

## **Tongaat-Hulett Refinery Ltd Stakeholder Forum**

### **DRAFT TERMS OF REFERENCE**

#### **1 Membership**

The forum shall consist of the following:

- 1.1.1 Local organisations
  - 1.1.1.1 Mowat Park School,
  - 1.1.1.2 Rossbelvue Ratepayers Association,
  - 1.1.1.3 Seaview Conservancy,
  - 1.1.1.4 Local Estate Agents represented by Ms Liz Venter, Acutts, Montclair, and
  - 1.1.1.5 others identified during the process
- 1.1.2 Environmental organisations
  - 1.1.2.1 WESSA
  - 1.1.2.2 SDCEA, and
  - 1.1.2.3 others identified during the process
- 1.1.3 Community representatives
  - 1.1.3.1 Councillor Billie Prinsloo, and
  - 1.1.3.2 other local councillors and leaders as identified during the process
- 1.1.4 Neighbouring businesses and organisations
  - 1.1.4.1 Mosque, and
  - 1.1.4.2 others identified during the process
- 1.1.5 Authorities
  - 1.1.5.1 eThekweni Environmental Health Branch
  - 1.1.5.2 KZN Department of Agriculture and Environmental Affairs,
  - 1.1.5.3 Department of Water Affairs and Forestry, and
  - 1.1.5.4 others identified during the process
- 1.1.6 Company
  - 1.1.6.1 Tongaat-Hulett Refinery Ltd.
- 1.1.7 Consultants
  - 1.1.7.1 Phelamanga Projects

#### **2 Purpose**

- 2.1 To ensure that all stakeholders are adequately informed and consulted about environmental issues associated with the Refinery and are afforded fair and adequate opportunity to make input.
- 2.2 To provide relevant information and knowledge to Tongaat-Hulett Refinery Ltd that may otherwise not have become available.
- 2.3 To assist in verifying data, identifying impacts, alternatives, avoidance, minimisation and mitigation measures for environmental problems associated with the operation of the Refinery.
- 2.4 To promote transparency and decision-making based on meaningful involvement of key parties.
- 2.5 To assist in identifying methods to inform the local community of developments.

#### **3 Functions**

- 3.1 To recommendations regarding:
  - 3.1.1 Stakeholder groups to be consulted;
  - 3.1.2 Methods, content and methodology of consultation.
- 3.2 To consider information supplied and make recommendations regarding:
  - 3.2.1 What information should be supplied;
  - 3.2.2 The medium in which, and accessibility of, the information is supplied;

3.2.3 Ways in which the information can be made accessible to a range of I&APs.

3.3 To monitor implementation of any recommendations or mitigation measures.

#### **4 Meetings**

4.1 Meetings shall be held quarterly, or as agreed by the members.

4.2 Meetings shall be conducted in good faith and with full disclosure by all parties of all relevant information.

4.3 A quorum shall consist of ... members representing organisations other than the company and consultants.

4.4 Participants undertake to:

4.4.1 Request only such information that could reasonably be regarded as pertinent,

4.4.2 Observing timeframes agreed upon on a case-by-case basis; and

4.4.3 Responding as quickly as possible to requests for information or comment.

4.5 Participants undertake to treat each other with respect.

4.6 No participant shall call into question the bona fides, impair the dignity, or malign any other participant. However, this must not be seen as a constraint on robust but respectful debate.

4.7 Minority opinions will be recorded.

#### **5 Costs**

5.1 Tongaat-Hulett will provide secretariat service through the appointed consultants and will meet those costs associated with convening meetings of the Forum, on a case-by-case basis.

5.2 Individual members will be responsible for the costs associated with their own attendance and participation in the Forum.

#### **6 Duration of Stake-holder Forum**

6.1 The forum will operate until by majority consent that the forum has met its objectives, or it is agree to dissolve the forum.