



EIA REFERENCE NUMBER: 16/3/3/1/F4/20/3024/22
NEAS REFERENCE NUMBER: WCP/EIA/0001106/2022
ENQUIRIES: Mr. R. Chambeau
DATE OF ISSUE: 11 NOVEMBER 2022

The Director
West Point Processors (Pty) Ltd.
P.O. Box 15
ST HELENA BAY
7390

For Attention: Mr. M. Potgieter

Cell: (082) 551 0217
Email: marthin@saldanha.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED REVERSE OSMOSIS PLANT AT THE WEST POINT FISH MEAL PROCESSING PLANT ON ERF 1097, ST HELENA BAY.

1. With reference to the above application, this Department hereby notifies you of its decision to **grant** Environmental Authorisation, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the decision on the application, that all registered interested and affected parties ("I&APs") are provided with access to the decision and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation below.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

Copies to: (1) Mr. P. Slabbert / Ms. J. Theron (PHS Consulting)
(2) Ms. N. Duarte (Saldanha Bay Municipality)
(3) Mr. R. Molale (DFFE: Oceans and Coasts)

Email: paul@phsconsulting.co.za / jt@phsconsulting.co.za
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Email: Rmolale@environment.gov.za

EIA REFERENCE NUMBER: 16/3/3/1/F4/20/3024/22

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED REVERSE OSMOSIS PLANT AT THE WEST POINT FISH MEAL PROCESSING PLANT ON ERF 1097, ST HELENA BAY.

With reference to your application for the abovementioned, find below the outcome with respect to this application.

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred Alternative, described in the Basic Assessment Report ("BAR") dated July 2022.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Director
c/o Mr Martin Potgieter
West Point Processors (Pty) Ltd.
P.O. Box 15
ST HELENA BAY
7390

Cell: (082) 551 0217
Email: marthin@saldanha.co.za

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

B. ACTIVITY AUTHORISED

Listed Activity	Activity/Project Description
<p>Listing Notice 1 of the EIA Regulations, 2014, (as amended):</p> <p>Activity Number 16 Activity Description:</p> <p><i>“The development and related operation of facilities for the desalination of water with a design capacity to produce more than 100 cubic metres of treated water per day.”</i></p> <p>Activity Number 34 Activity Description:</p> <p><i>“The expansion of existing facilities or infrastructure for any process or activity where such expansion will result in the need for a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the release of emissions, effluent or pollution, excluding-</i></p> <p><i>(i) where the facility, infrastructure, process or activity is included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies;</i></p> <p><i>(ii) the expansion of existing facilities or infrastructure for the treatment of effluent, wastewater, polluted water or sewage where the capacity will be increased by less than 15 000 cubic metres per day; or</i></p> <p><i>(iii) the expansion is directly related to aquaculture facilities or infrastructure where the wastewater discharge capacity will be increase by 50 cubic meters or less per day.”</i></p>	<p>The proposed RO Plant will treat potable water and will have a design capacity of more than 100m³ per day.</p> <p>The expansion of the existing fishmeal processing plant will result in the need for an amended Coastal Waters Discharge Permit (“CWDP”) required in terms of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008).</p>

The abovementioned list is hereinafter referred to as “the listed activities”.

The holder is herein authorised to undertake the following alternative that includes the listed activities relating to the authorised development:

The authorised development entails the installation of a Reverse Osmosis (“RO”) plant and associated infrastructure at the West Point fish meal processing plant on Erf 1097, St Helena Bay.

The RO plant will be located in close proximity to a municipal water connection to tie into the “inlet” line. The municipal water supply will flow into the carbon filters and membrane units of the RO plant to remove the salts and minerals from the potable water. This would result in a more effective steam, improved energy generation within the plant and an increased efficiency of the boilers resulting, which in turn will result in the use of less coal and less chemicals being added to the fish meal process. ‘Clean’ water and effluent/brine will be produced by the RO plant.

The 'clean' water will be stored in storage vessels, which will feed directly into the current boiler system. The effluent/brine will flow directly into the existing facility's blow down sump and downstream effluent system. The effluent/brine will be discharged into the sea through the offshore Outfall B pipeline. Approximately 25% of the total volume of water processed by the RO plant will be discharged as effluent/brine, which equates to approximately 13 908m³ per annum.

Outfall B pipeline will be upgraded in accordance with the Environmental Authorisation issued by this Department on 27 July 2022 (Ref. No. 16/3/3/1/F4/20/3005/22).

The RO plant will have a design capacity to treat approximately 25m³ of potable water per hour, which amounts to approximately 55 632m³ per annum. The RO plant will be located within the development footprint of the existing facility.

C. SITE DESCRIPTION AND LOCATION

The authorised listed activities will be undertaken on Erf 1097, St Helena Bay.

The 21-digit Surveyor General code for the proposed site is:

Erf 1097, St Helena Bay	C04600130000109700000
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Site co-ordinates for the proposed RO plant is:

Middle point	32° 46'36.19" South	18° 02'57.63" East
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Site co-ordinates for the preferred discharge pipeline 'Outfall B' is:

Starting point	32°46'30.58" South	18°02'58.88" East
Middle point	32°46'23.45" South	18°03'03.42" East
End point	32°46'15.71" South	18°03'06.94" East

Refer to Annexure 1: Locality Plan and Annexure 2: Site Plan.

The said section of land is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

PHS Consulting
 c/o Mr. Paul Slabbert / Ms. Jenna Theron
 P.O. Box 1752
HERMANUS
 7200

Cell.: (028) 312 1734

Email: paul@phsconsulting.co.za / jenna@phsconsulting.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the Preferred Alternative described in the BAR dated July 2022 on the site described in Section C above.
2. The holder must commence with the listed activities on the site within a period of **five (5) years** from the date of issue of this Environmental Authorisation.

3. The development must be concluded within **ten (10)** years from the date of commencement of the listed activities.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternatives described in section B above must be approved in writing by the Competent Authority, before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

6. A minimum of 7 (seven) calendar days' notice, in writing must be given to the Competent Authority before commencement of land clearing activities.
 - 6.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 6.2. The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6, 7 and 11.

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision—
 - 7.1. Notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1. the outcome of the application;
 - 7.1.2. the reasons for the decision as included in Annexure 3;
 - 7.1.3. the date of the decision; and
 - 7.1.4. the date when the decision was issued.
 - 7.2. Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section G below;
 - 7.3. Draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 7.4. Provide the registered I&APs with:
 - 7.4.1. name of the holder (entity) of this Environmental Authorisation,
 - 7.4.2. name of the responsible person for this Environmental Authorisation,
 - 7.4.3. postal address of the holder,
 - 7.4.4. telephonic and fax details of the holder,
 - 7.4.5. e-mail address, if any, of the holder,
 - 7.4.6. the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

8. The listed activities, including site preparation, must not be commenced with within 20 (twenty) calendar days from the date the holder notifies the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided, i.e., the listed activities, including site preparation, must not be commenced with until the appeal is decided.

Management of activity

9. The Environmental Management Programme ("EMPr") (dated July 2022) and submitted as part of the application for Environmental Authorisation is hereby approved.
10. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") before commencing with construction activities to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.
12. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the office of the EA holder of the authorised listed activities and must be made available to any authorised person on request.
13. Access to the site referred to in Section C above must be granted and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see these for the purpose of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Reports must be prepared by an independent person and must contain all the information required in Appendix 7 of the EIA Regulations, 2014 (as amended).
 - 14.1. The holder must undertake an environmental audit within three (3) months of the commencement of the listed activities and submit an Environmental Audit Report to the Competent Authority within one (1) month of completion of the environmental audit.
 - 14.2. A second Environmental Audit Report must be submitted to the Competent Authority within one (1) month of the completion of the construction activities.
 - 14.3. Thereafter, an Environmental Audit Report must be submitted to the Competent Authority every five (5) years after the commencement of the operational phase.
 - 14.4. The holder must, within 7 (seven) days of the submission of the Environmental Audit Report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request.

Specific conditions

15. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

16. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.
17. The recommendations of the Marine Specialist Study and Dispersion Modelling for the proposed operation of a desalination plant (compiled by Anchor Environmental Consultants and dated 2022), as included in the EMPr, must be implemented.
18. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activities within the period specified in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. An application for amendment of the Environmental Authorisation must be submitted to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr, must be made in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (as amended).

1. An appellant must –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal form/s must be submitted by means of one of the following methods:

By post: Attention: Mr. M. Venter
 Western Cape Ministry of Local Government, Environmental Affairs and
 Development Planning
 Private Bag X9186
 CAPE TOWN
 8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr. M. Venter (Tel: 021 483 3721)
 Room 809
 8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001
5. The prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority/ at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the holder, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

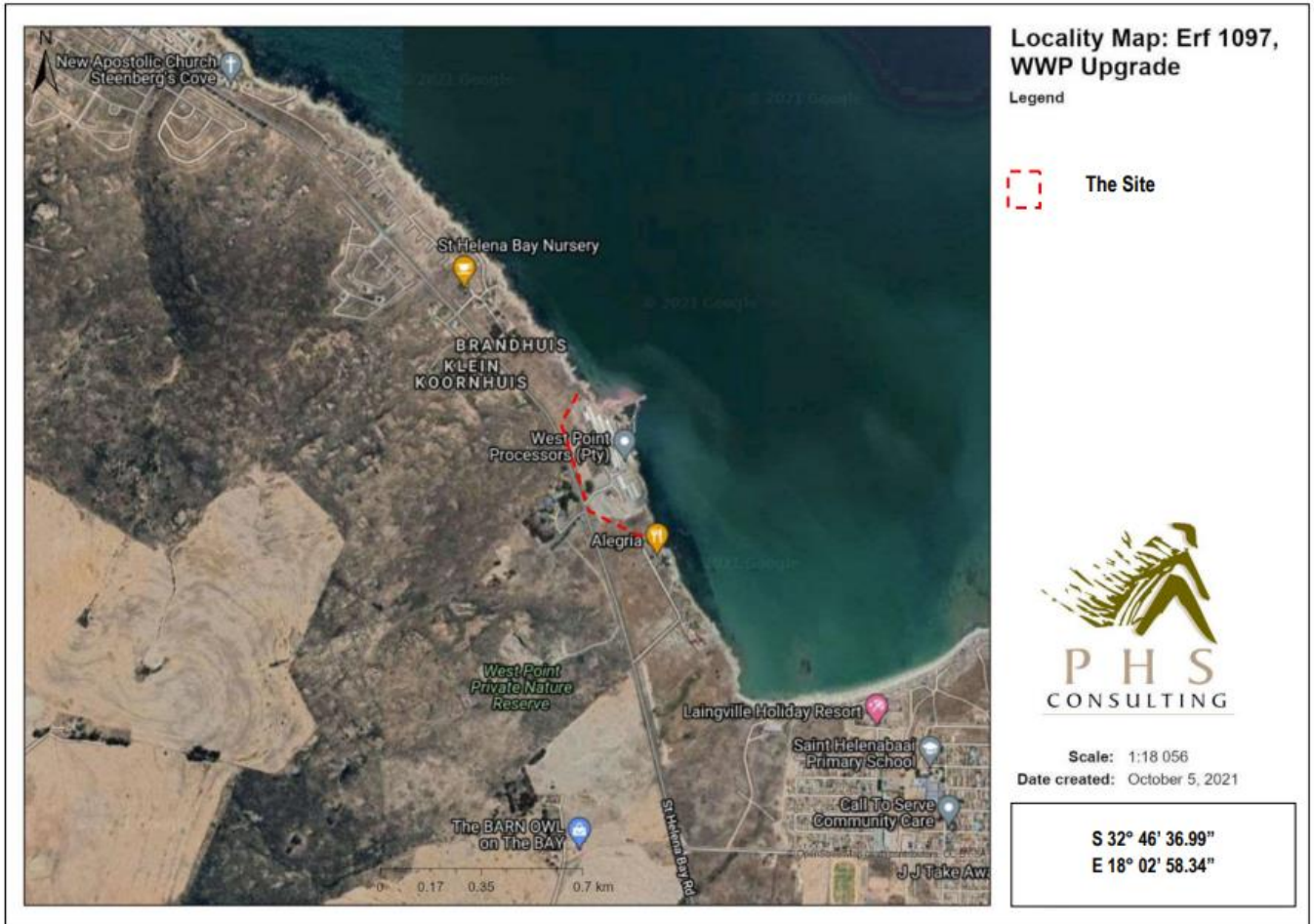
DATE OF DECISION: 11 NOVEMBER 2022

Copies to: (1) Mr. P. Slabbert / Ms. J. Theron (PHS Consulting)
(2) Ms. N. Duarte (Saldanha Bay Municipality)
(3) Mr. R. Molale (DFFE: Oceans and Coasts)

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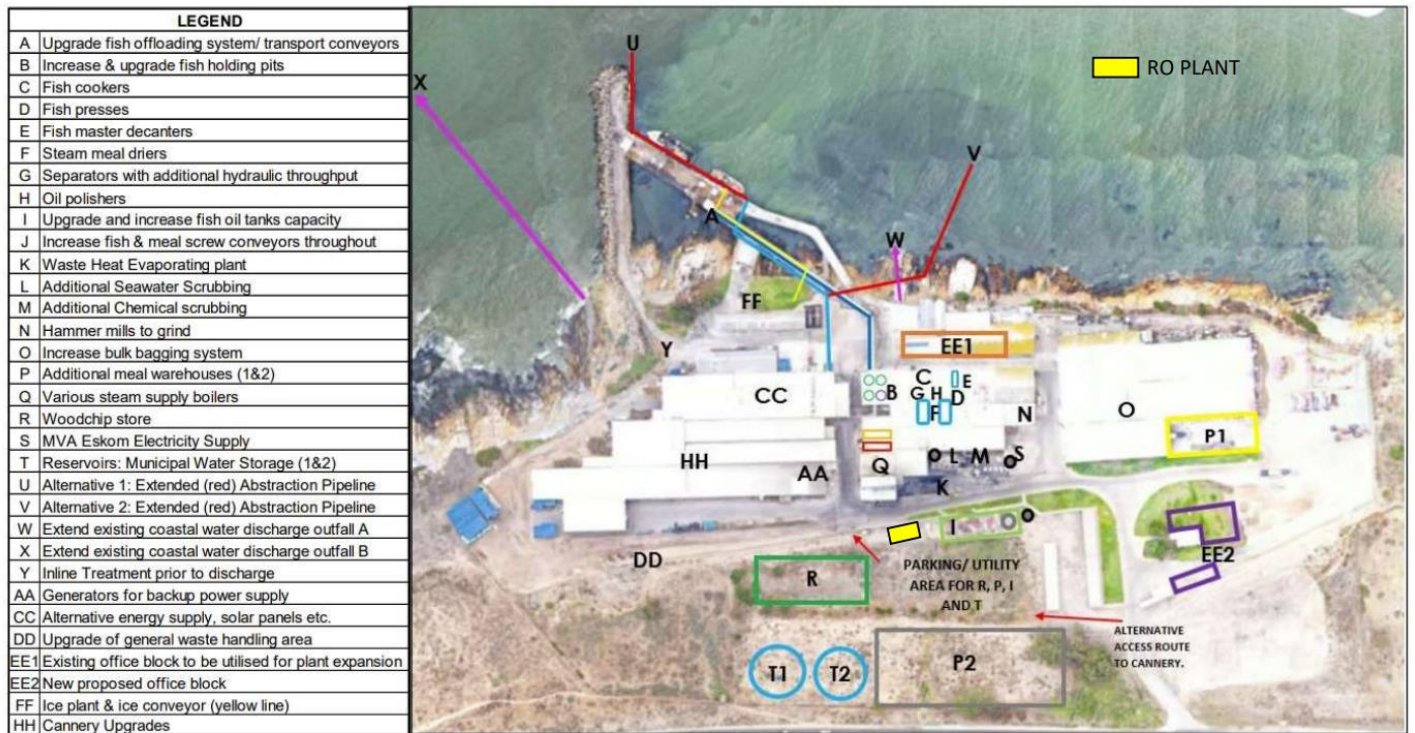
ANNEXURE 1: LOCALITY MAP

The subject property is demarcated in red below.



ANNEXURE 2: SITE PLAN

Site plan for the proposed development.



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, inter alia, the following:

- a) The information contained in the application form dated 23 May 2022 and received by the competent authority on 30 May 2022, the BAR dated July 2022 and received by the competent authority on 25 July 2022 and the EMPr (dated July 2022) submitted together with the BAR;
- b) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- d) The comments received from I&APs and responses to these, included in the BAR dated July 2022;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the competent authority was taken into account in the consideration of the application for environmental authorisation. A summary of the issues which, according to the competent authority, were the most significant reasons for the decision, is set out below.

1. Public Participation

The public participation process ("PPP") was undertaken for the application process and entailed the following:

- Identification of and engagement with I&APs;
- Fixing a notice board at the site where the listed activities are to be undertaken on 17 June 2022;
- Giving written notice to the occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 14 June 2022;
- The placing of a newspaper advertisement in the "Weslander" on 16 June 2022;
- The Draft BAR document was available on the EAP's company website www.phsconsulting.co.za for review.
- Making the draft BAR available to I&APs for comment from 20 June 2022 to 20 July 2022;

All of the concerns raised by I&APs were responded to and adequately addressed during the public participation process. This Department is satisfied that the PPP that was followed met the minimum legal requirements and all the comments raised and responses thereto were included in the comments and responses report. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address the concerns raised.

2. Alternatives

The proposed site is owned by the applicant and the intended purpose of the proposed development is to improve the efficiency of the existing Fish Processing Plant. Therefore, no site alternatives were identified and assessed. Layout Alternatives with respect to storage vessels for the storage of the 'clean' water was identified and assessed. However, the potential impacts related to the storage vessels remain the same for both layout alternatives. In terms of Operational Alternatives, the Marine Impact Assessment (compiled by Anchor Environmental and dated 2022) identified the existing Outfall A and Outfall B discharge points as potential discharge points for the effluent/brine, which will be produced by the RO Plant. However, since Outfall B will be upgraded in accordance with the Environmental Authorisation issued by this Department on 27 July 2022 (Ref. No. 16/3/3/1/F4/20/3005/22) only Outfall B was assessed.

The Preferred Alternative the “No-Go” alternative was identified and assessed as follows:

The Preferred Alternative - herewith authorised:

The Preferred Alternative entails the installation of a Reverse Osmosis (“RO”) plant and associated infrastructure at the West Point fish meal processing plant on Erf 1097, St Helena Bay.

The RO plant will be located in close proximity to a municipal water connection to tie into the “inlet” line. The municipal water supply will flow into the carbon filters and membrane units of the RO plant to remove the salts and minerals from the potable water. This would result in a more effective steam, improved energy generation within the plant and an increased efficiency of the boilers resulting, which in turn will result in the use of less coal and less chemicals being added to the fish meal process. ‘Clean’ water and effluent/brine will be produced by the RO plant. The ‘clean’ water will be stored in storage vessels, which will feed directly into the current boiler system. The effluent/brine will flow directly into the existing facility’s blow down sump and downstream effluent system. The effluent/brine will be discharged into the sea through the offshore Outfall B pipeline. Approximately 25% of the total volume of water processed by the RO plant will be discharged as effluent/brine, which equates to approximately 13 908m³ per annum.

Outfall B pipeline will be upgraded in accordance with the Environmental Authorisation issued by this Department on 27 July 2022 (Ref. No. 16/3/3/1/F4/20/3005/22).

The RO plant will have a design capacity to treat approximately 25m³ of potable water per hour, which amounts to approximately 55 632m³ per annum. The RO plant will be located within the development footprint of the existing facility.

The Preferred Alternative take cognisance of the requirements of the Marine Impact Assessment (compiled by Anchor Environmental and dated 2022) and optimises the use of the property to improve the efficiency of the existing facility.

“No-Go” Alternative

The “No-Go” alternative would result in maintaining the “status quo” of the existing facility. Although the existing facility can continue to operate in its existing status, the operational efficiency of the existing facility will remain unchanged. Since the Preferred Alternative will not result in unacceptable environmental impacts, the “No-Go” alternative was not warranted.

3. Impact Assessment and Mitigation measures

3.1. Activity Need and Desirability

The proposed site contains an existing fishmeal processing plant, which has been in existence since 1948. The proposed is zoned for Industrial use (Fishing Industry Zone). The proposed development is in keeping with the activities being undertaken within the site and in accordance with the existing land use rights of the property. The proposed development is in line with the relevant planning policies applicable to the area. The purpose of treating municipal/potable water supply is to remove salts and minerals from the potable water supply. The treated water would result in a more effective steam energy generation within the existing plant and increase the efficiency of the boilers. This is anticipated to result in the use of less coal and chemicals in the processing plant.

3.2. Marine impacts

A Marine Specialist Study and Dispersion Modelling for the proposed operation of a desalination plant (compiled by Anchor Environmental Consultants and dated 2022) was undertaken to assess the potential impacts associated with the discharge of effluent/brine emanating from the RO plant. The specialist noted that the existing facility currently discharges effluent through two separate shore outfalls, namely Outfall A and Outfall B.

Based on the current discharge volumes of both outfalls, it was proposed that the effluent/brine emanating from the RO plant be discharged via the Outfall B pipeline in combination with the fish processing effluent. The specialist indicated that should the existing effluent stream be combined with the effluent/brine of the RO plant and discharge through Outfall B, the combined effluent will not meet the Water Quality Guidelines for Total Suspended Solids in the 100m and 300m Recommended Mixing Zones.

The specialist took cognisance of the planned upgrade to the existing facility and the Outfall B expansion in terms of the issued by this Department on 27 July 2022 (Ref. No. 16/3/3/1/F4/20/3005/22). Based on the proposed upgrade to the Outfall B pipeline, the dispersion modelling indicated that the combined effluent would meet the requirements of the Water Quality Guideline limits for salinity and temperature at the 100m Recommended Mixing Zone.

However, the dispersion modelling further indicated that the combined effluent will not meet the Water Quality Guideline limits for Total Suspended Solids at either the 100m or the 300m Recommended Mixing Zones once ambient concentrations are taken into account. To reduce the Total Suspended Solids, the treatment of the effluent onshore and reduce the overall loading entering the system has been recommended by the specialist.

Mitigation measures have been recommended by the specialist to reduce the potential impacts on the marine environment as a result of the proposed RO plant. The mitigation measures have been included as a condition in this Environmental Authorisation and in the EMPr. In addition, the requirements of the National Environmental Coastal Management Act, 2008 (Act No. 24 of 2008) will be met as the existing Coastal Waters Discharge Permit for the existing facility will be amended accordingly.

3.3. Biodiversity Impacts

Since the proposed RO plant will occur within the development footprint existing facility, no indigenous vegetation will be cleared. No wetlands or watercourses are located on the proposed site. Although the proposed site is mapped as part of a Private Nature Reserve, the proposed site is not considered as Protected Area since the proposed site is zoned Fishing Industry and does not form part of the Private Nature Reserve.

Cape Nature indicated (in an electronic mail correspondence dated 20 July 2022), that the conclusions of the site sensitivity verification report regarding plant, aquatic, animal and terrestrial biodiversity sensitivities are accepted.

3.5. Noise and Dust Impacts

Potential noise and dust impacts are anticipated during the development phase. The potential noise impacts are anticipated to be insignificant with mitigation. Mitigation measures to reduce the potential noise impacts have been included in the EMPr.

3.6. Services

No additional municipal services (i.e. potable water supply, sewerage treatment and disposal and solid waste disposal) will be required to service the proposed RO plant. In addition, the additional electricity required for the RO plant is deemed insignificant. Eskom has confirmed electrical supply (in correspondence dated 30 November 2021).

The development will result in both negative and positive impacts.

Negative Impacts include:

- Potential disturbance to the marine environment; and
- Potential construction related impacts in terms of dust and noise impacts.

Positive impacts include:

- Improved efficiency to the existing facility;
- The use of less coal and chemical additions to the existing processes;
- Improved combined effluent dilution potential from the Outfall B pipeline; and
- The creation of some employment opportunities.

4. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), inter alia, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."*

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