. If the prospectus is approved and the project is granted an EIA status, the company shall regularise its operations with EMA by conducting an Environmental and Social Impact Assessment (ESIA) study to comprehensively evaluate the environmental impacts for the proposed project in relation to its bio-physical and social environment.

## 2.0 SURROUNDING LAND USES

The project area is in an urban area. Soils within and around the project site are largely loamy sands with portions of loamy clays. The area around the project site is still undeveloped with council selling commercial stands within the area, the closest land owners are Anglican Church, a stand for a private hospital and some other land set aside for additional residential development in future. A site has been identified within the project site for the establishment of a construction camp as soon as the necessary approvals are given.

## 3.0 PROJECT SCOPE OF WORK

The construction process will include the following:

- Excavations and land clearing to allow for the construction of roads and storm water drains
- Water and sewer reticulation installation
- Survey and pegging of 600 residential stands
- Construction of site office and materials storage area
- Access roads construction
- Borehole drilling and water reservoir construction
- Construction of a waste management plant and biogas plant

The first phase will be characterised by land clearing limited on the site where the roads and other infrastructure will be constructed. This phase will see destruction of some vegetation and the disturbance of the soil strata. All vegetation removal will be done in consultation with the Forestry Company, and after acquisition of the necessary licences. Excavations and land clearing will be done using excavators, graders, backhoes and other machinery,. Any pits that will result from the excavations will be backfilled after construction is done; this will be discussed fully in the EMP of the EIA report.

In such projects, areas of major environmental concern which require proper management are; removal and destruction of vegetation, disturbance of soil structure (leaving soils susceptible to erosion), dust emissions from heavy construction machinery use, noise from machinery. All these and other concerns will be comprehensively discussed

## 3.1 THE PROJECT COST

All the costs expected to be incurred in this project are estimated at **over 50 000USD**. It combines costs to be incurred in equipment purchase/hire and construction of all required infrastructure

### **3.1 PROJECT LOCATION**

The project is located, in Marondera at Shinaree Farm, Longlands in Marondera, from Marondera using the old Murehwa road after Rufaro Dam, about 600m after the dam you turn right.

### **3.2 WATER AND POWER SUPPLY**

Water requirements for the housing development shall be obtained from boreholes that will be drilled onsite after a hydrological survey has been done, a water reservoir linked to a water reticulation system will also be installed. The houses will be connected to the national grid, but buyers will be encouraged to use solar power, given the prevailing electricity challenges.

### **3.3 SURFACE HYDROLOGY**

There is a dam about 600meters away from the southernmost part of the project site boundary. The bulk of the construction work will leave the soil prone to erosion. However, strategies will be put in place to safeguard the environment, such strategies will involve the designing and construction of the roads and storm water drains, waste and soil management etc. But in line with SI 7 of 2007 and Section 113 of the Environmental Management Act (CAP 20:27), EMA should give guidance on all developments at the site.

### **4.0 LAND CLEARING**

The project area covers 14 hectares occupied by various grass and tree species, that needs to be cleared before construction starts. Clearing process will produce some organic waste that should be disposed of properly. On the same note, clearing exposes soils to rains and other agents of soil erosion which needs proper soil management strategies. There is evidence that the gradient at the project site does promote soil erosion during heavy rains. Measures for soil management will be looked at comprehensively in the EIA document.

## **5.0 POTENTIAL ENVIRONMENTAL IMPACTS**

The proposed project has potential negative and positive impacts on the local environment, local community and the nation as a whole. The following potential impacts will be carefully interrogated in the EIA if the project is designated as a “prescribed project”;

- Destruction of vegetation.
- Noise to community during construction.
- Dust exposure to workers and local community.
- Economic contribution from stand sales and taxes
- Corporate Social Responsibility.
- Infrastructural development.
- Potential water pollution from fuel spillages and leaks from construction machinery
- Water consumption increase.
- Potential for spontaneous fires and property destruction.
- Destruction of natural habitat.
- Potential for increased spread of HIV and AIDS from migrant labour
- Air pollution from dust emissions during construction.
- Employment creation for local community.

## **5.1 OTHER KEY ASPECTS TO BE CONSIDERED**

- Occupational Safety and Health.
- Fire and emergency preparedness at contractor camps.
- HIV and Social relations between workers and community.
- Community relations and general liaison.

The EIA consultant will assist in formulating mitigation measures that will address the above and any other impacts that may arise from this project.

## **5.2 KEY STAKEHOLDERS**

The following stakeholders will be consulted during the EIA process as put forth in the EIA guidelines and the principal Environment Management Act;

- Marondera Town Council
- ZINWA.
- Neighbouring land users/owners
- Ministry of Lands
- DDC Marondera

- Forestry Company
- Department of Physical Planning
- Ministry of Health and Child Care
- And other relevant government and independent departments.

The above stakeholders will be consulted using a blend of the following methods depending on applicability;

1. Questionnaires.
2. Key informant Interviews.
3. Focus Group Discussions (FGD)
4. Community meetings.

## **6.0 LEGAL FRAMEWORK FOR THE PROJECT**

Several legislations and statutes will guide this project to facilitate smooth running of the project with minimum environmental degradation. The laws and regulations that will guide this project are as follows; (but not limited to these)

1. Environmental Impact Assessment Policy
2. Environmental Management Act (Chapter 20:27) and related Statutory Instruments:
3. S.I. 7 of 2007 (EIA and Ecosystems Protection Regulations).
4. S.I. 6 of 2007 (Effluent and Solid waste disposal)
5. S.I 12 of 2007 (Hazardous Substances, Pesticides and Other Toxic Substances Regulations)
6. Rural District Councils Act Number 8 of 1988
7. Regional Town and Country Planning Act
8. The Water Act (Chapter20:24)
9. Health and Safety Legislation
10. Public Health Act Chapter 15:17
11. National Social Security Authority (accidents Prevention and Workers, Compensation Scheme Notice, 1990, Statutory Instrument 68 of 1990t
12. Pneumoconiosis Act (Chapter15:08)

## **7.0 CORPORATE SOCIAL RESPONSIBILITY (CSR) PLAN**

It is proponents' intention to maintain its corporate social responsibility consciousness stance on this project and other projects. The project proponent has identified vulnerable areas where they will assist the local community. As part of giving back to the community the proponent shall maintain local damaged roads. The other area of focus is education; efforts will be made to assist the surrounding schools by donation of furniture, building materials and books.

All these developments will bear a positive attribute to the community development. In a way to complement the CSR, the proponent has made a commitment to recruit all non-specialised labour from the local community and this will critically improve the community livelihoods. In the event that specialised labour is found in the local area preference will be given to the locals. The consultant shall formulate a CSR plan and monitor its implementation for the good of the community and the proponent.

## **8.0 ENVIRONMENT MANAGEMENT PLAN (EMP)**

The Environment Management and monitoring Plan presents a summary of management initiatives that will be required to ensure the identified potential negative and positive impacts are mitigated and maximised respectively. However, this EMP will be focusing on predicted negative impacts. It also indicates who will be responsible for undertaking the management initiative. The monitoring and evaluation indicators are also tabled in this chapter. Where there are budgetary implications besides the common project costs, they will be indicated specifically. It is not to the will of the consultant to see the EMP used as a substitute to indigenous knowledge systems (IKS) but rather the two should complement each other for the best outcome.

The chapter also lays down the plan for monitoring the potential impacts during project implementation and decommissioning stages. The EMP is also aimed at ensuring continued compliance even after the duration of project. In some cases, the implementing agencies would need the assistance of the consultant to adequately formulate local area and more specific implementation strategies. The EMP summarised the potential impacts and configured them into objectives that can be pursued sustainably for the management of both the biophysical and the socio-economic impacts.

**Table 8.1: Environment Management Plan**

Environmental objective.	Activities.	Indicators	Resources required (US\$).	Responsibility.
Fire Management	Shutting down equipment during fuelling	Low risk of fire outbreak and up-to date servicing reports	0.00	The site manager implements. Fire brigade and EMA monitors.
	Servicing of the fire extinguishers and hydrant (if available)			
	Training of firefighting team at construction camps	Firefighting training material and records should be in place		
Soil contamination	Oil spillages Possible spillages of hazardous substances such as acid and other corrosive cleaning agents	-onsite workshop will be concretised to avoid contamination of the soil. -Hazardous substances to be kept safe and secured with limited access to the workers on the site so as to reduce the chances of unauthorised use and reckless spillages. For accidental spillages, the.	0.00	The site head will implement this and make sure that all contaminated land is rehabilitated. The manager will ensure that the chemicals are neutralised
Noise	Making sure less noise is produced.	Reports on noise monitoring and provision of ear muffs for the employees.	0.00	The site head will ensure that this is fully implemented

Environmental objective.	Activities.	Indicators	Resources required (US\$).	Responsibility.
Dust emission from construction activities	Construction and other land clearing activities	Suppression of dust through watering down	200	Project manager
Minimise land degradation.	Daily backfilling of day trench excavations.	Excavations filled once sampling is completed for the day.	0.00	Site manager implements while the ministry of Lands and EMA monitor.
Eliminate Occupational Health and Safety Hazards continuously.	Maintain safe work environment and procedures continually.	Work procedures.	0.00	Site manager implements while NSSA and EMA monitor.
	Supply of adequate and appropriate personal protective equipment to employees.	Appropriate PPE issued correctly.	0.00	Site manager implements. NSSA and EMA monitor.
	Establish effective camp accommodation	Proper camp established.	0.00	Site manager implements. NSSA and EMA monitor.
	Provided adequate water and sanitation provisions.	Safe water and safe waste disposal system in place.	0.00	Site manager implements. ZINWA, Ministry of Health and

Environmental objective.	Activities.	Indicators	Resources required (US\$).	Responsibility.
				EMA monitor.
Comply with all applicable legislation and national policies	Formulate a legal register.	Legal register in place.	2,000.00	Consultant formulates a legal register while Giant Petroleum implements. Regulatory bodies and community monitors. Consultant audits
	Conduct legal compliance training consistently.	Training certificates.		
	Register all oil handling and storage centres for regulatory monitoring with EMA.	Hazardous substance licences		
	Submit a project audit report to EMA for impacts review.	Environmental audit report submitted.		
Monitoring and Evaluation	Conduct quarterly stakeholder consultation meetings.	Stakeholder meeting conducted.	1,000.00	Site manager with the help of consultant implements. EMA monitors.
	Submit quarterly environment reports to EMA	Quarterly report submitted.	3,00.00	Site manager in conjunction with proponent implement while EMA monitors.

Environmental objective.	Activities.	Indicators	Resources required (US\$).	Responsibility.
	Conduct Biannual environment audit to monitor compliance	Environment audit report submitted to EMA.	4,000.00	Theoptimus Consultancy and the proponent implements while EMA monitors.

## **APPENDIX A: THE TOR FOR CHUMA CLADDAGH (PVT) LTD**

### **EIA TERMS OF REFERENCE (TOR)**

#### **1.0 INTRODUCTION**

These TORs shall guide the implementation of the EIA by the consultant, supervision of consultant by the proponent and the review of the EIA report by the Environment Management Agency (EMA). The TORs are subject to review and approval by EMA.

#### **2.0 TECHNICAL INFORMATION AVAILABLE TO THE CONSULTANT**

The following information is available for review and/or use by Consultant where applicable.

- Specific project locations (maps, plans, UTM coordinates and drawings).
- A site of works plan.
- Details of the project phases and time-frame.
- Project costs.
- Projected project duration.
- List of key stakeholders to be consulted.
- Corporate social responsibility plan

#### **3.0 SCOPE OF WORK**

The Consultant shall formulate a standard ESIA report that is acceptable by the Environment Management Agency (EMA) and also appeal to the international standards and protocols ratified by the Government of Zimbabwe. The EIA report will contain and not limited to the following details:

- Detailed project description.
- Environment baseline study covering topography, ecology, hydro-geology, fire and emergency preparedness, occupational safety and health, and socio-economic environment.
- Legislative and regulatory review.
- Examination of potential impacts of the proposed project.
- Development of management plan to mitigate the negative impacts and enhance the positive impacts.

- Identification of institutional needs to implement the environment assessment recommendations.
- Develop an environment management and monitoring plan
- Conduct public consultation on the proposed project
- Submission of an acceptable ESIA report to EMA and attend to comments from EMA.

#### **4.0 TEAM MEMBERS**

In compliance with EMA's EIA regulations, Theoptimus Investments Environment Consultancy is registered with the Environment Management Agency as an EIA Consultant. The following EIA team members will be deployed to work on full time engagement to expedite the EIA formulation, internal review, and submission of the EIA for EMA review;

- EIA Team Leader and Environmental Scientist (Mr. Sadondo, Phenias) will coordinate the contractual liaison with EMA and assure the quality stature of the report.
- Socio-Economist (Ms Mapfiza, Angela) will carry out a social scan of the project area and articulate social safeguards of the community including issues of economy, demography, cultural heritage and archaeology where applicable.
- Ecologist (Ms Garapo, Linda) will conduct biophysical assessments paying special attention to ecological sensitive zones in the project area.
- Environmentalist (Mr. Basera, Fumisai) carries out the environmental impacts survey which include soils, water and air quality assessment and also undertakes the public consultation process

Each of the above experts will relate the potential impacts of the project to the environment base-line, impact analysis, impact evaluation and the monitoring framework.

## **5.0 EIA WORK PLAN**

Consultant shall formulate a work plan to accomplish the formulation of the EIA report in 30 days. The Consultant shall make one (1) draft report followed by eight (5) copies of the EIA report for submission and distribution as follows;

- Proponent will get one (1) copy (final report).
- EMA will get six (3) copies of the final report.
- Theoptimus Investments will get one (1) copy of the final report.

## **6.0 FINANCIAL PROPOSAL**

The Consultant shall formulate a financial proposal, giving clear indications of the breakdown of costs. No additional costs will be accepted outside the one that is agreed and drafted in the contract.

## **7.0 OTHER CONDITIONS**

The following conditions shall apply to the contract;

1. Payment of fees will be as indicated in schedule of payments.
2. The Consultant will review comments made by the Environment Management Agency to the EIA report and advise the proponent without charging any extra consultation fees, but traveling and printing costs will be charged.
3. The TORs are subject to review and adjustment with consent of both parties and will remain consistent with EMA, EIA regulations.

APPENDIX B: CERTIFICATE OF INCORPORATION CHUMA CLADDAGH PVT LTD

ORIGINAL COPY	
Receipt No. 90435553	
\$600	
No. 16398/2021	Nº 030046
	
ZIMBABWE	
<b>Certificate of Incorporation</b>	
CHUMA CLADDAGH (PRIVATE) LIMITED	
I hereby certify that.....	
.....	
.....	
is this day incorporated under the Companies and Other Business Entities Act [Chapter 24:31] and that the Company is Limited.	
HARARE	
Given under my Hand and Seal at.....	
13TH	SEPTEMBER 21
this .....	day of ....., 20 .....
	
Registrar of Companies	

Printed by Printflow (Private) limited, Harare

Form C1.

# APPENDIX C: TITLE DEED

Paid \$3540 - (Duty and Fees)  
 Registered 744187 21-10-88 7876/88

MORTGAGE  
 \$233,300.5  
 \$50,000.00

CANCELLED  
 -3 MAY 1999  
 REGISTRAR 1/28 000 -

MORTGAGE  
 \$12106/2002  
 \$10 000 000-00

2666/99  
 CANCELLED  
 -3 MAY 1999  
 REGISTRAR 2/93  
 AMT \$200 000 -  
 No. 135/93

1582/2000  
 \$700 000 -

2666/99  
 CANCELLED  
 -3 MAY 1999  
 REGISTRAR  
 COPIES OF THIS DEED  
 ATTORNEYS, NOTARIES, CONVEYANCERS

LOAN NOTE OF HAND  
 1-3-96  
 \$500 000  
 2601/96

## DEED OF TRANSFER

PREPARED BY

2666/99  
 CANCELLED  
 -3 MAY 1999  
 REGISTRAR  
 AMT \$400 000  
 10329/96

3381/2005  
 750 000 00

LEGAL PRACTITIONER

Know all men whom it may concern,  
 that IAN STEWART COX  
 being duly authorised thereto by a Power of Attorney granted to him by

LIVESTOCK TRADING COMPANY (PRIVATE) LIMITED

MORTGAGE  
 \$420,000.00  
 \$15 000 000 000

/appeared...

appeared before me, Registrar of Deeds, and declared that the said

LIVESTOCK TRADING COMPANY (PRIVATE) LIMITED

has sold the aftermentioned property to

NICHOLAS MUNYUKI GAZA  
(Born 7th August 1920)

and that he, the said Appearer, in his capacity as Attorney aforesaid, does hereby  
transfer to the said

NICHOLAS MUNYUKI GAZA

CERTAIN piece of land situate in the district of  
MARANDELLAS called SHINAREE OF LONGLANDS;

MEASURING 829,0166 hectares;

AS WILL MORE FULLY APPEAR on reference to the  
Deed of Transfer, with diagram annexed, made in  
favour of Stenhouse Wentworth, on the 7th day of  
October 1957 (Reg. No. 5584/57) and to the subsequent  
Deeds of Transfer thereof the last whereof made in  
favour of the Appearer's Principal on the 22nd day of  
May 1970 (Reg. No. 2506/70);

SUBJECT to all such terms and conditions as are in  
the said Deeds mentioned or referred to;

/acknowledging ....

COGHLAN WELSH & GUEST

LEGAL PRACTITIONERS  
PATENT TRADE MARK & PARLIAMENTARY  
AGENTS

HARA  
ZIMB

Power of Attorney to Make Transfer

I, the undersigned, OBERT JOE SHENJERE MUTASA  
duly authorised by a Resolution passed at Carswell Nyabira  
on the 15 day of September, 1988  
by the Directors of

LIVESTOCK TRADING COMPANY (PRIVATE) LIMITED  
do hereby constitute, nominate and appoint

WILLIAM RAE WHALEY, DAVID PRIESTHAWES WADMAN,  
DAVID JOHN LEWIS, ANTHONY HUGH REYNOLDS,  
LESLIE ALEXANDER DONNELLY, IAN STEWART COX,  
and/or THEMBIWE CHIKOSI MAZINGI

with Power of Substitution, to be my true and lawful Attorney in my  
place and stead, to appear before the Registrar of Deeds in Harare, and then there as my

act and deed, to make Transfer to

NICHOLAS MUNYUKI GAZA

(Born 7th August 1920)

of CERTAIN piece of Land situate in the District of MARANDELLAS called  
SHINAREE OF LONGLANDS;

MEASURING 829,0166 hectares;

HELD under Deed of Transfer dated the 22nd day of  
May 1970 (Reg. No. 2506/70);

SUBJECT to all such terms and conditions as are in  
the said Deed mentioned or referred to;

sold to him by it for the sum of \$80 000,00

which has been duly paid, and generally for effecting the purposes aforesaid, to do, or cause to be done  
whatsoever shall be requisite, as fully and effectually to all intents and purposes as I might  
could do if personally present and acting herein: hereby ratifying, allowing and confirming and promising  
and agreeing to ratify, allow and confirm, all and whatsoever my said Attorney shall lawfully  
or cause to be done by virtue of these presents.

Given under my hand at Carswell Nyabira this 15th day  
September 19 88 in the presence of the undersigned witness

AS WITNESSES:

1. J. M. M. M. M.

2. J. M. M. M. M.

T

*[Signature]*

EXTRACT FROM THE MINUTES OF A MEETING *of directors*  
HELD AT *Casswell Pybura* ON THE *15 September*  
DAY OF *September* 1988 BY THE  
DIRECTORS OF  
LIVESTOCK TRADING COMPANY (PRIVATE) LIMITED

RESOLVED that *Obet Joe Shengere Ndaga*  
be empowered to sign on behalf of the Company a Power of Attorney to  
make transfer to

NICHOLAS MUNYUKI GAZA  
(Born 7th August 1920)

of CERTAIN piece of land situate in the district of MARANDELLAS called  
SHINAREE OF LONGLANDS;

MEASURING 829,0166 hectares;

SOLD

for the sum of \$80 000,00

and to do all acts and sign all documents necessary for the registration of  
the said Transfer.

CERTIFIED A TRUE EXTRACT.

*[Signature]*  
SECRETARY.

AS WITNESSES:

1. *[Signature]*

2. *[Signature]*

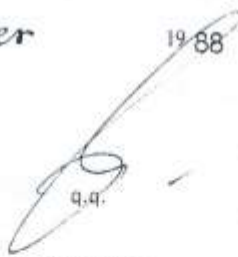
*[Signature]*  
CHAIRMAN

acknowledging that the whole of the purchase consideration amounting to the sum  
of \$80 000,00 has been paid

SIGNED AND SEALED at HARARE

on the 26<sup>th</sup> day of  
October 1988

7876/88

  
q.q.  
In my presence,

  
REGISTRAR OF DEEDS