

Date: 28 October 2020

**Attention: Department of Environment, Forestry and Fisheries (DEFF)**  
**Subject: COVID-19 Measures- Public Participation Plan for Gas to Power Project for the Port of Richards Bay, UMhlatuze Municipality, King Cetshwayo District, KwaZulu-Natal**

Dear Sir/ Ma'am

In light of the current nation-wide lockdown period implemented from 27 March 2020 and the imminent transition to level 1 status by the President of South Africa, Mr Cyril Ramaphosa on the 21<sup>st</sup> September 2020; Triplo4 has engaged with both National and Provincial Departments regarding the way forward in terms of the Public Participation Process

It is our understanding from the pre-application meeting earlier today, that although we are about to enter Level 1, the Department is still applying the requirements in Annexure 2 of the Directions issued by Minister of Environment, Forestry and Fisheries issued on 05 June 2020. We are also aware that even under Level 1, some interested and affected parties (I&APs) may face challenges in participating in the EIA process, including receiving notification of the project and accessing reports for comment.

The Public Participation Process Plan hereby submitted to DEFF for approval, has thus been designed to ensure that reasonable opportunity is provided to I&APs to participate in the EIA process by providing additional opportunities and means of communication other than the minimum requirements prescribed in Chapter 6 of the EIA Regulations, 2014. We have also catered for I&APs who may not have access to electronic media.

The Public Participation Process Plan is outlined below.

## 1. TRIPLO4'S PUBLIC PARTICIPATION PROCESS PLAN

### Scoping Phase

- Written notification of the proposed project and associated application / EIA process for Environmental Authorisation and an Atmospheric Emission License will be given to:
  - Relevant organs of state, including Department of Energy, Eskom, Department of Water and Sanitation, Department of Forest, Fisheries and the Environment, Ezemvelo KZN Wildlife, Amafa KZN, South Africa Maritime Safety Authority, Department of Economic Development, Tourism and Environmental Affairs (EDTEA): King Cetshwayo, Department of Economic Development, Tourism and Environmental Affairs: Coastal Management, Department of Transport, South African Heritage Resource Agency (SAHRA), South Africa Gas Development Corporation (SOC) Ltd, National Energy Regulator of South Africa (NERSA), and the South African National Roads Agency (SANRAL);
  - occupiers of the site; owners or person in control of the site, including Transnet and South32 Aluminium SA (Pty) Ltd;
  - owners, persons in control of, and occupiers of land adjacent to the site (Richards Bay Industrial Development Zone (RBIDZ) has committed to assisting us in notifying their relevant members);
  - municipal ward councillor;

- local ratepayers association/s;
  - UMhlatuze Local Municipality;
  - King Cetshwayo District Municipality;
  - any other party as required by DEFF.
- An English and isiZulu advertisement will be published in 2 local newspapers namely the Zululand Observer and the Baywatch;
  - Placement of a site notification (3 site notices) in the 2 languages – English and isiZulu, will be placed at the port entrance (port's permit office) and in proximity to the Bayside substation, notifying I&APs of the proposed activity and inviting them to register as I&APs will be undertaken;
  - Flyers with wording similar to that of the site notice will be distributed locally and the assistance from the ratepayers association and ward councillor will be requested to ensure that these flyers are widely distributed.
  - The Background Information Document (BID) with Comment Sheet will be electronically distributed to identified potential I&APs, to announce the project, and invite registration and participation in the EIA process. Hard copies will also be made available on request.
  - A Registration Form will accompany the BID to facilitate I&AP registration;
  - All public notifications (advertisements, emails, BID, flyers and site notice boards) will include details about the availability of the draft Scoping Report for comment;
  - The Draft Scoping Report will be made available to all I&APs, including State Departments and DEFF for public comment for period of 30 days. The report will be available on the Triplo4 website ([www.triplo4.com](http://www.triplo4.com)). In addition, the EIA Report will also be electronically available via an online platform such as Dropbox or GoogleDrive which will be emailed to all registered I&APs. Electronic copies will also be sent to DEFF and organs of state, including State Departments.
  - The public copy venue is to be confirmed with the municipality and ward councillor and depend on what venue is open under Covid. Other arrangements will be made to ensure people have access to the report should they be unable to access the public venue copy or an electronic copy.
  - A virtual Public Meeting will be held during the Scoping review period, with reasonable notice period given. It is proposed that this meeting will be done via a Webinar and not at the physical site locations. An attendance register and minutes of the meeting will be distributed;
  - Should I&AP's be unable to participate in the virtual meeting, a standard contact public meeting will be arranged during the 30 day comment period with reasonable notice period given;
  - Where I&APs indicate that they are unable to participate in the virtual meeting, they will be personally contacted and their issues, questions and concerns will be discussed and recorded.
  - The EAP will create and maintain a database of all registered of I&APs which will include names, contact details and addresses;
  - All Comments received during the Public Participation Process (PPP) will be captured in a Comment and Response Report/ Issues Trail;
  - The Final Scoping Report will be submitted in an electronic format to DEFF, for consideration;
  - Registered I&APs will be notified of DEFF's acceptance of the Scoping Report; alternatively DEFF's decision to refuse environmental authorisation should this be the case and access to this decision will be provided.

EIR Phase (subject to the Scoping Report being accepted, which includes the Plan of Study for EIA)

- An email notification to registered I&APs will be sent out to inform them of the availability of the Draft Environmental Impact Assessment (EIA) Report for review. Those I&APs who don't have email will be contacted telephonically or by SMS.
- Flyers will again be distributed locally and put up on public notice boards. Again, assistance from the municipality and ward councillor will be obtained to ensure these are widely distributed.



- The Draft EIA Report will be made available to I&APs, including State Departments and DEFF for public comment for period of 30 days. The report will be available on the Triplo4 website ([www.triplo4.com](http://www.triplo4.com)). In addition, the EIA Report will also be electronically available via an online platform such as Dropbox or GoogleDrive which will be emailed to all registered I&APs. Electronic copies will also be sent to DEFF and organs of state, including State Departments.
- The public copy venue will be confirmed with the municipality and ward councillor and will depend on what public venues are open under Covid. Other arrangements will be made to ensure people have access to the report should they be unable to access the public venue copy or the electronic copy.
- A virtual Public Meeting will be held during the EIR review period, with reasonable notice period given. It is proposed that this meeting will be done via a Webinar and not at the physical site locations. An attendance register and minutes of the meeting will be distributed;
- Should I&AP's be unable to participate in the virtual meeting, a standard contact public meeting will be arranged during the 30 day comment period with reasonable notice period given;
- Where I&APs indicate that they are unable to participate in the virtual meeting, they will be personally contacted and their issues, questions and concerns will be discussed and recorded.
- All Comments received during the Public Participation Process (PPP) will be captured in a Comment and Response Report/ Issues Trail;
- The Final EIA Report will be submitted in an electronic format to DEFF, for a decision;
- Registered I&APs will be notified of the decision on the Environmental Authorisation as well as be provided with access to the decision.

The above methodology is in accordance to Chapter 6 Public Participation of the EIA Regulations, 2014 (as amended) and also includes additional methods to compensate for the extraordinary circumstances of Covid which potentially impact on I&APs' ability to participate meaningfully in the EIA process. Should there be any queries, please do not hesitate to contact the undersigned individual.

**Kind Regards**



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