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# UPDATED PUBLIC PARTICIPATION PLAN: PROPOSED POWER GENERATION ON PORTION 69 OF FARM 127, YZERVARKENSRUG, SALDANHA AND OTHER PROPERTIES FOR THE PIPELINE/TRANSMISSION ROUTES

11/27/2020

Updated Public Participation Plan as Part of the  
Scoping and EIA Process: Version 4

THE AMENDMENTS IN THIS UPDATED PUBLIC PARTICIPATION PROCESS PLAN ARE IN  
PURPLE TEXT FOR EASE OF REFERENCE.

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# UPDATED Public Participation Plan: Proposed Power Generation on Portion 69 of Farm 127, Yzervarkensrug, Saldanha and other properties for the Pipeline/transmission routes

## UPDATED PUBLIC PARTICIPATION PLAN AS PART OF THE SCOPING AND EIA PROCESS: VERSION 4

### 1. INTRODUCTION

The project area is located adjacent to the Saldanha Industrial Development Zone (IDZ), in Saldanha Bay, Western Cape, where the Applicant, Assegai Pty Ltd (Assegai) is proposing to develop a gas-to-power facility for direct transmission into the ESKOM electricity grid. The proposal forms part of a bid submission to be included under the Risk Mitigation IPP Procurement Programme for new generation capacity (as advertised by the Department of Mineral Resources and Energy).

The current Applicant is Assegai Power (Pty Ltd). It should be noted that an Environmental Authorisation was granted for the construction and operation of a LPG facility on the abovementioned farm which included an associated pipeline on 31 October 2014. The previous applicant was Avedia Energy Pty Ltd.

The Department of Environment, Forestry and Fisheries (DEFF) published revised EIA Directions for conducting EIAs and other permitting processes under the National State of Disaster and association lockdown conditions (i.e. the "revised EIA Directions").

Owing to the previous application lapsing, it has become necessary for the Applicant to re-submit an EIA Application to the DEFF. In recognition of the public participation process plan that was previously approved, and the stakeholder activities already undertaken, this document highlights the additional activities required. The additional activity essentially entails the circulation of the Draft Scoping Report for a period of 30 days, noting that the Draft Scoping Report is in fact the Final Scoping Report should the application not have lapsed. It is acknowledged that the Draft Scoping Report going out for public review now is a new report in terms of the Regulations. However, in order to avoid confusion with the I&APs, this report will carry the title: Draft Scoping Report: 2<sup>nd</sup> Application (DSR 2A).

This updated PPP Plan is therefore submitted to the DEFF in terms the abovementioned guidance.

### 2. ASSUMPTIONS AND LIMITATIONS

This report has been compiled with the following assumptions and limitations:

- This PPP Plan has been devised at the beginning of this environmental process and, although certain issues and I&APs can be predicted, others will emerge through the process which may necessitate departure from this PPP Plan. Those possible departures would, however relate to additional activities beyond those required in terms of Regulation 41 of the EIA Regulations, 2014 (as amended).
- Additional meetings/engagement with certain I&APs or groups thereof may be required, however this would come to light through the process. Should any meetings be necessary, these would be done via video conference for as long as lockdown persists, or a site meeting with any authorities where any social distancing requirements applicable at the time would be observed (at the moment, this would entail wearing of face masks, sanitising hands on site with a sanitizer that is 80% alcohol or more and maintaining a physical distance of 1.5m between people, with all attempts to be made to meet outdoors rather than indoors).
- Public comment periods for documents associated with this process have been devised to adhere to the minimum statutory timeframes as contemplated in the EIA Regulations 2014 (as amended).
- Based on previous experience it is assumed that all relevant State Departments, surrounding land owners, Ratepayers' Associations and Conservation bodies can receive emails and documents for download.
- It is assumed that community leaders, if relevant to this process, would pass on any relevant information to their constituents, particularly the I&APs/ constituents who may not have access to the internet for download of documents.
- It is assumed normal postage can occur as it has been evidenced that registered post is not responded to.

### 3. PROPOSED PUBLIC PARTICIPATION ACTIVITIES

#### 3.1 Identification of I&APs (this exercise has already been undertaken noting that additional I&APs may be identified)

A preliminary database of I&APs has been compiled. Chand has conducted research in the area and has also used the I&AP database for the previous EIA conducted on site as a base. As a result, the following parties as required in Regulation 41 (2) (b) of the EIA Regulations, 2014 (as amended) are included in the preliminary I&AP database:

- Owners and Occupiers of the site where the activity is to be undertaken (noting that the Applicant is the landowner and that there are no occupiers of the site);
- Owners and Occupiers of the land adjacent to the site where the activity is to be undertaken. Should email not be available for some of these parties, a "knock and drop" would be undertaken being conscious of COVID sanitation and social distance requirements.
- The Municipal Ward Councillor and Sub-Council Manager (the Ward Councillor would also serve as the point of contact with the local community, particularly those who may not have access to internet/documents for download);
- Organs of the State having jurisdiction in respect of any aspect of the activity (these include Saldanha Municipality, Department of Human Settlements, Water and Sanitation-DHSWS, HWC, Department of Agriculture, and CapeNature);
- Local Ratepayers' Associations; and
- Registered Conservation/Heritage Bodies.

Note that additional associations other than those mentioned above may come to light during the process.

The I&AP database would be continually updated as comments are received from I&APs during the Scoping phase. As I&APs register, they will be specifically asked if they have access to internet with a view to understanding whether or not digital interactions would be appropriate.

#### 3.2 Notification of EIA process (13 October 2020) (this activity has already been undertaken)

Written notification of the EIA process, registration of I&APs and public review dates for the draft Scoping Report will be circulated to legislated I&APs, as well as those identified in the previous EIA process. [The notification will specifically request that I&APs who are interested in participating in the project register a contact number for future interactions.](#) The following actions will be undertaken for the notification process:

- Distribution of a notification letter to the preliminary I&AP database (which includes parties required in terms of Regulation 41 (2) (b) of the EIA Regulations, 2014 (as amended)) via email to those who have email addresses and [registered post which will have a unique tracking number](#) to those who only have postal addresses. [Registered post requires that the recipient signs for the letter. Using the post office tracking system, we will check to see that letters have been collected. In cases where the notice has not been collected, we will call the I&AP \(assuming that they have registered a contact number\) to ensure make them aware that the notice is awaiting them. The registered post slip will be included in the Final Scoping report as proof of correspondence with those I&APs who don't have access to the internet;](#)
- Placement of one notice board on the site where the proposed activities are to be undertaken on the site boundary (noting that contents and size would adhere to requirements of Regulations 41 (3) and (4) of the EIA Regulations, 2014 (as amended));
- Knock-and-drop exercise to occupiers/owners adjacent to the boundary of the site; and
- Compilation and placement of one advertisement (in English) in the Cape Times (which is a regional newspaper) and an Afrikaans advert in Die Weslander (which is a local community newspaper) (noting that contents would adhere to requirements of Regulation 41 (3) of the EIA Regulations, 2014 (as amended)).

Although there are no townships/low cost housing areas in the vicinity of the site, notices of the process will be placed in the following venues to communicate the process to those potential I&APs who may not have access to the media.

- Saldanha Public Library; and
- Saldanha Clinic.

### **3.3 Public Review of the Draft Scoping Report (16 October 2020) (this activity was already undertaken, noting that the Application associated with this report has lapsed, necessitating a new Application)**

The Draft Scoping Report (DSR) would be made available for download from Chand's website [and the link will be communicated in the notification.](#) No hardcopies would be delivered, as the documentation would be available for download. Exceptions would be if state Departments (or I&APs with reasonable requests) specifically request hardcopies. [These I&APs will be called to ensure that they have received the hard copies.](#)

Hard copies of the DSR would, however, be left at the Saldanha Library. Should the Municipal offices permit a hard copy, we would also place one there. The comment period for the DSR would be 30 days (i.e. the typical legislated comment period). Registrations resulting from the DSR distribution would be added to the I&AP Database. [A comment box with comment sheets will be left at the Library/Municipal offices. These will be collected at the end of the review period. An option to WhatsApp or SMS comments will also be available for I&APs. It is noted that WhatsApp requires data if the I&AP is not in a WiFi zone, thereby we would ensure that they are aware that a regular SMS is acceptable Comments from the DSR review would be included in the Comments and Response Report in the Final Scoping Report.](#)

As discussed at the pre-application meeting, DEFF will be reviewing the DSR. [The DSR and the Final DSR will be submitted via the online system](#) to the Case Officer. [The Biodiversity, Climate Change and Air Emissions representatives will indicate how they would like to receive the report.](#)

### **3.4 Stakeholder Engagement (26 October – 9 November 2020)(this activity has already been undertaken)**

During the review period, a series of one on one meetings will take place with **key** Interested and Affected Parties. It is anticipated that these meetings would be with the Councilor, Ratepayers Associations, and authorities. These meeting will be arranged via Zoom/Microsoft Teams, with an Agenda and project information circulated in advance. These meetings will be for a maximum of 1 hour and minutes will be taken. [These minutes will document the issues raised and how they were responded to.](#)

It is also anticipated that Focus Group Meeting with conservation/local interest bodies would also take place. These meetings will also be undertaken using Zoom/Microsoft Teams as a platform for interaction. A presentation will be prepared for sharing during the meeting. These meeting will be a maximum of 1.5 hours and minutes will be taken. [These minutes will document the issues raised and how they were responded to.](#)

Having conducted an EIA process in this exact location previously, it is anticipated that key I&APs would have access to the internet. However, should it become apparent through the process of identifying stakeholders that there are key I&APs without internet requiring a meeting, this will be addressed via gathering at a local park/sports field. In this case, simple posters for discussion will be prepared and comments recorded. Social distancing measures will be applied and hand sanitizer will be made available. This type of meeting will only be undertaken if the process shows a necessity for it.

### **3.5 Notification of Public Review of the Draft Scoping Report 2A**

The Draft Scoping Report will be circulated for public review starting 28 November 2020 until 18 January 2021. I&APs will be notified via email and those without email addresses via registered post. A hard copy of the report with comment sheets will be placed in the Saldanha Public Library. For I&APs with access to the internet, a link will be sent with the notification allowing for the downloading of the report from the Chand website. Comments will be accepted via email, post, fax or WhatsApp/SMS.

### **3.6 Notification of Public Review of the Draft EIR and Public Review**

Notification of public review of the Draft EIR and a Digital Open House would be distributed to the I&AP database via email to the I&APs who have email addresses and via [registered](#) post to those who do not. No hardcopies would be delivered, as the documentation would be available for download [on the Chand website](#), unless specifically requested by a state department. [The link to the report on the Chand website will be contained in the letter.](#) Hard copies of the Draft EIR would, however, be left at the Saldanha Library and possibly at the Municipal Office. Comment sheets would be left at the venue with a comment box which will be collected at the end of the review period. [An option to WhatsApp or SMS comments will also be available for I&APs.](#) It is noted that [WhatsApp requires data if the I&AP is not in a WiFi zone, thereby we would ensure that they are aware that a regular SMS is acceptable.](#) The report itself would be made available for download from Chand's website. [As stated above reasonable requests made for hard copies will be obliged.](#) All comments raised will be recorded and responded to in the [Comments and Responses Report](#) which the I&APs will have an opportunity to review.

The suggested comment period for the Draft EIR would be 30 days. It should be noted that it would be most efficient to commence the public review in early January so as to allow a maximum time period for the DEFF

Case Officer to issue an Environmental Authorisation within the prescribed IPP process. This timing would require that feedback on the Final Scoping Report and the Plan of Study for EIA was accepted in December 2020.

As discussed at the pre-application meeting, DEFF will be reviewing the Draft EIR. [The Draft EIR and Final EIR will be submitted via the online system](#) to the Case Officer. [Biodiversity Climate Change and Air Emissions representatives will indicate how they would like to receive the report.](#)

### 3.7 Open House Event (February 2021)

Approximately 2 weeks into the public review period, an Open House event will be held with the following 2 options contemplated, depending on the availability of the internet for the registered I&APs (this will be determined through the process), as well as the lockdown regulations active at the time. Both options entail the preparation of posters communicating the key highlights contained in the Draft EIR. The posters will be compiled in a manner which is understandable.

Option 1 entails a “digital Open House” which is a video-conferencing series. The video-conferencing series would comprise a series of open meetings, with each meeting covering a set of related issues or disciplines (to mimic a batch of posters for a specific specialist or issue that would be at an Open House). A preliminary indication of the groupings is listed below, but note that this is a work-in-progress and is only provided as an example to provide clarity:

- Air Quality, Noise and MHI;
- Biophysical (Freshwater, Botanical);
- Heritage and EIA process.

The sessions would be split over two days and may take place either during working hours, after working hours or a combination of the two, depending on availability of the various specialists and project team members.

Each session would be approximately 45 minutes to 1 hour in duration and would be hosted by the EAP, Applicant (or a representative from the Development Managers), and the specialists relevant to the discipline or issue covered in the session. Any I&APs who wishes to attend the session would then “dial-in” for the video-conference.

Open House posters would be prepared (as would be placed in a standard Open House) and they would be made available for download from Chand’s website, prior to the commencement of the video-conferencing series.

In order to obtain an “attendance register”, I&APs would be requested to sign up (via email) for the sessions which they would like to attend and to submit any questions they would like to put to the specialist for discussion in the session with their sign-up. Only those who have signed up for a session would be sent a link to it.

The above intentions would be communicated to I&APs through an invitation to the video-conferencing series. The invitation would be distributed via email to the I&AP database, as well as [registered](#) post to those who do not have emails and would be sent about two weeks before the proposed event. The invitation would contain the date, time, and duration of each slot as well as how to sign up for the sessions. It would also contain a link for the Open House posters as well as the preferred platform that would be used and a reminder to I&APs to ensure that they have the latest version thereof downloaded prior to the meeting.

The format of the actual session would comprise the specialist/s providing a summary of their findings (noting that this would be based on the Open House posters that would already have been distributed) and

responses to general issues raised to-date and the questions submitted by I&APs as part of their sign-up, followed by a Q&A session with participants until the end of the session.

Option 2 would be along the lines of a traditional Open House event which would take place at a chosen venue in the Saldanha Area. Again, this option would only be considered if the lock down protocols allowed for this type of interaction. The number of attendees, social distancing requirements as well as availability of sanitizers would be determined at the time.

It needs to be clear, that if there are I&APs on the registered database with no access to internet, and the lockdown protocols need to be adhered to, then there would be a combination of options 1 and 2 implemented.

I&APs will have an opportunity to provide comments via posting comment sheets, email, WhatsApp or SMS. Comments received will be recorded in the Comments and Responses Report which I&APs will have the opportunity to review.

### **3.6 Notification of DEFF Decision**

Once the DEFF has reviewed the Final EIR and issued their decision, the decision, date, reasons for decision, means to access the decision, and an explanation regarding the way the decision may be appealed, as well as any further requirements stipulated therein would be distributed to the I&AP database via email for those who have email addresses and [registered](#) post for those who have only postal addresses. [Chand will telephonically make those I&APs who are receiving registered post that the decision is on its way in order to ensure they meet the appeal deadline.](#) It would also be uploaded onto Chand's website so it would be accessible for download. The applicable appeal period would be explained in accordance with that included in the decision.