

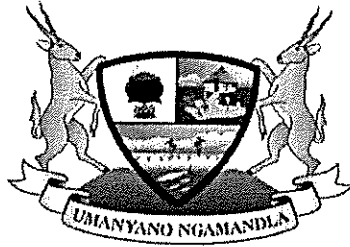
Mbizana Local Municipality

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TERMS OF REFERENCE FOR

**AN ENVIRONMENTAL IMPACT ASSESSMENT AND THE DEVELOPMENT OF AN
OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN FOR THE
ESTABLISHMENT OF PUBLIC LAUNCH SITE WITHIN THE MBIZANA LOCAL
MUNICIPALITY COASTAL AREA**

INTRODUCTION AND BACKGROUND INFORMATION

The Minister in the National Department of Environmental Affairs (DEA) published in June 2014 the Integrated Coastal Management Act Regulations for Management of Public Launch Sites in the Coastal Zone (PLS Regulations). In terms of the regulations, the MEC responsible for Environmental Affairs in each coastal province is required to publish a list of public launch sites where vessels may be launched into coastal waters within the province. The regulations further make the organs of state the responsible authority for managing the public launch sites. Any organ of state therefore that wishes to establish a new launch site in terms of these regulations is required to ensure that such a launch site is in compliance with the requirements of the regulations, Environmental Impact Assessment Regulations of 2014 and any other law that governs environmental management and / or use of vessels in the waters of the Republic or any other requirements that may be imposed by the authorities before submitting the listing request to the MEC.

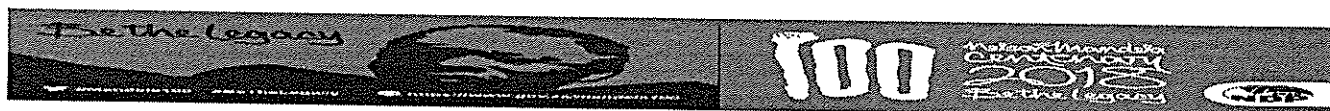
In view of the above, the Mbizana Local Municipality is in the processing of establishing a public launch within its coastal zone. This launch site is will primarily be used for Small Scale Fisheries and members of the community who hold permits for small scale fisheries will use this launch site in order to access the off shore fishing grounds. Furthermore having a launch site within the area of the municipality will boost the economic potential of the Municipality as a coastal tourism destination.

The Municipality therefore is in the process of appointing a service provider to undertake an Environmental Impact Assessment process and develop an operational environmental management plan (OEMP) for a Public Launch Site to be established within the coastal zone of the Mbizana Local Municipality.

1. OBJECTIVES AND SCOPE OF WORK

1.1 Objectives

- To have a guiding document that will ensure compliance
- To provide specific measures to enforce regulations and
- To prescribe penalties for contraventions of the regulations
- To increase the number of tourists and tourist experience at Mzamba beach



1.2 Key Activities

The successful service provider will undertake the following work:

1.2.1 Undertake the EIA (BAR) Process

Possible triggered activities that the appointed Environmental Assessment Practitioner shall have to apply for and assess impacts relative to are as follows:

1. Government Notice number R. 327 of 2017, Activity number 15 [development of structure in the coastal public property, where such structure cover an area of 50 square metres or more].
2. Government Notice number R. 327 of 2017, activity number 17 [development is: the sea, an estuary, the littoral active zone, behind a development setback line or if no setback line exists, within a distance of 100 metres from the high water mark of the sea; in respect of fixed or floating jetties and slip ways]
3. Government Notice number R. 324 of 2017, activity number 4 [a {i (hh)}] – the development of a road that is wider than 4 metres or which has a reserve less than 13.5 meters, outside urban areas, within one kilometre inland from the high water mark of the sea.
4. Government Notice number R. 324 of 2017, activity number 12 [a {iii, iv}] – the clearance of indigenous vegetation, outside urban areas within 100 metres inland from the high water mark of the sea, outside urban areas within 100 metres inland from the high water mark of the sea.
5. Government Notice number R. 324 of 2017, activity number 14 [iii, viii, ix, xi and xi (a) (ii) (jj)] - the development of bridges, jetties, slipways, structures or infrastructure, covering 10 square meters, outside urban areas within one kilometres from inland from the high water mark of the sea, outside urban areas with 100 metres from an estuarine functional zone.

Necessary studies that the appointed Environmental Assessment Practitioner shall have to look at include the following:

- a) Geotechnical Assessment, including but not limited to:
 - i) compatibility analysis (soil stability in line with each proposed structure),
 - ii) sea wave action in line with the position of the proposed structures, relative to the material to be used in construction of each structure
 - iii) geohydrology assessment



- iv) Risk analysis (losses to be incurred in case of extreme weather events, accountability structures and resource availability)
- v) Coastal engineering or marine infrastructure
- b) Biodiversity Analysis (marine life: plant and animal, terrestrial and aquatic ecosystems immediately adjacent to the project area (500-meter radius from all four major compass directions)) and
- c) Estuarine Analysis.

It is important to note that the listed activities highlighted above are detected only in light of the proposed development, with the information known at this stage. More activities may be added or subtracted as the project unfolds. Matters relative to services (water sewerage etcetera, may still be added once information is available). Likewise for the studies suggested.

1.2.2 Develop an Operational Environmental Management Plan

The OEMP to be developed by the Service Provider must as a minimum address the following areas:

Operational Management Plan

- Management of access and access control to the public launch site
- Determination of a maximum daily, monthly or annual limit for the number of launches that may be allowed on the launch site. This must take into account and be informed among others by the environmental sensitivity of the receiving environment, the size of vessels launching on the site and the availability of parking space;
- Demarcation of the physical launch area on and parking area(s) on a map with a maximum number of vehicle and trailer combinations that may be parked at any one time
- Determination of the type or class of vessel which may be launched from a public launch site;
- Prohibitions or conditions relating to the use or management of a public launch site in general; and
- Regulation of any other activity relating to the management of a public launch site.
- Proposed Template of Register for recording of launches.

1.2.3 Environmental Management Plans

- Measures to be adopted to minimise impacts associated with vehicle use in a boat launching site;
- how vehicle use will be regulated in the boat launching site, including safety measures applicable to other users of the coastal zone;
- Measures to be taken to ensure compliance by vehicle users with general fishing permit conditions and the provisions of the Marine Living Resources Act 18 of 1998 (MRLA);
- Initiatives to be undertaken to ensure compliance and proper and reliable monitoring of impacts on the environment;



- Measures to be taken to ensure the management and removal of waste/refuse associated with launch site users from the site; and
- Emergency procedures in the event of a spillage of oil or petrol, and any exceptional incidents
- Measures to be considered for any new developments
- A maintenance plan for all facilities on site
- Measures for monitoring, reporting and response

1.2.4 Project report

- All project reports will be sent electronically to the municipality and thereafter presented to the project team on monthly basis
- Comments will be included in the report and the final draft will be submitted to the municipality

2. PROJECT DELIVERABLES

The project will produce outputs and perform activities (but not limited to) listed in the table below. Some of the activities will be undertaken simultaneously.

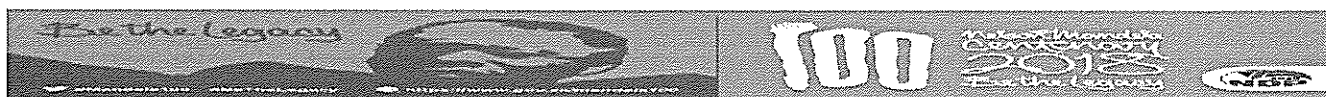
Deliverables	Key Activities	Time frames
Attend inception meeting with the Municipality	Clarify the project and obtain relevant background information on the project.	
	To confirm the scope of work and deliverables together with their timeframes	
	To agree on an implementation approach for the identified activities for the project	
Inception Report	Submission of written report on agreed scope of work, implementation approach, budget breakdown and timelines as agreed in the inception meeting.	
Hold progress update meetings with core team	To present to the core team implementation progress and challenges encountered	
	To agree on ways to mitigate challenges	



Deliverables	Key Activities	Time frames
	experienced over the reporting period.	
Conduct Public Participation Process in line with the EIA Regulations (which should also satisfy requirements of S53 of the ICM Act)	To get stakeholder inputs into launch site.	
	Obtain necessary site specific information and records from stakeholders.	
	To present the key issues related to the public launch site which are addressed in the BAR or the OEMP	
	To obtain further inputs from the stakeholders	
Present draft BAR and OEMP to the Provincial Coastal Management Technical Committee and the Environmental Quality Management Technical Committee of the Province	To source inputs of the from these technical committees	
Final BAR and OEMP submitted to the Municipality / core management team	Incorporate and / or address all comments received from all consultations first.	
	Submit final draft report and to the Municipality.	

3 FINALISATION OF SCOPE OF WORK AND PROJECT MANAGEMENT

The final scope of work will be formalised in the inception meeting between the service provider and the municipality / core management team, which will take place within three of service provider having been appointed. The project time frame shall be from August 2018- January 2019.



3.1 REQUIRED CAPACITY, QUALIFICATIONS, EXPERIENCE & TRACK RECORD

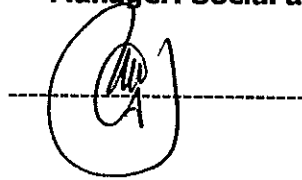
It is important that all bidders demonstrate that they have the required capacity, qualifications, experience and track record to undertake the project. The project team must demonstrate capacity and expertise in the development of environmental management plans, spatial planning and management of the coastal zone including activities relating to boat launching. The following qualifications, experience and track record are required:

- Methodology (40 marks):
 - Bidders must demonstrate methods and systems that will be used in execution of the project, including meetings, consultation with stakeholders if necessary, project steering committee meetings, etc.
 - Bidders must have a minimum of two people dedicated to the project for the duration of the project.
 - Bidders must demonstrate capacity to work under tight time frames and reflect willingness to sacrifice time to deliver effectively and efficiently.
 - Bidders must demonstrate how they will claim as per the project milestones.
- Qualifications & Professional Experience (30 marks):
 - Bidders must demonstrate that their team members have a good understanding of coastal zone management. CV's of key personnel who will work on this project must be submitted.
- Company Track Records (30 marks):
 - Bidders company must have atleast 3 years experience in the Environmental Management field projects
 - Bidders must demonstrate that they have a track record of developing similar plans and stipulate what such projects entailed with contactable references. Use a table when listing company project experience and individual team member's project experience respectively:

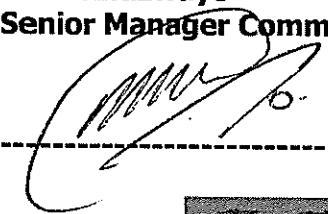
Requested by:
Z. Tobo
Environmental Officer



Recommended by/Not Recommended by:
N. Xoko
Manager: Social and Environment



Approved by/Not Approved by:
M.M. Khuzwayo
Senior Manager Comm. Services




NATIONAL KEY PERFORMANCE AREA		Basic Service Delivery	
FOCUS AREA		Environmental Management	
PROJECT MANAGER		N.Xoko (Manager Social and Environ. Service)	
PROJECT NUMBER		1.24.1	
PROJECT TITLE		IDP OBJECTIVE	
Maintenance of beach facilities		To ensure conservation and management of natural resources for sustainable use by 2018	
ANNUAL TARGET		BASELINE INFORMATION	
1 adopted IWMP, 2 awareness campaigns conducted, 1 authorization for boat launching site and 2 pilot blue flag beaches facilitated.		Adopted Climate Change strategy and IWMP. Facilitated maintenance of 5 beaches.	
INPUT INDICATOR		MEANS OF VERIFICATION (OUTPUT)	
Approved budget		Completion certificate and 1 response to application for authorization of 1 beach facility	
Appointment of service providers		Number of beaches maintained and provided with beach facilities; Numner of applications for authorisation submitted.	
Service level agreement			
KEY MILE STONES		RESPONSIBLE OFFICIAL	
Conduct Environmental Awareness's		Z.Tobo	
		TIME FRAMES	
		1ST QT	
		1 2 3	
		2ND QT	
		1 2 3	
		3RD QT	
		1 2 3	
		4TH QT	
		1 2 3	
		TOTAL BUDGET ALLOCATED	
		557 479.23	
		PROJECT TO BE IMPLEMENTED	
		By developing environmental management tools and conduct awareness campaigns	
		PROJECT TO BE IMPLEMENTED	
		TOTAL BUDGET ALLOCATED	

1 authorization for boat launching site		Z. Tobo																		
				QUARTELY EXPENDITURE PROJECTIONS																
		TIMEFRAMES		QUARTELY EXPENDITURE PROJECTIONS																
PROJECT MILESTONES		START DATE	END DATE	QUARTER 1	QUARTER 2	QUARTER 3	QUARTER 4													
Procurement Processes		01-Jul-18	30-Sep-18	140 000,00	80 000,00	180 000,00	157 479,23													
Maintenance of beach facilities, 1 authorization for boat launching site, Conduct awareness campaign events		01-Jul-18	30-June-19																	
FOCUS AREA		Waste Management																		
PROJECT MANAGER		N.Xoko (Manager Social and Environ. Service)																		
PROJECT NUMBER		1.25.1																		
PROJECT TITLE		IDP OBJECTIVE	STRATEGY																	
Rehabilitation of EXT 3 dumping site		To collect, manage and dispose waste in an acceptable and responsible manner by 2018	By Remediating land where contamination presents a significant risk of harm to health of the environment.																	
ANNUAL TARGET		BASELINE INFORMATION	PROJECT TO BE IMPLEMENTED		TOTAL BUDGET ALLOCATED															
12 routine rehabilitation of extension 3 dumping site; 1 financial projection report compiled.		5 routine Rehabilitation done	12 routine rehabilitation of extension 3 dumping site, Compilation of ext. 3 dumping site financial projection report.		R 462 010,07															
INPUT INDICATOR		MEANS VERIFICATION (OUTPUT)	OUTCOME INDICATOR																	
Approved budget		Completion Certificates	Reports																	