



SPECIFICATION FOR STRATEGIC ENVIRONMENTAL ASSESSMENT IN THE PORT OF RICHARDS BAY FOR A PERIOD OF TWENTY FOUR (24) MONTHS.

A. BACKGROUND

A Strategic Environmental Assessment (SEA) is a process that is used to assist decision making when planning for development. SEA considers environmental issues whilst making development plans and programmes. The process evaluates the opportunities that the environment offers to development and the constraints that it imposes and it is also considered as a structured, proactive process that strengthens the role of environmental issues in strategic decision making.

The South African Ports are responsible to ensure the economic sustainability of the Port system by generating sufficient revenue to provide port infrastructure and services that is required for trade and to facilitate economic growth in South Africa through efficient provision of a logistic platform.

In terms of the Ports Act 12 of 2005, this must be carried out in such a way that a fair and reasonable, balance is achieved between the protection of the environment and the establishment, development and maintenance of ports. SEA will be used as guides in developing the Port's Master Plans.

B. INTRODUCTION

The Port of Richards Bay is the largest in South Africa, with total land and water surfaces of 2 174 hectares and 1 443 hectares respectively. To date only half of that land has been developed. The Port of Richards Bay has the potential to develop over time into one of the largest global ports by expanding up the UMhlathuze River floodplain.

It is owing to this potential that Transnet National Ports Authority (TNPA), Port of Richards Bay seeks to appoint a service provider to undertake a Strategic Environmental Assessment of the entire port i.e. South Dunes and Bermwall; Bayview and Harbour West; Casuarina and Naval Island, as well as port expansion area. The SEA is imperative for the Port of Richards bay as it will provide much needed insight in identifying suitable areas for spatial development that the Port environment can provide. It will also identify fatal flaws (undevelopable areas) within the Port area that will inform developer's decision making.

1. CURRENT CONCERNS AMONGST OTHERS:

- Potential impacts of Climate Change to port operations and infrastructure
- Loss of habitat as a result of rapid Port development
- Cargo spillages that ends up in the bay from loading and offloading of cargo
- Invasive alien species (both marine and terrestrial)
- Poor sediment quality
- Poor historical port land use planning

2. OBJECTIVE

The objectives of this SEA is are:

- to identify any fatal flaws (both marine and terrestrial) in terms of the port development framework plan and the proposed Durban-Richards Bay Port Master plan;
- assist in achieving best environmental protection and sustainable development by considering environmental effects of proposed development plans and identifying best practicable environmental alternatives;
- integrate the estuarine management plan and the Port's short and long term development considerations in a manner consistent with South African environmental legislation that govern development;
- Cumulatively investigate potential impacts of the proposed port activities on environment.

The information that the SEA will provide is elemental to ensure sustainable, efficient and economic functioning of the Port of Richards Bay.

3. SCOPE OF WORK

A service provider is sought to conduct a SEA for TNPA, Port of Richards Bay, taking into consideration the DEAT (2004) Strategic Environmental Assessment Integrated Environmental Management, Information Series 10, DEAT Pretoria. An environmental service provider will conduct the SEA process by identifying, describing and evaluating all significant effects that the Port Master plan's implementation might have on the environment. The project should not exceed twenty four (24) months and should be done in stages taking into account areas of urgency as per the Port Master Plan's timelines. The service provider will also be responsible for the overall project management, sourcing of specialists where necessary, drafting the SEA documentation, liaison with the project team inclusive of the public participation process. The key deliverables to be considered as part of SEA development are:

- Identification of key stakeholders/ interested & affected parties for involvement in the SEA process;

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- Identification of significant strategic issues (consolidating the ones which have already been identified in the Port of Richards Bay Long-Term Development Plan;
- Determine the compatibility of the Port's Aspects & Impacts Register with the identified strategic issues as well as the Long-term Development Framework Plan;
- Address the causes of significant environmental impacts identified in the Port's Aspects and Impacts Register;
- Align the SEA with current port development framework and any other proposed plans for the Port and streamline subsequent EIA's for individual projects through the identification of limits of acceptable change.
- Identify opportunities and constraints posed by the social, bio-physical and economic environment to achieve sustainability objectives;
- Identify and incorporate all legislation, policies, plans and programmes that are required in order to inform the SEA including maritime legislations;
- Investigate and determine the potential environmental impact of commodities in the port's natural hinterland that are existing or that are planned to be explored which can be handled/exported through the port;
- Evaluate and highlight fatal flaws that will prohibit certain developments and the handling of a particular commodity in the port;
- Engage EXCO members of TNPA, Port of Richards Bay and other relevant personnel as required;
- Engage with relevant authorities;
- Develop management guidelines for the implementation of sound environmental principles during the decision making processes;
- Provide recommendations in line with planned development and applicable legislation
- Study the Port Developments Framework Plan and provide overview of short term to long term environmental impacts
- Develop the baseline conditions (physical, biophysical, social and economic) of the Port and review relevant environmental specialist studies developed as part of capital infrastructure development or environmental management plans in the Port.
- Review and update the legal framework and ensure it's aligned to current South African legislation.
- Identify, describe and evaluate all significant effects that the implementation of the Port Development Framework Plans (PDFP), including programmes implemented outside the PDFP.

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- Provide recommendations aimed at achieving optimal local Integrated Development Planning and provide the port developer and the municipality with useful tools to evaluate the environmental sustainability of the project and the overall development planning process.
- Provide Guidelines for sustainable development that encompasses, goals, targets, sustainability initiatives and reporting indicators.
- Engage with all relevant authorities including but not limited to the KZN, Dept. of Economic Development, Tourism and Environmental Affairs (DEDTEA), Department of Forestry, Fisheries and Environment (DFFE- Forestry section), Ezemvelo KZN-Wildlife etc.
- Provide recommendations in line with planned development and applicable legislation.

4. APPROACH

This section describes the general process to be followed during the SEA and should not be regarded as a specification, but rather as a guideline to assist the service provider in conducting work professionally and ensure that the outcome of the study conforms to the study objectives.

The service provider shall ensure that the SEA follows the four general process Stages below:

- Stage 1 Screening of Plans and Programmes
- Stage 2 Scoping the SEA
- Stage 3 Identification, Prediction, Evaluation and Mitigation of Potential Impacts
- Stage 4 Consultation, Revision and Post-Adoption Activities

LITERATURE REVIEW

The literature review should include, but not be limited to, relevant environmental legislation, municipal bylaw, regulations, social and economic literature and existing and future plans of the study area. Review of existing environmental studies and environmental plans of the port. The service provider should ensure that the project takes cognisance of all relevant documentation.

The SEA must be:

- **INTEGRATED:**
 - Ensures an appropriate environmental assessment of all strategic decisions relevant for the achievement of sustainable port development, addressing the interrelationships of biophysical, social and economic aspects.
 - Is tiered to policies in relevant sectors and, where appropriate, to project EIA and decision making.

- **FOCUSED**

- Provides sufficient, reliable and practical information for development planning and decision making,
- Concentrates on key issues of sustainable port development,
- Is customised to the characteristics of the decision making process, and
- Is cost and time effective.

- **ACCOUNTABLE**

- Is carried out with professionalism, fairness, impartiality and balance,
- Is subject to independent checks and verification, and
- Documents justifies how sustainability issues were taken into account in decision making.

- **PARTICIPATIVE**

- Informs and involves interested and affected parties and government bodies throughout the decision making process, and explicitly addresses their inputs and concerns in documentation and decision making.
- Ensures availability of the assessment results early enough to influence the decision making process and inspire future planning
- Provides sufficient information on the actual impacts of implementing a strategic decision to judge whether this decision should be amended

5. ENVIRONMENTAL STATUS QUO REPORT

After literature review and extensive ground-truthing, the service provider must prepare a report and, where relevant, supporting maps at the required scale, on the status quo of the environment. This report must address/include the following:

- A representation of the status quo of the physical environment within the study area.
- A representation of planned and existing land uses that may threaten environmental resources within the study area
- A representation of the current use of land that provide a detailed sub-property analysis of the nature of current activities that occupy land in the study area.

- A representation of land ownership, existing land uses/rights, (long-term leases) pressures within the study area.
- Status of infrastructure and engineering services provision and carrying capacity
- A representation of planned and/or existing land uses that are potentially in conflict over the same land resources and identify development pressures and trends.

6. SEA REPORT

- A clear structure with a logical sequence, for example describing existing baseline conditions, predicted impacts (nature, extent and magnitude), scope for mitigation, agreed mitigation measures, commitments to monitoring, significance of unavoidable/residual impacts for each environmental topic.
- A clear description of the Port plans, its objectives and the measures within it.
- A description of the Port plans preparation and approval process and how SEA fits into this.
- A full description of the proposed implementation of the Port plans
- Makes effective use of diagrams, illustrations, photographs and other graphics to support the text.
- Contains a good description of the methods used for the studies of each environmental topic.
- Covers each environmental topic in a way that is proportionate to its importance and at a level of detail that corresponds to the Port plans.
- Provides evidence of consultation.
- Includes a clear discussion of alternatives.
- Makes a commitment to mitigation (with programme/s) and to monitoring.

The service provider would be required to draft a Public Participation Strategy, arrange for public consultation meetings, presentations and keep record of the outcomes of these meetings. The public participation process must be ongoing and be fully transparent and consultative. The final SEA should include a summary report regarding the public participation process.

A draft copy of the SEA (or relevant components thereof) must be circulated for comment to identified stakeholders. After incorporation of comments, the draft SEA would need to be work-shopped with the project team, stakeholders and the public. The SEA must include all the relevant action plans required for the implementation of the SEA and all the strategies that form part thereof. The Final SEA must include an Implementation Plan, including actions, guidelines, phasing, roles, responsibilities, budgets, environmental bylaws, etc. Identify potential environmental management projects and produce a minimum of two (2) business plans for the project.

The plan should include an outline of the process to be followed, dates for public consultation, various drafts and final reports to be produced and the delivery dates. Comment periods for draft documents are also to be specified.

The successful service provider shall undertake to:

- Advise the Environment Manager in writing as soon as possible as it becomes evident that for any reason the required delivery date cannot be met;
- Negotiate a new delivery date acceptable to the Company, provided that the Company reserves its right to hold the service provider to the original date, save and except in instance of vis major;

The successful service provider shall provide the following documents/data as set out in the Scope of work above:

- inception report,
- public participation strategy and report,
- specialist studies,
- draft environmental status quo report/sea report,
- strategic environmental assessment (SEA) including all relevant environmental control zones, management/action plans and guidelines for the implementation of SEA, and
- land use scheme (where applicable).

The service provider must provide the Project Team with two hard copies, and one electronic copy of the final documents. The electronic copy must be produced in PDF format and all spatial information must be geo-referenced appropriately. The service provider will also conduct a presentation outlining the findings of the SEA at the end of the study.

E. FEE STRUCTURE

The quotation must contain a detailed budget that gives sufficient breakdown of the estimated assignment costs for the duration of the assignment. The fee structure shall take into consideration the different intervals for undertaking the activity.

The Service Provider will be paid after completion of each milestone for each phase which will be as below;

- Desktop and Site visit/ inspection.

- Public participation (including presentation to Biodiversity Focus Group and other relevant Departments) and Response to comments.
- Final SEA Report for the phase.

A detailed invoice must be submitted on the completion of each stage of the project – specifying each element of the project completed/done.

F. PRICES / CHARGES

The price will remain firm for a period agreed on in the contract. No price variation will be accepted. No variation orders will be entertained when the company is advised after such work has been done.

The proposed timeframe for the project must be included in the proposal, however the project must not exceed the period on 24 months (2 years).

G. TIME OF DELIVERY

The service provider must note that time is of the essence in the contract and that successful service provider will be required to complete by no later than the agreed date.

The successful service provider shall undertake to:

- Advise the Environmental Manager in writing, as soon as possible as it becomes evident that for any reason the required delivery date cannot be met;
- Negotiate a new delivery acceptable to the Company, provided that the Company reserves its right to hold the service provider to the original date, save and except in instance of vis major;
- Provide the Environmental Manager with documentary proof of the final delivery or completion of the order within seven (7) days of such an event.

H. ACCEPTANCE OF PROPOSALS

The Transnet National Ports Authority does not bind itself to accept lowest cost quotation nor will it furnish any details or enter into any communication relating to the non-acceptance of any or all proposals.

I. HEALTH AND SAFETY

All personnel and staff employed by the Service Provider as well as any direct sub-contractors are to comply with the requirements of the Transnet Safety, Health, Environmental and Quality Risk Management Policy. Service Provider to provide own safety clothing as well as first aid box. A safety file will have to be presented to the TNPA SHE Department at least seven (7) days prior to the commencement of the work and all employees will have to go through an induction.

Note

- The service provider has to present TNPA with the safety file before commencement of any work in the port.

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- All personnel and staff employed by the Service Provider as well as any direct sub-contractors are to comply with the requirements of the Transnet Safety, Health, Environmental Quality and Risk Management Policy. Service Provider to provide own safety clothing.
- All personnel and staff employed by the Service Provider must undergo a SHE induction provided by TNPA prior to the commencement of the project.
- First aid box is **compulsory**. This must be brought to the TNPA Health Manager prior to commence work to confirm comprehensiveness.
- The Service Provider must submit a Safety, Health and Environmental Plan, which includes emergency numbers.
- The Safety File must include a risk assessment for COVID-19.
- A competent First Aider must be appointed in writing and be available on site.

J. SCHEDULE OF QUANTITIES

SCHEDULE OF QUANTITIES ASPECT AND IMPACT REGISTER UPDATING		
ITEM	DISCRIPTION	AMOUNT
1.	General	R
2.	Desktop study	R
3.	Field work and Site visits	R
4.	Meetings	R
4.	Public participations	R
5.	Report Compiling	R
6.	Report submission	R
TOTAL		R

TOTAL AMOUNT IN WORDS (Excl. VAT)

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Witnesses:

1. Service Provider:

2. Date:

1. TNPA:
2. Date:

K. APPROVAL OF THE SPECIFICATION

By signing this document the signatories indicate that they have read, understand and in full agreement with the contents of the document.