

APPENDIX B

DDFE ACCEPTANCE OF SCOPING REPORT AND PLAN OF STUDY FOR EIA



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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DFFE Reference: 14/12/16/3/3/2/2799

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PER MAIL / E-MAIL

Dear Mr Henning

ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED 750MW COMBINED CYCLE GAS TURBINE POWER PLANT IN RICHARDS BAY, WITHIN THE CITY OF UMHLATHUZE LOCAL MUNICIPALITY IN THE KING CETSHWAYO DISTRICT MUNICIPALITY, KWAZULU-NATAL PROVINCE

The final Scoping Report (FSR) and the Plan of Study for Environmental Impact Assessment dated April 2026 and received by the Department on 21 April 2026, refer.

The Department has evaluated the submitted final Scoping Report, and the Plan of Study for Environmental Impact Assessment dated April 2026 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The FSR is hereby accepted by the Department in terms of Regulation 22(a) of the EIA Regulations, 2014, as amended.

You may proceed with the environmental impact assessment process per the tasks contemplated in the Plan of Study for Environmental Impact Assessment as required in terms of the EIA Regulations, 2014, as amended.

In addition, the following amendments and additional information are required for the EIAr:



Batho pele – putting people first

Departement van Bosbou, Visserie en die Omgewing • Department of Forestry, Fisheries and the Environment • UmNyango wezamaHlathi, zokuThiya neBhoduluko • iSebe lezamaHlathi, ezokuLoba noKusigangqileyo • Umnyango WezamaHlathi, Ezakudoba Nezemvelo • Kgoro ya Dithokgwa, Boreahlapi le Tikologo • Lefapha la Meru, Botshwasi ba dithapi le Tikoloho • Lefapha la Dikgwa, Dithapi le Tikologo • Litiko Letemahlatsi, Tintlantl Netendzawo • Muhasho wa zwa Vhusima-majaka, Vhureakhovhe na Mupo • Ndzawulo ya Swithibho, Vunjoveni na Mbango. The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessively for the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act, and/or relevant legislation providing appropriate security safeguards for the processing of personal information of others.



(a) Listed Activities

- (i) The EIAr must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.
- (ii) The listed activities represented in the EIAr, and the application form must be the same and correct.
- (iii) Please also ensure that the potential impacts on the affected Critical Biodiversity Areas indicated in Listing Notice 3 are fully assessed in the EIAr.

(b) Public Participation

- (i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr. This includes but is not limited to the KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs; the relevant Atmospheric Emissions Licence (AEL) Authority, the KwaZulu-Natal Department of Agriculture and Rural Development; the KwaZulu-Natal Department of Transport; the Department of Water and Sanitation; the Department of Mineral and Petroleum Resources; this Department's Biodiversity and Conservation, Climate Change, and Air Quality Directorates; Transnet; Eskom; the Richards Bay Industrial Development Zone (RBIDZ); Ezemvelo KZN Wildlife, The KwaZulu-Natal Amafa and Research Institute; SANRAL and the relevant District and Local Municipalities.
- (ii) Please ensure that all issues raised, and comments received on the draft Scoping Report and draft EIAr from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIAr. Proof of correspondence with the various stakeholders must be included in the final EIAr. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
- (iii) A comments and response trail report (C&R) must be submitted with the final EIAr. The C&R report must incorporate all comments (pre-submission and post-submission of the draft EIAr) received for this development. The C&R report must be a separate document from the main report, and the format must be in the table format which reflects the details of the I&APs and date of comments received, actual comments received, and response provided. Please ensure that **all** comments made by I&APs are comprehensively captured (copy verbatim if required) and responded to clearly and fully (*i.e.*, each and every bullet point raised). Please note that a response such as "Noted" is not regarded as an adequate response to I&APs comments.

(c) Alternatives

- (i) Please ensure that the EIAr includes a description of each of the preferred alternative types and provides detailed motivation on why they are preferred. If no alternative locations for the activity were investigated, please motivate for not considering such.
- (ii) The identification and assessment of alternatives must also include the transportation routes to be used for the proposed development. The relevant authorities must be consulted in the identification of these routes.

(d) Project Scope and Coordinates

- (i) The EIAr must provide the following:
 - Clear indication of the envisioned area for the proposed Gas to Power facility, as well as all associated infrastructure should be mapped at an appropriate scale.
 - Clear description of all associated infrastructure (locations, lengths, widths and/or capacities). This description must include, but is not limited to the following:
 - Ancillary infrastructure; and
 - Electrical and service infrastructure forming part of the application.
- (ii) The EIAr must provide the corner coordinate points for the proposed development site, as well as the start, middle and end point of any linear activities.

(e) Layout & Sensitivity Maps

- (i) A copy of the preferred layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:
 - Permanent laydown area footprint;
 - Internal roads / Access roads indicating width and length;
 - Wetlands, drainage lines, rivers, streams and water crossing if any;
 - The location of sensitive environmental features on-site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;
 - Substation(s) and/or transformer(s) sites including their entire footprint;
 - Location of access and service roads;
 - All existing infrastructure on the site, especially roads and railway lines;
 - Buffer areas;
 - Buildings, including accommodation; and
 - All “no-go” areas.
- (ii) An environmental sensitivity map indicating environmentally sensitive areas and features identified during the assessment process e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure.
- (iii) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.

(f) Specialist assessments

- (i) Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisations.
- (ii) The specialist studies must also provide a detailed description of all limitations of their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.
- (iii) Please note that the Department considers a ‘no-go’ area as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads is allowed in the ‘no-go’ areas.
- (iv) Should the specialist definition of ‘no-go’ area differ from the Department’s definition; this must be clearly indicated. The specialist must also indicate the ‘no-go’ area’s buffer if applicable.
- (v) **All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.**
- (vi) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expert advice.
- (vii) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. “the Protocols”), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. **Please note that specialist assessments must be conducted in accordance with these protocols.** Please indicate whether the protocols were applied.
- (viii) Please note that the protocols require certain specialists to be SACNASP registered. As such, the Specialist Declaration of Interest forms must also indicate the scientific organisation registration/member number and status of registration/membership for each specialist.
- (ix) Please note that if any of the specialist studies and requirements/protocols recommended in the Department’s Screening Tool are not commissioned, motivation for such must be provided in the report, inclusive of the necessary site sensitivity verification reports and specialist compliance statements.

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- (x) The terms of reference for the Climate Change Impact Assessment must assess the impacts of the development on climate change and vice versa and accordingly must consider both mitigation and adaptation measures to climate change.

(g) Cumulative Assessment

- (i) Regarding cumulative impacts:
- Clearly defined cumulative impacts and where possible the size of the identified impact must be quantified and indicated, i.e., hectares of cumulatively transformed land.
 - A detailed process flow must be provided to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project.
 - Identified cumulative impacts associated with the proposed development must be rated with the significance rating methodology used in the process.
 - The significance rating must also inform the need and desirability of the proposed development.
 - A cumulative impact environmental statement must be provided on whether the proposed development must proceed.

(h) General

- (i) The EIAR must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions.
- (ii) Confirmation of the availability of services (e.g., sewage, water etc. if required) must be included in the EIAR.
- (iii) Should a Water Use License be required, proof of application for a license needs to be submitted.
- (iv) Details of the future plans for the site and infrastructure after decommissioning in 20-30 years and the possibility of upgrading the proposed infrastructure to more advanced technologies must be indicated.

The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amended, with regard to the time period allowed for complying with the requirements of the Regulations.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



Dr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Signed by: Ms Sindiswa Dlomo

Designation: Deputy Director: National Integrated Authorisation Projects

Date: 01 June 2026

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