



REFERENCE: 16/3/3/5/E2/10/1075/25
NEAS REFERENCE: WCP/EIA/AMEND/0000992/2025
DATE OF ISSUE: **24 OCTOBER 2025**

The Board of Directors
Aqunion (Pty) Ltd
P. O. Box 1086
HERMANUS
7200

Attention: Mr. R. Yearsley

Tel.: (028) 312 1106
Email: rowan@aqunion.co.za

Dear Sir

APPLICATION FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 3 MARCH 2009 (REFERENCE: E12/2/3/1-E2/11-0262/07), IN TERMS OF PART 1 OF CHAPTER 5 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED EXPANSION OF THE ROMAN BAY SEA FARM ON PORTION 2 OF FARM KLIPFONTEIN NO. 711, GANSBAAI

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** an amendment of the Environmental Authorisation issued on 3 March 2009 (Reference: E12/2/3/1-E2/11-0262/07), attached herewith, together with the reasons for the decision.
2. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2025, which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully

Zaahir Toefy
Digitally signed by Zaahir Toefy
Date: 2025.10.24 11:17:50 +02'00'

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Ms. P. Aplon (Overstrand Municipality)
(2) Mr. C. Arendse (Overstrand Municipality)
(3) Ms. M. Naylor (Lornay Environmental Consulting)
(4) Mr. A. Hanekom (Aqunion (Pty) Ltd)
(5) Ms. L. Schoonbee (Aqunion (Pty) Ltd)

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REFERENCE: 16/3/3/5/E2/10/1075/25
NEAS REFERENCE: WCP/EIA/AMEND/0000992/2025
DATE OF ISSUE: 24 OCTOBER 2025

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 3 MARCH 2009 (REFERENCE: E12/2/3/1-E2/11-0262/07), IN TERMS OF PART 1 OF CHAPTER 5 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED EXPANSION OF THE ROMAN BAY SEA FARM ON PORTION 2 OF FARM KLIPFONTEIN NO. 711, GANSBAAI

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

A. DECISION

By virtue of the powers conferred on me by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), I herewith **grant** the amendment of the Environmental Authorisation issued on 3 March 2009 (Reference: E12/2/3/1-E2/11-0262/07), in terms of Part 1 of Chapter 5 of the EIA Regulations, 2014 (as amended).

The EA is amended as set out below:

1. Section A: DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION:

*"Roman Bay Sea Farm (Pty) Ltd
% Mr. J A du Plessis
P. O. Box 965
GANSBAAI
7220*

*Tel.: (028) 384 1404
Fax: (028) 384 1407"*

is amended to read:

*Aqunion (Pty) Ltd
% Mr. R. Yearsley
P. O. Box 1086
HERMANUS
7200*

B. REASONS FOR THE DECISION

In reaching its decision, the Department took, inter alia, the following into consideration:

1. The amendment applied for is in terms of Part 1 of Chapter 5 of the NEMA EIA Regulations, 2014 (as amended) and will not change the scope of the Environmental Authorisation issued on 3 March 2009.
2. The amendments do not trigger any new listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) (Listing Notices 1, 2 and 3 in Government Gazette No. 40772 of 7 April 2017) promulgated in terms of the NEMA.
3. The amendment will not result in an increased level or nature of the impacts that were considered and assessed during the initial application for Environmental Authorisation or the subsequent amendment process.
4. The environment and the rights and interests of interested and affected parties ("I&APs") will not be adversely affected by the decision to amend the Environmental Authorisation.

C. CONDITIONS

1. All other conditions contained in the Environmental Authorisation issued on 3 March 2009 (Attached as Annexure A), remain unchanged and in force.

D. APPEALS

Appeals must comply the *National Appeal Regulations, 2025* (Government Notice No. R. 5985 in Government Gazette No. 52269 of 13 March 2025). Please note the provisions of Regulation 1(2) & (3) of the *National Appeal Regulations, 2025* when calculating the period of days.

1. The holder (applicant) of this decision must submit an appeal to the Appeal Administrator, any registered Interested and Affected Parties (I&APs) and the decision maker (Competent Authority who issued the decision) within **20 calendar days** from the date this decision was sent by the decision maker.
2. The I&APs (not the holder of this decision) must submit an appeal to the Appeal Administrator, the holder (applicant) of the decision and the decision maker within 20 calendar days from the date this decision was sent to the registered I&APs by the holder (applicant) of the decision.
3. All appeals submitted must:
 - a. be in writing in the appeal form obtainable from the Departmental website;
 - b. include supporting documents referred to in the appeal; and
 - c. include proof of payment of the prescribed non-refundable appeal fee, if prescribed.
4. The holder (applicant) of the decision must:
 - a. notify registered I&APs and affected organs of state of any appeal received, and make the appeal available to them, within 5 calendar days after the 20-day appeal period ends.

- b. Submit proof of this notification to the Appeal Administrator within 5 calendar days after sending the last notification.
5. The applicant, where applicable, the decision-maker, or any person notified under regulation 4 of the National Appeal Regulations, 2025 may submit a Responding Statement within **20 calendar days** from the date they received the appeal, in the form obtainable from the Department website to the Appeal Administrator and to the appellant, where the appellant is not the applicant.
6. Appeals, Responding Statements and supporting documents must be submitted to the Appeal Administrator by means of one of the following methods:
 - a. **By e-mail:**
DEADP.Appeals@westerncape.gov.za or
 - b. **By hand** where that person submitting does not hold an electronic mail account:
Attention: Mr Marius Venter
Room 809, 8th Floor Utilitas Building,
1 Dorp Street, Cape Town, 8001

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Administrator via email or to the address listed above.

A prescribed appeal form, responding statement form as well as assistance regarding the appeal processes is obtainable from the relevant website of the appeal authority: <http://www.westerncape.gov.za/eadp> or the office of the Minister at: Tel. (021) 483 3721 or email DEADP.Appeals@westerncape.gov.za

E. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this EA 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 appreciated.

Yours faithfully

Zaahir Toefy
Digitally signed by Zaahir Toefy
Date: 2025.10.24 11:18:16 +02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 24 OCTOBER 2025

CC: (1) Ms. P. Aplon (Overstrand Municipality)
(2) Mr. C. Arendse (Overstrand Municipality)
(3) Ms. M. Naylor (Lornay Environmental Consulting)
(4) Mr. A. Hanekom (Aqunion (Pty) Ltd)
(5) Ms. L. Schoonbee (Aqunion (Pty) Ltd)

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ANNEXURE A

**ENVIRONMENTAL AUTHORISATION ISSUED 3 MARCH 2009 (REFERENCE:
E12/2/3/1-E2/11-0262/07)**

Verwysing
Reference
Isalethiso

E12/2/3/1-E2/11-0252/07

Navrae
Enquiries
Imbuzo

NATASHA BIEDING

Datum
Date
Umhla

Of Issue

Departement van Omgewingsake en Ontwikkelingsbeplanning
Department of Environmental Affairs and Development Planning
ISebhe leMfimbini yeNdalo esiNgqongileyo noCwangeciso loPhuhliso



The Board of Directors
Roman Bay Sea Farm (Pty) Ltd
P O Box 966
GANSBAAI
7220

Attention: J. A du Plessis

Tel: (028) 384 1404
Fax: (028) 384 1407

Dear Sir

APPLICATION: THE PROPOSED EXPANSION OF THE ROMAN BAY SEA FARM ON PORTION 2 OF THE FARM KLIPFONTEIN NO. 711, GANSBAAI.

With reference to your application, find below the environmental authorisation in respect of this application.

ENVIRONMENTAL AUTHORISATION

A. DESCRIPTION OF ACTIVITY:

The proposed activity entails the expansion of the existing abalone culture operation. The expansion will take place in two phases and will include:

- expanding the abalone production facilities to increase the production capacity of the current facility;
- extension of the existing hatchery building, water storage reservoir, a 7 hectare platform for additional grow out tanks, sheds, service buildings, blower rooms, effluent channels and staff housing;
- installation of an upgrade seawater intake supply and outlet system comprising of a seawater intake structure, main single stage pump station, gully, settling basin with a debris removal area, a workshop/generator area, two additional seawater supply riser pipelines to transport fresh seawater to the water storage reservoir;
- construction of a seaweed culture area;
- construction of a secondary mariculture operation;
- construction of a new access roadway;
- settling dam and debris removal and separation facility;
- water supply pipelines to the existing and new water storage reservoir;
- effluent channels to transport seawater back to sea; and

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Privaatsak X9086 Kaapstad 8000

Utilitas Building, 1 Dorp Street
Private Bag X9086 Cape Town 8000

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E-mail: nbieding@pgwc.gov.za

*Department of Environmental Affairs & Development Planning
Directorate: Integrated Environmental Management (Region B)*

- secondary mariculture seaweed culture areas; and
- relocation of the existing access road and overhead power supply line.

These are activities identified in Government Notice No. R. 386 of 21 April 2006, being:

Activity Number 1(i): The construction of facilities or infrastructure, including associated structures or infrastructure for aquaculture production, including mariculture and algae farms, with a product throughput of 10 000 kilograms or more per year;

Activity Number 1 (k): The construction of facilities or infrastructure, including associated structures or infrastructure for the bulk transportation of sewage and water, including storm water, in pipelines or channels with -

- (a) An internal diameter of 0,36 metres or more; or
- (b) A peak throughput of 120 litres per second or more,

Activity Number 2: Construction or earth moving activities in the sea or within 100 metres inland of the high-water mark of the sea, in respect of -

- (a) facilities for the storage of material and the maintenance of vessels;
- (b) fixed or floating jetties and slipways;
- (c) tidal pools;
- (d) embankments;
- (e) stabilising walls;
- (f) buildings; or
- (g) infrastructure;

Activity Number 5: The removal or damaging of indigenous vegetation of more than 10 square metres within a distance of 100 metres inland of the high-water mark of the sea;

Activity Number 6: The excavation, moving, removal, depositing or compacting of soil, sand, rock or rubble covering an area exceeding 10 square metres in the sea or within a distance of 100 metres inland of the high-water mark of the sea;

Activity Number 15: The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long;

Activity Number 16: The transformation of undeveloped, vacant or derelict land to -

- (b) residential, mixed, retail, commercial, industrial or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 1 hectare.

hereinafter referred to as "the activities".

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Directorate: Integrated Environmental Management (Region B)*

B. LOCATION:

The proposed development will be located at the existing Roman Bay Sea Farm, on Portion 2 of the Farm Klipfonteyn 711, Gansbaai which is located approximately 2km south from the town Gansbaai and adjacent to the Atlantic Ocean.

Co-ordinates:

Starting point of activity:

Latitude: 34° 36' 00" S

Longitude: 19° 20' 56" E

Middle point of activity:

Latitude: 34° 36' 8" S

Longitude: 19° 20' 15" E

End point of activity:

Latitude: 34° 36' 15" S

Longitude: 19° 20' 35" E

The SG 21 Digit code for the site is C01300090000071100002

hereinafter referred to as "the property"

C. APPLICANT:

Roman Bay Sea Farm (Pty) Ltd
% J A Du Plessis
P O Box 965
GANSBAAI
7220

Tel: (028) 384 1404

Fax: (028) 384 1407

D. ENVIRONMENTAL ASSESSMENT PRACTITIONER:

Pierre Joubert Landscape Architect (PJLA)
% Pierre Joubert
P O Box 1025
HERMANUS
7200

Tel: (028) 314 1497

Fax: (028) 314 1497

E. SITE VISIT(S):

No site visits were conducted.

F. DECISION:

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation that the applicant should be authorised to undertake the activity specified above.

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Directorate: Integrated Environmental Management (Region B)*

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations, 2006, the Department hereby authorises the activity described above and grants exemption from:

Regulation 56 (2) (a)(i): *"Fixing a noticeboard at a place conspicuous to the public at the boundary or on the fence of the site where the activity to which the application relates is or is to be undertaken"*.

The granting of this environmental authorisation is subject to the conditions set out below.

G. CONDITIONS OF AUTHORISATION:

1. The activity, including site preparation, may not commence within 20 (twenty) days after receipt of this environmental authorisation. In the event that an appeal notice and subsequent appeal is lodged with the competent authority, the effect of this environmental authorisation will be suspended until such time as the appeal is decided.
2. One week's notice, in writing, must be given to the Directorate: Integrated Environmental Management (Region B), (hereinafter referred to as "this Directorate"), before commencement of construction activities.
 - 2.1 Such notice shall make clear reference to the site location details and reference number given above.
 - 2.2 The said notice must also include proof of compliance with the following conditions described herein:
Conditions: 1, 5, 7, 23 and 27.
3. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate.
 - 3.1 Any solid waste that cannot be recycled or re-used shall be disposed of at a waste disposal facility licensed in terms of section 20 of the Environment Conservation Act, 1989 (Act No. 73 of 1989). The Department's Waste Minimization Guideline Document for Environmental Impact Assessment Reviews (May 2003, available on request from the Department) must be taken into account.
4. No surface or ground water may be polluted due to any activity on the property/site.
5. The necessary approval must be obtained from the Department of Water Affairs and Forestry ("DWAF") should any trimming, cutting or disturbance of the protected milkwood trees be necessitated.
6. The laying of the pipes and cables must comply with the relevant regulations in terms of the Sea Shore Act, 1935 (Act No. 21 of 1935).
7. The necessary lease must be obtained from the Provincial Department of Public Works should the pipes or cables traverse state owned land.

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Directorate: Integrated Environmental Management (Region B)*

8. Should any heritage remains be exposed during excavations, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999). Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape:
 - 8.1 If any archaeological remains (including but not limited to fossil bones and fossil shells, coins, indigenous and/or colonial ceramics, any articles of value or antiquity, marine shell heaps, stone artefacts and bone remains, structures and other built features, rock art and rock engravings) are discovered during construction they must immediately be reported to Heritage Western Cape and must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.
 - 8.2 If any graves or unmarked human burials are discovered, they must be treated with respect and South African heritage Resource Agency ("SAHRA") must be notified immediately and the burials must not be disturbed further until the necessary approval has been obtained from SAHRA. An archaeologist must be contracted to remove the remains at the expense of the developer.
9. Any effluent released from the activity back into the sea must be to the standards and satisfaction of the Department of Environmental Affairs and Tourism: Marine and Coastal management (MCM). Any chemicals used to clean the tanks and pipes may not be released into the sea without prior written consent of MCM.
10. A suitably qualified coastal ecologist must be appointed to monitor and ensure the safekeeping of coastal birds and marine animals during rock blasting activities as a precautionary measure. This should be done in close consultation with Department of Environmental Affairs and Tourism: MCM.
11. All blasting activities must be conducted during low tide so as to limit the impacts of shock waves. Marine animals found in the vicinity of the where blasting activities are proposed must be rescued and placed in another location similar to its original habitat before such activities commence.
12. The infrastructure associated with the proposed expansion of the facility must be designed and planned to minimise risk or harm to the environment and the local fauna inhabiting the area.
13. The runoff from the road must first be directed to a catch pit before it is to enter the sea.
14. All infrastructure associated with the expansion of the abalone culture operation must be regularly maintained.
15. All building material/rubble must be removed upon completion of construction activities.

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Directorate: Integrated Environmental Management (Region B)*

16. The development must incorporate water and energy saving technologies. This must include, but not be limited to, the following:
 - 16.1 Low-energy light bulbs must be installed on the grounds of the proposed development. Replacement bulbs must also be low-energy.
 - 16.2 External lighting must be kept to a minimum to reduce energy wastage. All external lighting must be switched off during the day.
 - 16.3 Waterwise landscaping must be done. Indigenous plants and plants that require very little water must be used. The use of kikuyu grass must be prohibited. Non-invasive, low-water use grass must be used for lawns.
 - 16.4 All toilets installed on the property must be dual-flush toilets.
 - 16.5 All shower heads must be fitted with water-saving devices i.e. low-flow showerheads. Tap aerators and/or flow restrictors must also be installed on all taps.
17. Suitable screening measures incorporating the planting of locally found indigenous vegetation and trees are to be used to mitigate the visual impacts of the development.
18. The mitigation measures detailed in the Botanical Assessment Report dated 1 March 2008 compiled by Nick Helme of Nick Helme Botanical Surveys must be complied with (refer to Appendix A).
19. The recommendations detailed in the Archaeological Impact Assessment dated November 2008 compiled by Dr Lita Webley of the Archaeology Contracts Office must be complied with (refer to Appendix B).
20. The mitigation measures and recommendations as detailed in the revised Basic Assessment Report ("BAR") dated December 2008 compiled by Pierre Joubert of Pierre Joubert Landscape Architect & Environmental Consultant cc must be adopted and implemented (refer to Appendix C)
21. The Construction Phase Environmental Management Plan ("CEMP") submitted as part of the application for environmental authorisation is accepted and must be implemented.
22. The relevant sections and regulations of the National Water Act, 1998 (Act No. 36 of 1998) regarding water use must be adhered to.
23. The holder of the authorisation must appoint a suitably experienced Environment Control Officer ("ECO") (or Site Agent where appropriate) for the construction phase of the development before commencement of any land clearing or construction activities to ensure compliance with the provisions of the CEMP.
24. The ECO must, at all times, ensure that the construction activities comply with the Noise regulations in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989).
25. The Operational Phase Environmental Management Plan ("OEMP") submitted as part of the application for environmental authorisation is accepted and must be implemented.

*Department of Environmental Affairs & Development Planning
Directorate: Integrated Environmental Management (Region B)*

26. With reference to the Operational Phase Environmental Management Plan ("OEMP"), the applicant must submit Environmental Audit Reports, ("audit reports") to this Directorate within one (1) year after the first phase of the development has become operational and upon completion of the entire development.
 - 26.1 The audit reports must indicate the date(s) on which construction was completed, detail compliance with the conditions of this environmental authorisation as well as recommendations for improved environmental management.
 - 26.2 Records of all audits must be maintained with the OEMP for safekeeping and must be made available to the Department upon request.
 - 26.3 This Directorate may require remedial action should the audit reports reflect that rehabilitation is inadequate.
 - 26.4 If the audit reports are not submitted, this Directorate may give 30 days written notice and may have such an audit undertaken at the expense of the applicant and may authorise any person to take such measures necessary for this purpose.
27. The applicant must, in writing, within 10 (ten) calendar days of being notified of the Department's decision to authorise the activity (the date of "being notified" is deemed to be the date the notice of the Department's decision was sent) –
 - 27.1 Specify the date on which the authorisation was issued.
 - 27.2 Inform all registered interested and affected parties of the appeal procedure provided for in Chapter 7 of the NEMA regulations.
 - 27.3 Advise all registered interested and affected parties that, should they wish to appeal that they must lodge a Notice of Intention to Appeal with the Minister, within 10 days of being notified of the Department's decision (the 10 day period available to registered interested and affected parties is deemed to only start 10 calendar days after the date of issue of the Department's decision) and must submit their appeal within 30 days of the lodging of their Notice of Intention to appeal.
 - 27.4 Inform every interested and affected party that a prescribed Notice of Intention to Appeal form and Appeal form are obtainable from the Minister's office at tel (021) 483 3721, email or URL <http://www.capegateway.gov.za/eadp>.
 - 27.5 Inform all interested and affected parties that should they wish to appeal, the appellant must serve on the applicant, on the same day that the notice of Intent is lodged with the Minister, a copy of the Notice of Intention to Appeal form as well as a notice indicating that the appeal submission will be available for inspection for a period of 30 days, that must either start on or before the date the appeal is submitted to the Minister, and also indicate where the appeal submission will be available for inspection.
 - 27.6 If the applicant should decide to appeal, the applicant must –

*Department of Environmental Affairs & Development Planning
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- lodge a Notice of Intention to Appeal with the Minister, within 10 days of being notified of this decision (the date of "being notified" deemed to be the date the notice of the Department's decision was sent);
 - submit the appeal within 30 days of the lodging of the Notice of Intention to Appeal; and
 - serve a copy of the Notice of Intention to Appeal, on the same day that the Notice of Intent is lodged with the Minister, on all registered interested and affected parties as well as a notice indicating that the appeal submission will be available for inspection for a period of 30 days, that must either start on or before the date the appeal is submitted to the Minister, and also indicate where the appeal submission will be available for inspection.
28. The holder of the authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including but not limited to, an agent, sub-contractor, employee or any person rendering a service to the holder of the authorisation.
 29. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
 30. The holder of the authorisation must notify this Directorate and any other relevant authority, in writing, within 24 hours thereof if any condition of this authorisation is not adhered to.
 31. A copy of this authorisation must be kept at the property where the activities will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
 32. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
 33. Non-compliance with a condition of this authorisation may result in the withdrawal of the authorisation and may render the holder liable for criminal prosecution.
 34. This Department must be notified, within 30 days thereof, of any change of ownership and/or project developer. Conditions imposed in this authorisation must be made known to the new owner and/or developer and are binding on the new owner and/or developer.
 35. Departmental officials shall be given access to the property referred to in B above for the purpose of assessing and/or monitoring compliance with the

*Department of Environmental Affairs & Development Planning
Directorate: Integrated Environmental Management (Region B)*

conditions contained in this environmental authorisation, at all reasonable times.

36. The activities which are authorised may only be carried out at the property indicated above.
37. Notwithstanding this authorisation, the holder of the authorisation must still comply with any other statutory requirements that may be applicable to the undertaking of the activity.
38. The activities must commence within a period of 2 (two) years from the date of issue. If commencement of the activities does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.

H. RECOMMENDATIONS:

The Directorate recommends that the following should be considered in planning the development:

- The pipelines are to be constructed and completed during the dry season, so that rainwater will not erode loose soil and deposit it as mud on the beach. This is also to allow for natural rehabilitation to take place during the winter growing season.
- The blasting activities are to take place outside the breeding season of the peak whale season (August to October) and the African Black Oystercatcher (*Haematopus moquini*) (October to April) and precautions be taken if either are found in the vicinity.
- People from the local surrounding communities should be employed during the construction and operational phases of the proposed expansion of the existing facility.

I. REASONS FOR THE DECISION:

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- (a) The information contained in the Application Form and BAR received on 2 September 2008 compiled by Pierre Joubert of Pierre Joubert Landscape Architect & Environmental Consultant.
- (b) Site Plans of the proposed expansion of the existing facility compiled by Spronk & Associates Inc.
- (c) Photographs of the proposed expansion of the existing facility.
- (d) Letter of approval/consent to lease land between the low and high water mark of the Atlantic Ocean dated 28 August 2004 from CapeNature.
- (e) A copy of the permit to engage in mariculture activities dated 15 January 2007 from The Department of Environmental Affairs and Tourism MCM.
- (f) Letter of Current Zoning status of the Site dated 5 August 1996.
- (g) A specialist report on the potential effects of Roman Bay Abalone Farm effluent discharges dated 7 October 2007 by Lwandle Technologies (Pty) Ltd.

*Department of Environmental Affairs & Development Planning
Directorate: Integrated Environmental Management (Region B)*

- (h) Memorandum on Rock Blasting for Roman Bay Abalone Farm dated 15 October 2007 by WML Coastal Consulting Engineers.
- (i) Assessment report of probable Environmental Effects of Blasting and Requirements of Mitigation and Management dated March 2004 by the Hermanus Abalone (Pty) Ltd, Hermanus New Harbour.
- (j) Study of Renewable Energy Report for the Roman Bay Sea Farm dated 8 May 2008 by the Centre for Renewable and Sustainable Energy Studies, Faculty of Engineering at the University of Stellenbosch.
- (k) The Botanical Assessment of the proposed expansion of the Roman Bay Aquaculture facility, phases 2 & 3 (portion 2 of the Farm Kipfonteyn 711), Gansbaai dated 1 March 2008 by Nick Helme Botanical Surveys.
- (l) Archaeological Impact Assessment Report dated November 2008 by the Archaeological Contracts Office at the Department of Archaeology, University of Cape Town.
- (m) Correspondence from the Overstrand Municipality dated 21 August 2008
- (n) The additional information received on 7 October 2008 from Pierre Joubert of Pierre Joubert Landscape Architect & Environmental Consultant;
- (o) The revised BAR received on 17 December 2008;
- (p) The additional information from Common Ground, ICE Group (Pty) Ltd, the DWAF, HWC, the Ward councillor, Romansbaai Beach and Fynbos Estate received on 2 February 2009;
- (q) Relevant information contained in the Departmental information base and
- (r) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significant is set out below.

Biophysical

The proposed development will entail the expansion of an existing abalone culture operation situated close to the coast. The area consists of indigenous vegetation which includes some Red Data Book species which are in a good condition. According to the Botanical Assessment, should the proposed mitigation measures be implemented then the overall impact of the proposed development on the natural vegetation could be reduced to an acceptable level. These mitigation measures as proposed in the abovementioned assessment therefore formed part of the conditions of this authorisation. Additional conditions also included that the loss of indigenous vegetation through construction activities is directly mitigated by means of such species being replanted to another suitable location on the same property.

A CEMP will be implemented during the construction of the proposed development. The development area during construction will be kept to a minimum and "no-go" areas will be clearly demarcated. In addition thereto, compliance with conditions of this authorisation ensures that the presence of fauna in the proposed area is not negatively affected. This is enforced by condition 10, which requires that an ecologist work closely with the Department of Environmental Affairs and Tourism:

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MCM in ensuring that precautions are taken during the blasting activities associated with the proposed expansion of the existing facility.

In addition, the OEMP will be implemented during the operation of the proposed development that will ensure that the operations of the proposed development take place in an acceptable manner. The operational phase with specific reference to the effects of the effluent discharges as demonstrated in an assessment are expected to be of negligible significance. This is based on calculations from other abalone farms' published measurements which indicates that the resultant effluent discharge's median inorganic nutrient concentrations are be similar to ambient concentrations in the receiving environment, i.e. the sea. Furthermore, toxicity effects from ammonia generated mainly by the abalone metabolism are expected to be low based as the threshold for reaching potentially toxic levels are not expected to be exceeded. It is also predicted that the increase in turbidity brought on by the increase in suspended sediment concentrations would be minor under normal farm operating conditions. This could be contributed to the practice whereby farm seawater is first pumped through a sedimentation chamber and then into large reservoirs which provides an opportunity for a significant proportion of the suspended sediment in the incoming seawater to settle out of the water column.

No significant biophysical impacts are thus anticipated for the proposed development.

Archaeological

An archaeological survey was conducted for the proposed expansion of the existing facility. No significant archaeological remains were found on the proposed site as the majority of ships would have wrecked further south of the proposed site. Shell midden complexes are found on the property, of which 2 (two) of the middens are found along the coastal margin, while the other midden is located on a hill next to the existing abalone plant. Impacts of the proposed development on the shell middens are expected to not be significant. Implementation of condition 19 will ensure that construction activities takes place so as to not have a significant impact on the shell middens; and that activities will have to be planned and executed in consultation with an archaeologist.

Visual

The abalone grow-out tanks will be situated at the highest point of the site, which will be slightly visible from the entrance road and adjacent sites to the north. The sea water supply riser pipeline from the sea water intake structure to the grow-out tanks platform area will be partially be visible from the adjacent site to the south of the proposed development. These visual impacts will be mitigated by means of appropriate screening measures such as the planting of trees and indigenous vegetation. The proposed pipeline will also be concealed by laying it sub-surface, i.e. underground and rehabilitating the surface area with stockpiled topsoil. It can therefore be expected that the visual impacts resulting from the proposed development can be mitigated and that no significant visual impact will result from the proposed activity.

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Activity need and desirability

There are few sites along the coast that are suitable for abalone culture. The proposed extension of the existing facility will ensure that the applicant optimally uses his property and expand his production in order to remain competitive in the international market. Production capacity also needs to be increased in order to match the increased demand for the specific product.

Socio-economic

The greater Gansbaai area's economy is driven by tourism, agriculture, related manufacturing industries and mariculture. It is envisaged that the proposed development will bring employment opportunities to the town's growing population and unemployment sector.

Cumulative effects of the proposed activity

The proposed development would ultimately lead to increase in effluent discharge. The planned expansions will produce 3.75 times higher effluent discharge volumes than the present farm configuration. The seawater management infrastructure at the Roman Bay Farm reinforces methods in which effluent discharge reservoirs receives the heavier particles in the effluent water and thereby reducing the total loads in discharged effluent. This means that despite the higher effluent volumes that the proposed farm expansion will generate the effects on biological communities and ecological processes in the receiving environment is expected to be low.

Policy: Regional/planning context

The current activities and proposed expansion thereof is and will be in accordance with the landuse rights allocated to the site.

NEMA Principles

The National Environmental Management principles set out in Section 2 of the National Environmental Management Act, 1998 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 in terms of the said Act. This Department adopted an integrated approach during its decision-making by taking cognisance of the three pillars (biophysical, social and economic) of sustainable development.

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Alternatives

Alternatives for effluent removal:

Settling dam and debris removal facility

Seawater from the first stage pumps will be delivered to a settling dam. The dam will also function as a reservoir and balancing dam. Depending on the need for further cleaning of seawater, the seawater can undergo drum filter cleaning and/or cyclone cleaning at this location. An option is to consolidate the settling and screening into a single facility along with a single stage pumping scheme.

Main riser pipelines

Requires that all pipes be buried and surface areas be rehabilitated reaching a length of approximately 337m.

Reservoir and Seawater Distribution network

The reservoir would be constructed into the side slope of the hillock to minimize the visual impact. Construction will be similar to existing reservoirs on site. The seawater distribution will take place from the reservoir to the platform with grow-out tanks. The pipe-work will be run along the surface with other piping and infrastructure.

Seawater outlet system (effluent channel)

The proposed expansions will produce higher effluent levels. The additional intake of seawater would also necessitate additional output facilities such as the effluent channels. The proposed effluent channel will run along the boundary of an existing platform. The effluent channel will partially cut into the soil along the boundary to ensure sufficient fall for gravitational water flow. The effluent from this channel will also be utilised as a source of food for the seaweed culture area in the North West corner of the site, since the effluent is rich in nutrients due to the high content of abalone faecal material.

Alternatives layouts for the secondary mariculture production facilities:

Layout 1 (rejected alternative)

Secondary mariculture production of growing foodstock, i.e. seaweed and wormculture proposed. The area for such operations would be around an existing bio-filter area.

Layout 2 (preferred alternative)

This secondary mariculture production facility will also be located at the existing bio-filter area but has specific adaptations based on the botanical assessment which was conducted. This moreover means that the proposed facility's design incorporates a buffer of natural vegetation around the highly sensitive limestone outcrop. The design of the facility also took into account the milkwood thickets to ensure that they are avoided as far as possible.

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Alternative layouts based on the overall design of the facility

The access road was located to its preferred position so as to provide space for the development of the platforms, extended hatchery and new staff houses.

The seaweed culture production facilities will be located to the furthest north-western portion of the site for the growing seaweed as food stock source for the abalone.

Alternative layouts for the additional abalone production facilities

Layout 1 (rejected alternative)

Mariculture support infrastructure

The platforms for the grow-out tanks will require earthworks in order to provide a level bed. The area will possibly be terraced in order to limit the extent of earthworks. In addition, it will be necessary to develop support infrastructure consisting of new sheds, service buildings and blower rooms. The existing hatchery will also be expanded while additional staff houses will also be constructed.

Layout 2 (preferred alternative)

This alternative is identical to layout 1 except that the facility was redesigned to accommodate the mitigation measures of the botanical assessment. Therefore this layout incorporates an adequate ecological corridor. This entails allowing a corridor of natural vegetation between the eastern and western parts of the site along the northern boundary. The moreover corridor is at least 40m wide at its narrowest point.

Other: Alternatives for main operations

Seawater intake & outlet system option: Gully with single stage pump seawater intake system (preferred alternative)

The intake would be constructed with concrete and set in existing rock. Rock will need to be blasted to enable the construction of the intake structure. The gully would either be a natural, modified or man-made gully or cut into the existing rock reef extending into the sea from the shore. The gully would be open on both ends on the rock promontory to minimize settlement of debris, cobbles and sediment. An access road will run parallel to the gully to allow for debris removal in the gully. The intake will receive a grating to enable the raking and removal of loose debris and flotsam. The intake inner area will be deepened to allow the settlement of cobbles and heavy sediment. The intake will have constructed compartments to allow for several individual pump intakes in order to minimize the risk of major blockages and thereby ensuring that water can be extracted at all times from neighbouring compartments. For the single stage pumping scheme, the intake structure, settling tank, debris removal and pumphouse will be a consolidated structure with the floor level below sea level and cut into the rock. The single stage pumping scheme, the generator room and workshop will be located near the existing pump house.

The advantages of the gully alternative are as follows:

- There is positive access to seawater at all times
- Least visual impact
- Access for maintenance most of the time
- Adherence to the mitigation measures of the Botanical Assessment conducted as part of the application

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The disadvantages of the gully alternative are as follows:

- A regular need for debris removal
- High maintenance for access roadway
- Higher risk of blockages compared to the jetty alternative
- Risk of sediment deposition during storms and exposure to/or interruption of coastal processes
- Potential negative impact of blasting of rock on surrounding marine life

Seawater intake & outlet system option: jetty with first and second stage pumps
seawater intake system (rejected alternative)

The jetty would be an open piled concrete or steel structure with the initial portion of the jetty which would be constructed and founded on the existing rock reef. The latter portion of the jetty would be constructed into the sea to a depth of at least -2.5 m. The jetty would be sized to carry at least the load of a light service vehicle and the jetty head will have a pump house for the first stage pumps. The pumps will have intake towers or pipes secured to the jetty extending into the sea on the sea bottom. The first stage entails installing a series of smaller pump sets each with an individual intake pipe into the sea from the jetty or into the intake chamber next to the gully. The reason for the multiple pump sets is to limit the risk of blockage of a single intake. For the initial phase, three or four pumps are being considered. For the jetty, a high volume – low lift propeller type pump could be considered which would feed into an open channel located on the jetty. The pumps will be located in close vicinity to the intake structure in a weather and storm proof house or setback with longer suction lines. The second stage will be located immediately next to the settling dam. These pumps are optimized to lift the seawater to the upper reservoir or directly to the grow-out tank platform. The pumps will be fed directly from the settling dam and will thus always operate under a positive head. A generator room and workshop for the maintenance and servicing of the pumping facilities will be incorporated into the pump room. An access road to the jetty will be necessary to allow for maintenance.

The advantages of the jetty alternative are as follows:

- Continuous all weather access to seawater
- High quality seawater and low potential for intake of debris and sand
- All weather access to pump sets and pipeline for maintenance
- Least chance of blockages and shutdown of the whole facility
- Ease of installation of pipeline and phasing of installation

The disadvantages of the jetty alternative are as follows.

- High capital costs
- Exposed to wave action both during construction and operation
- Visual impact of the jetty structure
- Less energy efficient

No-go option

The option of not expanding the existing facility means that the status quo of the existing abalone farm with all its related activities, facilities and infrastructure will remain. This is considered not to be viable since the facility is already owned by the largest mariculture group in South Africa. In addition, not expanding the facility will

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mean that the local community will not benefit from potential employment opportunities.

Public Participation

The public participation undertaken comprised of the following:

- Advertisements were placed in the "Gansbaai Courant" local newspaper on 12 October 2007.
- Relevant organs of state were informed of the proposed development by electronic mail notifications.

At the end of the commenting period, organs of state and a member of the public commented. The comments were adequately addressed by the environmental assessment practitioner.

Authorities Consultation

The following authorities commented on the proposed development of which some proposed certain conditions with respect to the proposed development:

- The Department of Water Affairs and Forestry
- CapeNature
- Overstrand Municipality
- Heritage Western Cape
- Department of Environmental Affairs and Tourism: Marine and Coastal Management

In view of the above, this Directorate is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management laid down 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 proposed activity can be mitigated to acceptable levels. The application is accordingly granted.

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J. APPEAL:

Appeals must comply with the provisions as outlined in Chapter 7 of the regulations

If the applicant should decide to appeal, the applicant must lodge a Notice of Intention to Appeal with the Minister, within 10 days of being notified of this decision (the date of "being notified" deemed to be the date the notice of the Department's decision was sent, i.e. the date of issue), and serve a copy of the Notice of Intention to Appeal, on the same day that the Notice of Intent is lodged with the Minister, on all registered interested and affected parties as well as a notice indicating that the appeal submission will be available for inspection for a period of 30 days, that must either start on or before the date the appeal is submitted to the Minister, and also indicate where the appeal submission will be available for inspection.

Should any other person decide to appeal, the person must lodge a Notice of Intention to Appeal with the Minister, within 10 days of being notified of the Department's decision (the 10 day period is deemed to only start 10 days after the date of issue of the Department's decision), and serve a copy of the Notice of Intention to Appeal, on the same day that the notice of intent is lodged with the Minister, on the applicant as well as a notice indicating that the appeal submission will be available for inspection for a period of 30 days, that must either start on or before the date the appeal is submitted to the Minister, and also indicate where the appeal submission will be available for inspection.

All appeals must be submitted, within 30 days of the lodging of the Notice of Intention to Appeal, by means of one of the following methods:

By post: Local Government, Environmental Affairs and Development Planning
Private Bag X9186
Cape Town
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Jaap de Villiers
3rd floor Leeusig Building
4 Leeuwen Street
Cape Town
8001

A prescribed Notice of Intent to Appeal form and Appeal form is obtainable from the Minister's office at tel (021) 483 3721, email jedevill@pgwc.gov.za or URL <http://www.capegateway.gov.za/eadp>.

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Provincial Government, Local Authority or committees appointed in terms of the conditions of the application or any other public authority or organisation shall not be held responsible for any damages or losses suffered by the developer or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the developer with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

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

Yours faithfully



ANTHONY BARNES
DIRECTOR: INTEGRATED ENVIRONMENTAL MANAGEMENT (REGION B)

DATE OF DECISION: 2/3/2009

Copies to: (1) P Joubert (Pierre Joubert Landscape Architect)
(2) R Kuchar (Overstrand Municipality)
(3) M Coetzee (ERM)

Fax: (028) 314 1497
Fax: (028) 312 1894
Fax: (021) 701 7900

APPENDIX A

- The High sensitivity limestone outcrop should not be impacted upon by any new infrastructure, and a minimum 10m buffer of natural vegetation around it must be drawn in to all plans and taken into account on the ground. This means that the proposed secondary mariculture facility will have to be modified to take into account this buffer, and no pipeline, roads or any other infrastructure should cross this area or its buffer. The outer perimeter of the buffered area should be fenced off with temporary two strand fencing during construction to prevent damage to areas within the buffer.
- The planners need to show that they have avoided all milkwood thickets as far as possible, which may require re-alignment of pipelines and the secondary mariculture facility.
- A detailed and comprehensive Search and Rescue operation must be undertaken in the grow out tank areas before any site development occurs. This S&R operation should specifically target all bulbs, and the Endangered succulent *Lampranthus fergusoniae*. The bulbs will need to be located and moved during the growing period when they are visible (June – September), and the *Lampranthus* could technically be done at any time, although the plants will be easiest to find when flowering in spring. Replanting success for the bulbs and the vygie should be good if correctly undertaken.
- A suitably experienced horticulturist should undertake the S&R, and in this regard a local company like Green Futures is recommended. They should base with the botanist about methodology and timing.
- If the applicant can guarantee that the natural dune areas west of the proposed new grow out tanks will not be developed or disturbed in the future (apart from the proposed effluent channel), then the rescued plant material can be translocated to that area, as it is similar habitat. If the applicant cannot guarantee this then they should suggest a suitable area of similar habitat that meets these criteria, and it should be approved by the botanist before relocation.
- In order to allow for adequate ecological connectivity a corridor of natural vegetation must be maintained between the eastern and western parts of the site along the northern boundary. This corridor should be at least 40m wide at its narrowest point, and the wider the better. This probably means that the footprint of the growout tanks needs to be modified.
- Within one year of this project being approved all invasive alien vegetation (including kikuyu grass (*Pennisetum clandestinum*), Port Jackson (*Acacia saligna*) and rookrans (*Acacia cyclops*)) must be cleared from the property, using DWAF approved methodology (such as appropriate hand painting of herbicide on cut stumps). The dense patch of *Acacia* east of the grow out tanks should be specifically targeted for removal. No herbicide spraying should be undertaken anywhere on site.

- The applicant must put in place sufficient budget for ongoing annual alien clearing operations for the above species on site, plus for any other invasive alien species that may appear. The applicant must also ensure that this follow up alien clearing is carried out at least once every year.
- All pipelines should be excavated with minimum impact on surrounding areas. This means that pipes must be laid as quickly as possible to reduce the length of time that the trenches are lying open, and machinery (back loader/excavator) should be on rubber wheels rather than tracks. Ideally the time between first opening up a trench and closing it up again should not be more than three weeks. All sand from trenches must be returned (by hand) to the disturbed area once the pipe has been laid. Pipeline construction should ideally take place in summer, and no later than May, to allow for natural rehabilitation during the winter growing season.

APPENDIX B

- Where the access road cuts into the hill on which Midden 1 is situated, this is relocated slightly southward to avoid damaging the midden;
- That an archaeologist meet with the site engineer on site to determine placement of the water storage tanks which will have the least impact on Midden 1;
- That an archaeologist meets with the site engineer to determine the extent of the proposed mariculture development to avoid a significant impact on Midden 3;
- That an archaeologist advise the site engineer on the most appropriate place to dump excavated rock and shingle from the Seawater Intake and Outlet system to avoid dumping the material on top of Midden 3;
- When excavating below the soil surface for any of these developments, including the pipelines, work must stop immediately if any dense accumulations of shell middens or any graves are uncovered and SAHRA must be alerted immediately

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APPENDIX C

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E-2/2/3/1-E2/1-0262/07

CONSTRUCTION PHASE (- Strict adherence / enforcement of EMP. Please refer to Appendix H-1) EMP - for detailed mitigation measures.)	
1 Rock Blasting:	
a Implement Blast Mats (if required) & Staggered Detonations.	
b Detonations to occur outside of Breeding Season of Marine & Avian Life Species, during low tide period only, at least 800m radius away from any Fauna species and employ staggered detonation system.	
c Strict adherence / enforcement of EMP.	
2 Heavy Construction Vehicles	
a Vehicles to remain on allocated roads &/or demarcated areas;	
b Maintain Vehicles in good working condition;	
c Strict adherence / enforcement of EMP.	
3 Construction Activities of Infrastructure & Abalone Farm Facilities	
a Limit destruction of Vegetation to Footprints of Abalone Facilities, Search & rescue Plants from rehabilitable areas e.g. pipeline areas, and reuse to rehabilitate relevant areas.	
b Phased clearance of site (i.e. avoid bulk site clearance); limit construction activities to pre-determined footprints; use of anti-dust measures e.g. much material on top-soil, water sprinkling, shade nets etc.	
c Limit work to acceptable working hours in day time & keep equipment in good working condition;	
d Maintain site in good condition i.e. no litter, store equipment in facility on site;	
e Use shade net to limit & screen activities;	
f Stockpile topsoil for Rehabilitation Purposes; Limit removal of topsoil to demarcated areas of footprints of required facilities;	
g Construction to occur in close cooperation / conjunction with and under supervision of Archaeologist	
h Strict adherence / enforcement of EMP	
OPERATIONAL PHASE (- Strict adherence / enforcement of EMP. Please refer to Appendix I-1) EMP - for detailed mitigation measures.)	
1 Abalone Farm Effluent	
a Monitor Effluent & Water Temperature.	
b Strict adherence / enforcement of EMP.	
2 Sea Water Pumps	
a Maintain Pump in good working condition & monitor performance	
b Strict adherence / enforcement of EMP.	
3 Effluent Channel & Water Supply Pipelines	
a Strict compliance to Civil Engineers Design & Construction Specifications of Channel & Pipelines;	
b Maintain Effluent Channels & Water supply pipelines in good 'leak-free' condition;	
c Monitor condition & Repair any possible damage immediately.	
d Strict adherence / enforcement of EMP.	
4 Visual Impacts	
a Screen Grow-Out Tanks with indigenous Trees & Shrub Planting (suitable to the area), planted on the perimeter of the platform area e.g. Milkwood Trees;	
b Conceal Pipeline by laying it sub-surface i.e. underground.	
c Strict adherence / enforcement of EMP.	