

Sillito Environmental Consulting

PUBLIC PARTICIPATION PROCESS PLAN FOR: THE PROPOSED INSTALLATION OF A 70M³ LPG VESSEL, A PUMP, 4 PROFILL SCALES AS WELL AS THE STORAGE OF 9 – 48KG CYLINDERS AND OTHER GASES ON ERVEN 5875 AND 5876, WORCESTER.

Project Description:

Gasfit (Pty) Ltd is an agent of African Oxygen (Pty) Ltd (Afrox). The site is situated adjacent to Samuel Walters Street, within the Industrial Area of Worcester. The site is owned and operated by Gasfit management. Currently the site is storing and distributing filled LPG cylinders (of various sizes) filled by Afrox Epping branch in Cape Town and transported to Worcester by road transport. Site also distributes other air gases and gas products in limited quantities.

The applicant, Gasfit, has projected that in the near future the growth in LPG sales will result in volumes that trading in filled cylinders trunked in from Cape Town will:

- a) Be unable to sustain the market demand due to the number of cylinders that will have to be in stock
- b) Result in reduced efficiencies due to the large volume of cylinders that need to be managed, especially return of empty cylinders to send to Cape Town for refilling
- c) Increased risks due to the high volumes of cylinders that need to be transported between Cape Town and Worcester on a daily basis

In order to be able to sustain future projected volumes, Gasfit intends to install a bulk storage tank on site together with necessary filling equipment so that cylinders can be filled on site in Worcester rather than trunk filled cylinders from Cape Town.

The proposal consists of the installation of a 70m³ LPG bulk storage tank, as well as provision of an on-site storage area for 9 to 48kg LPG cylinders. In addition to the LPG tank and pump, four cylinder-filling scales and a new road decant point for LPG tanker off-loading will be installed. In line with safety requirements, a fire detection and suppression system, including a deluge system at the road tanker point, will also be installed.

The proposed mode of operation for the new facility is for bulk LPG to be brought to the site via 20-ton (40 m³) road tankers. The LPG will then be decanted into the new on-site bulk storage vessel from the road tanker, while the road tanker is parked under the deluge (sprinkler) system at the road decant point. There will be an overfill protection indicator to stop road tanker decanting so as to prevent overfilling of the vessel. Empty gas cylinders will be brought to the facility on trucks, where they will be off-loaded for refilling on site. Filling of cylinders from the proposed on-site LPG vessel will be carried out on the cylinder-filling scales, which will be programmed to determine residual return gas in the cylinders and calculate the exact amount of gas required for each cylinder.

The development aims to reduce transport costs, reduce health and safety risks and increase LPG availability in the area, as gas are currently transported on a daily basis from the Epping (Cape Town) branch to the Worcester branch.

Locality Map of the Proposed Development Site:

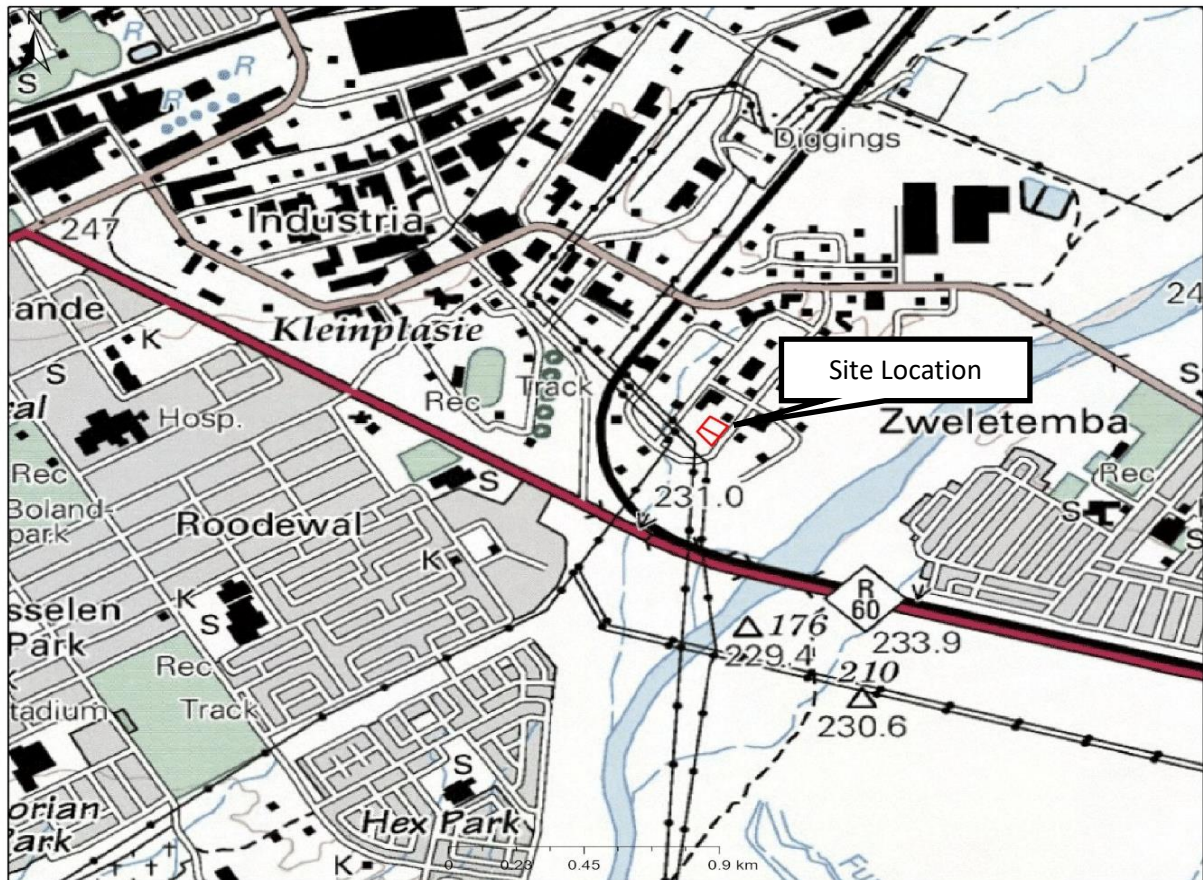


Figure 1: Locality Map indicating the proposed development site (Erf 5875 & 5876, Samuel Walters Street, Worcester Industrial Zone, Worcester, Western Cap).

Summary/Motivation of additional measures to ensure PPP can be conducted within 30 days:

- There are only six adjacent landowners and occupiers located adjacent to the proposed development site. It has been confirmed that all the adjacent landowners and occupiers are currently operational. Furthermore, arrangements will be made to ensure the six adjacent landowners and occupiers are notified of the proposed development, by hand delivering the notification letters to them when the site notice is placed at the site. A register will be signed stating that they received the letters. SEC has all the contact details of the Adjacent Landowners and Occupiers, and discussed this arrangement with them, to which none had concerns about the arrangement.
- An A3 poster will be placed at the local spaza shop located in the Worcester industrial area, informing the potential I&APs of the opportunity to register as an I&AP and the availability of the BAR for commenting.
- A newspaper advert will be placed in the Local Newspaper
- Email Notifications will be sent to all State Authorities advising of the availability to comment on the BAR.

- The BAR will be uploaded to our (SEC) website, an additional upload of the executive summary will also be uploaded as a data saving alternative.
- It must be taken into consideration that this is a relatively small development proposal that will occur within an already developed and operational site. Due to the scale of the project, it is anticipated that all the potential I&APs will be aware of the development proposal and will provide comment within the 30 days, as the development will occur in a small community.

GN No. 326 Chapter 6 Regulation 41		Additional Measures Required due to COVID-19
41	Public Participation Process	
	(1) This regulation only applies in instances where adherence to the provisions of this regulation is specifically required.	None/ can be carried out
	<p>(2) The person conducting a public participation process must take into account any relevant guidelines applicable to public participation as contemplated in section 24J of the Act and must give notice to all potential interested and affected parties of an application or proposed application which is subjected to public participation by—</p> <p>(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of—</p> <p>(i) the site where the activity to which the application or proposed application relates is or is to be undertaken; and</p> <p>(ii) any alternative site;</p>	<p>2 (a) None/ can be carried out</p> <p>(b) Notices will be provided via letters and email, to all relevant parties listed from i-vi. There is only six adjacent landowners and occupiers, therefore, when the site notice is placed at the site, the letters will be given to the adjacent landowners and occupiers. A register will be signed as proof of delivery. State/government authorities will receive individual signed letters sent via email, informing the relevant party of the availability of the Application for comment.</p> <p>(c) None/ can be carried out</p> <p>(d) None/ can be carried out</p> <p>(e) None/ can be carried out</p>

	<p>(b) giving written notice, in any of the manners provided for in section 47D of the Act, to—</p> <ul style="list-style-type: none">(i) the occupiers of the site and, if the proponent or applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken [or] and to any alternative site where the activity is to be undertaken;(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken [or] and to any alternative site where the activity is to be undertaken;(iii) the municipal councillor of the ward in which the site [or] and alternative site is situated and any organisation of ratepayers that represent the community in the area;(iv) the municipality which has jurisdiction in the area;(v) any organ of state having jurisdiction in respect of any aspect of the activity; and(vi) any other party as required by the competent authority; <p>(c) placing an advertisement in—</p> <ul style="list-style-type: none">(i) one local newspaper; or	
--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

	<p>(ii) any official <i>Gazette</i> that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;</p> <p>(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken: Provided that this paragraph need not be complied with if an advertisement has been placed in an official <i>Gazette</i> referred to in paragraph (c)(ii); and</p> <p>(e) using reasonable alternative methods, as agreed to by the competent authority, in those instances where a person is desirous of but unable to participate in the process due to—</p> <ul style="list-style-type: none"> (i) illiteracy; (ii) disability; or (iii) any other disadvantage. 	
	<p>(3) A notice, notice board or advertisement referred to in sub regulation (2) must—</p>	<p>3 In addition to (a) and (b), Notices/advertisements will include the additional instructions given in the Directions gazetted on the 5th of June 2020 by the</p>

	<p>(a) give details of the application or proposed application which is subjected to public participation; and</p> <p>(b) state—</p> <ul style="list-style-type: none"> (i) whether basic assessment or S&EIR procedures are being applied to the application; (ii) the nature and location of the activity to which the application relates; (iii) where further information on the application or proposed application can be obtained; and (iv) the manner in which and the person to whom representations in respect of the application or proposed application may be made. 	<p>Department of Environmental Affairs, Forestry and Fisheries (GN 650).</p>
	<p>(4) A notice board referred to in sub regulation (2) must—</p> <ul style="list-style-type: none"> (a) be of a size <u>of</u> at least 60cm by 42cm; and (b) display the required information in lettering and in a format as may be determined by the competent authority. 	<p>4. Notices will include the additional instructions given in the Directions gazetted on the 5th of June 2020 by the Department of Environmental Affairs, Forestry and Fisheries (GN 650), such as that all comments must be provided as signed letters.</p>
		<p>5. None/ can be carried out</p>

	<p>(5) Where public participation is conducted in terms of this regulation for an application or proposed application, sub regulation (2)(a), (b), (c) and (d) need not be complied with again during the additional public participation process contemplated in regulations 19(1)(b) or 23(1)(b) or the public participation process contemplated in regulation 21(2)(d), on condition that—</p> <p>(a) such process has been preceded by a public participation process which included compliance with sub regulation (2)(a), (b), (c) and (d); and</p> <p>(b) written notice is given to registered interested and affected parties regarding where the—</p> <ul style="list-style-type: none">(i) revised basic assessment report or, EMPr or closure plan, as contemplated in regulation 19(1)(b);(ii) revised environmental impact <u>assessment</u> report or EMPr as contemplated in regulation 23(1)(b); or(iii) environmental impact <u>assessment</u> report and EMPr as contemplated in regulation 21(2)(d); <p>may be obtained, the manner in which and the person to whom representations on these reports or plans may be made and the date on which such representations are due.</p>	
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

	<p>(6) When complying with this regulation, the person conducting the public participation process must ensure that—</p> <p>(a) information containing all relevant facts in respect of the application or proposed application is made available to potential interested and affected parties; and</p> <p>(b) participation by potential or registered interested and affected parties is facilitated in such a manner that all potential or registered interested and affected parties are provided with a reasonable opportunity to comment on the application or proposed application.</p>	<p>6. (a) All relevant documentation regarding the proposed application will be made available via Sillito Environmental Consulting website. A summarised document will be uploaded to the website as a data saving alternative.</p> <p>(b) Potential or registered I&APs will be notified of the availability of the proposed application and the opportunity to comment via formal letters and email. The application will be available for 30 days to provide comment in the form of signed letters, as stated in the Directions issued by DEFF on the 5th of June 2020 (GN. 650).</p>
	<p>(7) Where an environmental authorisation is required in terms of these Regulations and an authorisation, permit or licence is required in terms of a specific environmental management Act, the public participation process contemplated in this Chapter may be combined with any public participation processes prescribed in terms of a specific environmental management Act, on condition that all relevant authorities agree to such combination of processes.</p>	<p>None/ can be carried out</p>

42	Register of interested and affected parties	
	<p>A proponent or applicant must ensure the opening and maintenance of a register of interested and affected parties and submit such a register to the competent authority, which register must contain the names, contact details and addresses of—</p> <p>(a) all persons who, as a consequence of the public participation process conducted in respect of that application, have submitted written comments or attended meetings with the proponent, applicant or EAP;</p> <p>(b) all persons who have requested the proponent or applicant, in writing, for their names to be placed on the register; and</p> <p>(c) all organs of state which have jurisdiction in respect of the activity to which the application relates.</p>	<p>(a) and (b) A database/register of I&APs will be compiled for all I&APs that provide comments as signed letters.</p> <p>(c) None/ can be carried out</p>
43	Registered interested and affected parties entitled to comment on report and plans	
		(1) None/ can be carried out

	<p>(1) A registered interested and affected party is entitled to comment, in writing, on all reports or plans submitted to such party during the public participation process contemplated in these Regulations and to bring to the attention of the proponent or applicant any issues which that party believes may be of significance to the consideration of the application, provided that the interested and affected party discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application.</p> <p>(2) In order to give effect to section 24O of the Act, any State department that administers a law relating to a matter affecting the environment must be requested, subject to regulation 7(2), to comment within 30 days.</p>	None/can be carried out
44	Comments of interested and affected parties to be recorded in reports and plans	
	<p>(1) The applicant must ensure that the comments of interested and affected parties are recorded in reports and plans and that such written comments, including responses to such comments and records of meetings, are attached to the reports and plans that are submitted to the competent authority in terms of these Regulations.</p>	<p>(1) All comments received as signed letters will be included in the reports and plans.</p> <p>(2) None/ can be carried out, additional arrangements will be made to ensure that anyone who desires to comment will be given the opportunity.</p>

	<p>(2) Where a person desires but is unable to access written comments as contemplated in sub regulation (1) due to—</p> <ul style="list-style-type: none">(i) a lack of skills to read or write;(ii) disability; or(iii) any other disadvantage; <p>reasonable alternative methods of recording comments must be provided for.</p>	

REFERENCE: 16/3/3/1/B2/32/1020/20
ENQUIRIES: Bernadette Osborne
DATE: 6/07/2020

The Board of Directors
Gasfit (Pty) Ltd
22 Walter Samuels Street
WORCESTER
6850

Attention: Mr Willem van Rooyen

Cell: 083 398 6368
E-mail: willem@gasfit.co.za

Dear Sir

APPROVAL OF THE PUBLIC PARTICIPATION PROCESS (“PPP”) PLAN AND GHANTT CHART IN TERMS OF CIRCULAR: DEA&DP NO 0012/2020 AND THE DIRECTIONS ISSUED BY THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT ON 5 JUNE 2020 FOR THE PROPOSED INSTALLATION OF A 70M³ LPG VESSEL, A PUMP, 4 PROFILL SCALES AS WELL AS THE STORAGE OF 9 – 48KG CYLINDERS AND OTHER GASES ON ERVEN 5875 AND 5876, WORCESTER.

1. The electronic correspondence dated 3 July 2020, as received by this Department on the same day, refers.
2. The Departments notes your request not to use the 30-day timeframe extension referred to in paragraph 4.4 of the Directions issued by the Minister of Forestry, Fisheries and the Environment dated 5 June 2020.
3. After considering your motivation, the Department hereby approves the PPP Plan and the Ghannt Chart dated 3 July 2020, submitted in terms of the Department’s Circular (CIRCULAR: DEA&DP NO 0012/2020) and the Directions issued by the Minister of Forestry, Fisheries and the Environment on 5 June 2020. All of the measures highlighted in the PPP Plan must be implemented to meet the requirements of Regulations 41 of the NEMA EIA Regulations 2014 as well as the Directions regarding measures to address, prevent and combat the spread of COVID -19 relating to National Environmental Management Permits And Licences dated 5 June 2020.
4. Please note that the applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.
5. Kindly quote the abovementioned reference number in any future correspondence concerning the proposed development.

6. This Department reserves the right to revise or withdraw its comments and request further information based on any information received.

Yours faithfully



HEAD OF COMPONENT

ENVIRONMENTAL IMPACT ASSESSMENT SERVICES: REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: (1) Mr Eugene Marais (Sillitò Environmental Consulting)
(2) Mr Jaco Steyn (Breede Valley Municipality)

E-mail: eugene@environmentalconsultants.co.za
E-mail: jsteyn@bvm.gov.za