



Western Cape
Government

Department of Environmental Affairs and Development Planning
Development Management (Region 3)
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EIA REFERENCE NUMBER: 16/3/3/1/C2/3/0008/19
NEAS REFERENCE: WCP/EIA/0000621/2019
ENQUIRIES: Ms Jessica Christie
DATE OF ISSUE: 25 NOV 2019

The Municipal Manager
PRINCE ALBERT MUNICIPALITY
Private Bag X 53
PRINCE ALBERT
6930

Attention: Ms. A. Vorster

Tel: 023 541 1320
Fax: 023 541 1321
E-mail: anneleen@pamun.gov.za

Dear Madam

NOTICE OF DECISION: APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED UPGRADE OF THE KLAARSTROOM OXIDATION POND WASTE WATER TREATMENT SYSTEM, PRINCE ALBERT LOCAL MUNICIPALITY

1. With reference to the aforementioned application, the Department hereby notifies you of its decision to **grant Environmental Authorisation in respect to the activity applied for**, attached herewith together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014, you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties ("I&APs") are provided with access to 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 Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to:	Ms Inge Erasmus (EAP)	E-mail: inge@enviroafrica.co.za
	Mr Carlo Abrahams (BGCMA)	E-mail: cabrahams@bgcma.co.za
	Heritage Western Cape (CEO)	E-mail: Ceoheritage@westerncape.gov.za
	Mr Colin Fordham (CapeNature)	E-mail: cfordham@capenature.co.za
	Mr Bernard Niemand (DEA&DP: DDF)	E-mail: Bernard.Niemand@westerncape.gov.za



EIA REFERENCE NUMBER: 16/3/3/1/C2/3/0008/19
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ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED UPGRADE OF THE KLAARSTROOM OXIDATION POND WASTE WATER TREATMENT SYSTEM, PRINCE ALBERT LOCAL MUNICIPALITY.

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, 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 Final Basic Assessment Report ("FBAR"), dated October 2019 as prepared and submitted by *Enviroafrica CC*, the appointed environmental assessment practitioner ("EAP").

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 Municipal Manager
Prince Albert Municipality
% Ms. Anneleen Vorster
Private Bag X53
PRINCE ALBERT
6930

Tel: (023) 541 1320
Fax: (023) 541 1321
E-mail: anneleen@pamun.gov.za

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
Environmental Impact Assessment Regulations Listing Notice 1 of 2014, Government Notice No. 983 of 4 December 2014	
Activity Number: 19 Activity Description: The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse; but excluding where such infilling, depositing, dredging, excavation, removal or moving— (a) will occur behind a development setback; (b) is for maintenance purposes undertaken in accordance with a maintenance management plan; (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies; (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or (e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies	The infilling, excavation and removing of soil of more than 10 cubic metres within drainage lines for the proposed upgrade of the Klaarstroom Waste Water Treatment Works.
Activity Number: 48 Activity Description: The expansion of— (i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or (ii) dams or weirs, where the dam or weir, including infrastructure and water surface area, is expanded by 100 square metres or more; where such expansion occurs— (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; excluding— (aa) the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) where such expansion activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies; (dd) where such expansion occurs within an urban area; or (ee) where such expansion occurs within existing roads, road reserves or railway line reserves.	The proposed upgrade of the Klaarstroom Waste Water Treatment Works will result in the expansion of structures and infrastructure whereby the footprint will be expanded by more than 100 square metres within a watercourse (drainage line) or within 32-metres from the edge of a watercourse.

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 as it relates to the development and development footprint area:

The proposed upgrade of the Klaarstroom Waste Water Treatment Works will result in the removal, excavation and infilling of soil within a watercourse (drainage lines) at the existing waste water treatment works of more than 10 cubic metres. The proposal also includes the expansion of the facultative pond where the footprint of the structures and infrastructure within 32-metres from the edge of the watercourse and which will be increased by more than 100 square metres.

The proposal also includes the:

- ❑ alteration of the facility to include a temporary drying bed in the area initially dedicated to the proposed disposal of the sludge grit & screenings. The temporary drying bed will have a footprint of $\pm 250\text{m}^2$ with a berm of $\pm 200\text{mm}$ to $\pm 500\text{mm}$ high and an impermeable liner;
- ❑ construction of a pipeline from the works to a new proposed galvanised dam on RE/34/178, at the sports field where the treated effluent will be used as irrigation. The preferred alternative for the pipeline is Alternative C.

C. SITE DESCRIPTION AND LOCATION

The Klaarstroom Waste Water Treatment Works ("WWTW") is located on Remainder of Portion of the Farm No. 178 (RE/32/178), Prince Albert. The land on which the proposed work is to be conducted is part of municipal commonage and is currently undeveloped veld with the exception of the current WWTW and a fairly new road maintenance camp located south of the plant, between the N12 and the WWTW. The WWTW will be fenced off and define the boundary of the area. The proposed Galvanized Storage Dam for irrigation of the sports field at Klaarstroom Primary School on Remainder of Portion 34 of the Farm No. 178 (RE/34/178), Prince Albert

Coordinates of the site:

Description / Point	Latitude (S)	Longitude (E)
Waste Water Treatment Plant		
Centre point	33° 19' 20.09" South	22° 31' 43.44" East
Site boundary area:		
1 (South-western corner)	33° 19' 22.09" South	22° 31' 41.01" East
2 (South-eastern corner)	33° 19' 23.62" South	22° 31' 44.87" East
3 (North-western corner)	33° 19' 17.04" South	22° 31' 17.04" East
4 (North-eastern corner)	33° 19' 17.95" South	22° 31' 46.99" East
Pipeline corridor:		
Start:	33° 19' 25.33" South	22° 31' 43.55" East
Middle:	33° 19' 25.98" South	22° 31' 43.17" East
End:	33° 19' 27.67" South	22° 31' 42.09" East
Galvanised Dam on RE/32/178		
Centre point:	33° 19' 28.40" South	22° 31' 40.64" East

SG digit codes: RE/32/178: C06100000000017800032
 RE/34/178: C06100000000017800034

Refer to Annexure 1: Locality Plan and Annexure 2: Site Development Plan of this Environmental Authorisation.

The above is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)

ENVIROAFRICA CC
% Ms. Inge Erasmus
P.O. Box 5367
Private Bag X31
HELDERBERG
7135

Tel: 021 851 1616
Fax: 086 512 0154
E-mail: inge@enviroafrica.co.za
Website: www.enviroafrica.co.za

E. CONDITIONS OF AUTHORISATION

Scope and Validity Period of authorisation

1. This Environmental Authorisation is granted for the period from date of issue until **30 November 2021**, the date on which all the listed activities, including post construction rehabilitation and monitoring requirements, will be deemed to be concluded at the site.

Further to the above, the Environmental Authorisation is subject to the following:

- 1.1. The Holder must start with the physical implementation of all the authorised listed activities and conclude said activities on the site by 1 December 2020.
- 1.2. The post construction rehabilitation and monitoring requirements must be finalised at the site within a period of 12-months from the date the expansion activities (construction phase) are concluded; but by no later than 31 August 2021.

Note: Failure to complete the post construction rehabilitation and monitoring requirements at least three months prior to expiry of the validity period of an environmental authorisation may result in the Holder not being able to comply with the environmental auditing requirements in time.

Failing which, this Environmental Authorisation shall lapse, unless the environmental authorisation is amended in accordance with the relevant process contemplated in the Environmental Impact Assessment Regulations promulgated under the National Environmental Management Act, 1998 (Act no. 107 of 1998).

2. The Holder is authorised to undertake the listed activities specified in Section B above in accordance with the Preferred Alternative described in the FBAR dated October 2019 on the site as described in Section C above.

This Environmental Authorisation is only for the implementation of the Preferred Alternative for the site which entails:

The proposed upgrade of the Klaarstroom Waste Water Treatment Works will result in the removal, excavation and infilling of soil within drainage lines at the existing waste water treatment works of more than 10 cubic metres. The proposal also includes the expansion of the facultative pond where the footprint of the structures and infrastructure will be increase by more than 100 square metres.

The proposal also includes the:

- ❑ alteration of the facility to include a temporary drying bed in the area initially dedicated to the proposed disposal of the sludge grit & screenings. The temporary drying bed will have a footprint of $\pm 250\text{m}^2$ with a berm of $\pm 200\text{mm}$ to $\pm 500\text{mm}$ high and an impermeable liner;
- ❑ construction of a pipeline from the works to a new proposed galvanised dam on RE/34/178, at the sports field where the treated effluent will be used as irrigation. The preferred alternative for the pipeline is Alternative C.

The proposed activities will be implemented approximate to the Site Development Plan developed by *BVI Engineering* (Plan no. *Enviro Africa 1*, dated 9 September 2019, revision: A) as depicted in Annexure 2 of this Environmental Authorisation.

3. This Environmental Authorisation may only be implemented in accordance with an approved Environmental Management Programme ("EMPr").
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 alternative described in section B above must be accepted or 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.

Notification and administration of appeal

6. The Holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 6.1. notify all registered Interested and Affected Parties ("I&APs") of –
 - 6.1.1. the decision reached on the application;
 - 6.1.2. the reasons for the decision as included in Annexure 3;
 - 6.1.3. the date of the decision; and
 - 6.1.4. the date when the decision was issued.
 - 6.2. 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;
 - 6.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 6.4. provide the registered I&APs with the:
 - 6.4.1. name of the Holder (entity) of this Environmental Authorisation,
 - 6.4.2. name of the responsible person for this Environmental Authorisation,
 - 6.4.3. postal address of the Holder,
 - 6.4.4. telephonic and fax details of the Holder,
 - 6.4.5. e-mail address, if any, of the Holder,
 - 6.4.6. 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 2014 National Appeals Regulations (as amended).
 - 6.5. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision.

- 6.6. 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 commence until the appeal is decided.

Written notice to the Competent Authority

7. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of any activities.
- 7.1. The notice must make clear reference to the site details and EIA Reference number given above.
- 7.2. The notice must also include proof of compliance with the following conditions described herein:
Condition no.: 6, 8 and 10.

Management of activity

8. The draft or Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby **approved**, subject to the following requirements:
- 8.1. The EMPr must be amended to incorporate the following —
- 8.1.1. All ECO monthly compliance reports must be submitted to this Directorate on a monthly basis.
- 8.1.2. Incorporate all the conditions given in this Environmental Authorisation;
- 8.2. The amended EMPr must be submitted to the Competent Authority prior to the construction activities commencing on site.
9. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

10. The Holder must appoint a suitably experienced environmental control officer ("ECO"), for the duration of the construction and rehabilitation phases of implementation contained herein.
11. The ECO must—
- 11.1. be appointed prior to commencement of any works (i.e. removal and movement of soil and / or rubble or construction activities commencing;
- 11.2. ensure compliance with the EMPr and the conditions contained herein;
- 11.3. keep record of all activities on the site; problems identified; transgressions noted and a task schedule of tasks undertaken by the ECO;
- 11.4. remain employed until all development activities are concluded and the post construction rehabilitation and monitoring requirements are finalised.
12. A copy of the Environmental Authorisation, EMPr, any independent assessments of financial provision for rehabilitation and environmental liability, closure plans, audit reports and compliance monitoring reports must be kept at the site of the authorised activities and be made available to anyone on request, and where the Holder has website, such documents must be made available on such publicly accessible website.
13. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

14. The Holder must, for the period during which the environmental authorisation and EMPr remain valid—
 - 14.1. ensure the compliance with the conditions of the environmental authorisation and the EMPr, is audited;
 - 14.2. a final Environmental Audit Report must be submitted to the Competent Authority within three (3) months of completion of the expansion activities (construction phase) and the post construction rehabilitation and monitoring requirements.
15. The Environmental Audit Report, must –
 - 15.1. be prepared and submitted to the Competent Authority, by an independent person with the relevant environmental auditing expertise. Such person may not be the ECO or EAP who conducted the EIA process;
 - 15.2. provide verifiable findings, in a structured and systematic manner, on–
 - 15.2.1. the level of compliance with the conditions of the environmental authorisation and the EMPr and whether this is sufficient or not; and
 - 15.2.2. the ability of the measures contained in the EMPr to sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
 - 15.3. identify and assess any new impacts and risks as a result of undertaking the activity;
 - 15.4. evaluate the effectiveness of the EMPr;
 - 15.5. identify shortcomings in the EMPr;
 - 15.6. identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
 - 15.7. indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
 - 15.8. indicate the date on which the operational phase was commenced with and the progress of the rehabilitation;
 - 15.9. include a photographic record of the site applicable to the audit; and
 - 15.10. be informed by the ECO reports.
16. The Holder must, within 7 calendar days of the submission of the 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 and on a publicly accessible website (if applicable).

Specific Conditions

17. The temporary sludge drying bed must be removed and rehabilitated once the sludge has been dried and appropriately disposed of at a licenced waste disposal facility.
18. 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 may only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant Heritage Resources Authority.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); 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 with heritage significance; rock art and rock engravings; shipwrecks; and/or graves or unmarked human burials including grave goods and/or associated burial material.

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.

Amendment of Environmental Authorisation and EMPr

2. If the Holder does not start with all listed activities and exceed the threshold of each listed activity within the period referred to in Section G, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the relevant Competent Authority.

If the Holder wishes to extend a validity period specified in the Environmental Authorisation, an application for amendment in this regard must be made to the relevant Competent Authority prior to the expiry date of such a period.

Note:

- (a) Failure to lodge an application for amendment prior to the expiry of the validity period of the Environmental Authorisation will result in the lapsing of the Environmental Authorisation.
 - (b) It is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity if the competent authority has not granted an Environmental Authorisation for the undertaking of the activity.
3. The Holder is required to notify the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated.

In assessing whether to amend or correct the EA, the Competent Authority may request information 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.

The onus is on the Holder to verify whether such changes to the environmental authorisation must be approved in writing by the relevant competent authority prior to the implementation thereof.

Note:

An environmental authorisation may be amended or replaced without following a procedural requirement contained in the Regulations if the purpose is to correct an error and the correction does not change the rights and duties of any person materially

4. The manner and frequency for updating the EMPr is as follows:
 - (a) Any further amendments to the EMPr, other than those mentioned above, must be approved in writing by the relevant competent authority.
 - (b) An application for amendment to the EMPr must be submitted to the Competent Authority if any amendments are to be made to the impact management outcomes of the EMPr. Such

amendment(s) may only be implemented once the amended EMPr has been approved by the competent authority.

The onus is however on the Holder to confirm the legislative process requirements for the above scenarios at that time.

5. Where an amendment to the impact management outcomes of an EMPr is required before an environmental audit is required in terms of the environmental authorisation, an EMPr may be amended on application by the Holder of the environmental authorisation.

Compliance with Environmental Authorisation and EMPr

6. Non-compliance with a condition of this environmental authorisation or EMPr is an offence in terms of Section 49A(1)(c) of the National Environmental Management Act, 1998 (Act no. 107 of 1998, as amended).
7. Failure to comply with all the peremptory conditions (i.e. 6, 7, 8 or 10) prior to the physical implementation of the activities (including site preparation) is an offence. Such physical activities shall be regarded to fall outside the scope of the Environmental Authorisation and may be viewed as an offence in terms of Section 49A(1)(a) of NEMA.
8. In the event that the Environmental Authorisation should lapse, it is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity, unless the competent authority has granted an Environmental Authorisation for the undertaking of the activity.
9. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution.

G. APPEALS

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 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 and the responding statement must be submitted to the Appeal Administrator at the address listed below:

By post: 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: Appeal Administrator
Attention: Mr Marius Venter (Tel: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Administrator 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 Local Authority, 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 appreciated.

Yours faithfully



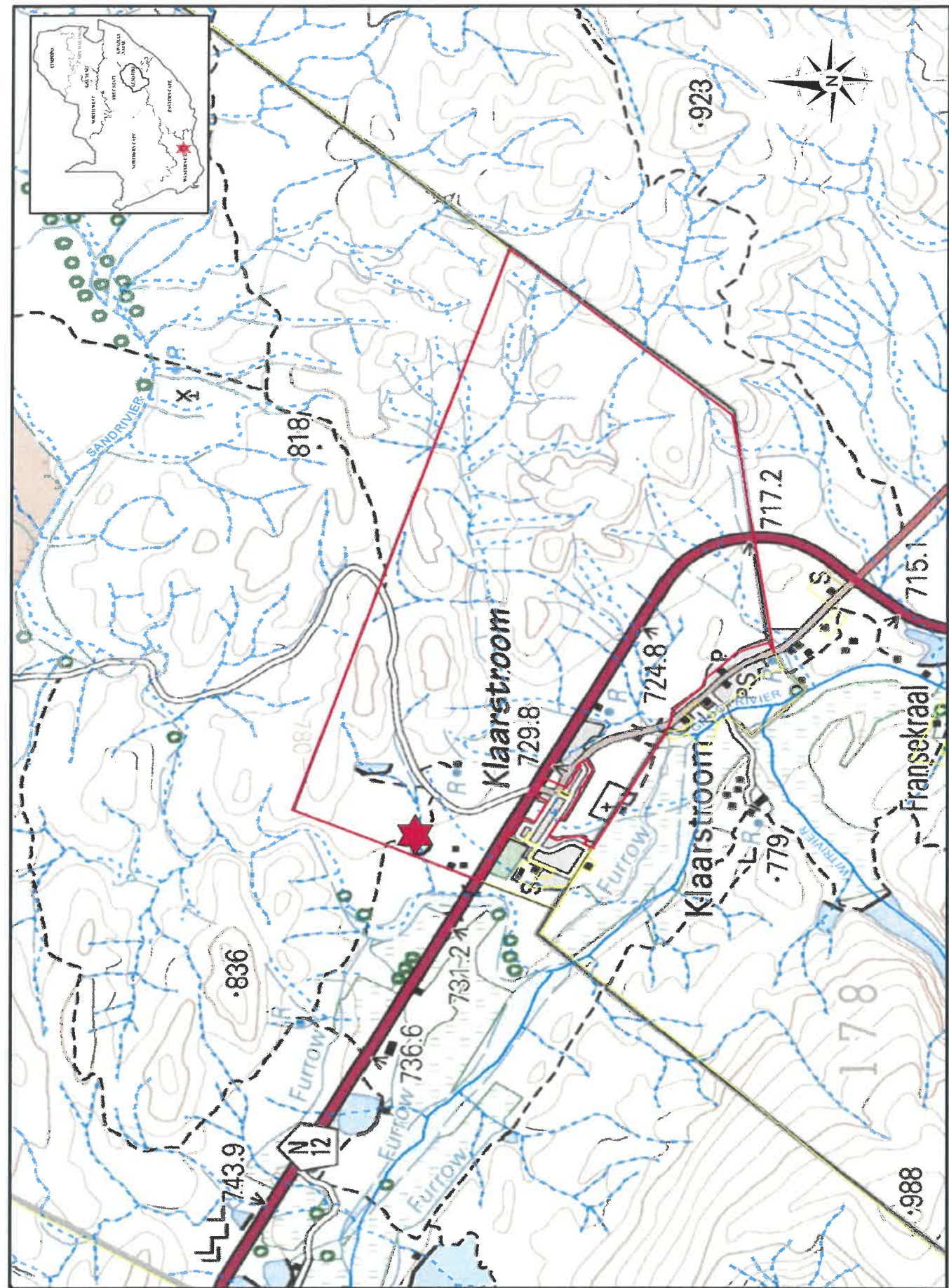
MR. GAVIN BENJAMIN
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION3)

DATE OF DECISION: 25/11/2019

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER: 16/3/3/1/C2/3/0008/19
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ANNEXURE 1: LOCALITY MAP



[illegible]

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 received on 5 June 2019, the Basic Assessment Report (FBAR) and EMPr submitted together with the FBAR on 9 October 2019;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) 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) and section 63 of National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008);
- d) The comments received from I&APs and responses to these, included in the FBAR dated October 2019;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) Appropriate information was made available in the report to understand the environmental and spatial context and the case officer is familiar with the area.

A site inspection was conducted by Ms Jessica Christie and Mr Francois Naudé from the Directorate Development Management (Region 3) on 1 October 2019.

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 that were considered to be the most significant for the decision is set out below.

1. Public Participation

The public participation process included:

- identification of and engagement with interested and affected parties (I&APs) including organs of state which have jurisdiction in respect of the activity to which the application relates;
- fixing a notice board at the site and at the site in March 2019;
- giving written notice to the owners and occupiers of land adjacent to the site and any alternative 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 5 June 2019;
- the placing of a newspaper advertisement in the '*Prince Albert Vriend*' in March 2019; and
- making the draft Basic Assessment Report available to I&APs for public review from 5 June 2019 to 8 July 2019. Also, making the revised Basic Assessment Report available for public review from 8 August 2019 to 8 September 2019.

The following Organs of State provided comment on the proposal:

- ❖ WCG DEA&DP: Pollution and Chemicals Management
- ❖ WCG: DEA&DP: Waste Management
- ❖ Breede Gouritz Catchment Management Agency
- ❖ CapeNature
- ❖ Heritage Western Cape
- ❖ SANRAL

- ❖ General Public / Interested & Affected Parties (I&APs) included:
 - Prince Albert Municipality Ward Councillor – Linda Jaquet
 - Neighbouring Property Owner – J Klue

All the comments and issues raised by the respective *Organs of State* that were captured in the Basic Assessment Report were responded to by the EAP. The Directorate: Development Management (Region 3) is satisfied with the responses provided by the EAP to these other organs of state.

2. Alternatives

Preferred Alternative (Herewith Approved):

The proposed upgrade of the Klaarstroom Waste Water Treatment Works will result in the removal, excavation and infilling of soil within drainage lines at the existing waste water treatment works of more than 10 cubic metres. The proposal also includes the expansion of the facultative pond where the footprint of the structures and infrastructure will be increase by more than 100 square metres.

The proposal also includes the alteration of the facility to include a temporary drying bed in the area initially dedicated to the proposed disposal of the sludge grit & screenings. It is proposed that the temporary drying bed have a footprint of $\pm 250\text{m}^2$ with a berm of $\pm 200\text{mm}$ to $\pm 500\text{mm}$ high and an impermeable liner; and the construction of a pipeline from the works to a new proposed galvanised dam on RE/34/178, at the sports field where the treated effluent will be used as irrigation. The preferred alternative for the pipeline is Alternative C.

Alternatives considered:

The application is for the upgrade and expansion of an existing facility. No site alternatives were investigated as the project aims to upgrade and expand the existing Klaarstroom WWTW. The location of the WWTW and its proposed extensions are favoured as the natural slope assists in allowing gravity flow through the system and also reduces the volume of earth works required for construction.

In light of the above, design alternatives were investigated and assessed:

- ❖ Inclusion of a temporary sludge drying bed:
An area was selected for the establishment of a temporary drying bed. This area is considered to be completely transformed. The existing inlet works and septic tanks are currently situated on this area. The drying bed will have a footprint of 250m^2 with a 200mm to 500 mm high berm.
- ❖ Collect and dispose sludge at alternative WWTW:
Another alternative that was considered was to tanker the untested sludge to a larger Waste Water Treatment Works (WWTW) such as Prince Albert WWTW. However, this will only be allowed should the facility conform to acceptable method of sludge disposal as per Volume 1-5 of the "Guidelines for the utilization and disposal of wastewater sludge", Water Research Commission, TT 261/07, 2006. It is unlikely that a WWTW facility will accept untested sludge. For this reason, this alternative was not considered a viable alternative and not investigated any further.
- ❖ Disposal of sludge on site:
The original and only alternative investigated initially was to bury untested sludge on site in a dedicated area. This alternative is however not favoured by DEA&DP: Directorate Waste Management and Directorate Pollution and Chemicals Management without the obtainment of a waste license. As a precautionary principle, the untested sludge is considered hazardous waste. According the NEM:WA the burying of any quantity of hazardous waste to land will require a waste licence which will be a timeous and expensive process. Therefore, this was not considered a viable alternative.

It is considered to be beneficial to use the treated, final effluent for irrigation of the sports field in Klaarstroom village, hereby not using drinking water and reducing water demand in a drought stricken town. Therefore, no other activity alternatives for the use of the treated effluent was considered.

Irrigation of the sports field with the final treated effluent, will be made possible by using a gravity system as the wastewater treatment plant is located at a higher elevation than the sports field. It is proposed to construct a 160mm ø uPVC pipeline of ±500m in length from the effluent storage point which will terminate in a new galvanized dam at the sports field. A small pump station (2m²) will be provided at the dam to provide a flow of 4.5l/s at a head of 3.5bar feeding a crawling irrigator which will be used to irrigate the sports field. A chip doser for the dosing of a calcium hypochlorite solution into the circular dam will be provided to disinfect the final effluent prior to irrigation to avoid any pathogens from remaining in the irrigation water.

"No-Go" Alternative

This means that the current situation will remain where the final effluent from the current oxidation pond is used to irrigate the veld north of the ponds. The current effluent is not considered up to standard for irrigation. This effluent eventually finding its way into the Sand river. The No-go option with regards to the irrigation of treated effluent is therefore not preferred.

3. Impact Assessment and Mitigation Measures

3.1 Activity need and desirability

The Provincial Spatial Development Framework ('PSDF') for the Western Cape March 2014 widely addresses the adoption of the reuse of wastewater effluent as standard practices. The proposed upgrade of the Klaarstroom WWTP will allow for the use of the treated effluent to be used for irrigation purposed at the Klaarstroom Primary School Sports field.

The proposed upgrade of the Klaarstroom WWTP will not compromise the integrity of the existing IDP of Prince Albert, but will contribute to reaching goals as set out in the plan. The Prince Albert IDP 2012-2017 has emphasised that all WWTW need to be operating at functional and acceptable levels. The IDP states that the Klaarstroom WWTW will be upgraded as the funding application has been approved.

The Western Cape Integrated Waste Management Plan 2017–2020 addresses wastewater treatment works and sewage sludge disposal. In this regard, with the correct mitigation and management practices in place, the upgraded Klaarstroom WWTP can contribute to the successful disposal of sewage sludge.

In addition to complying with regulatory requirements, the proposed upgrade is aimed at improving the efficiency of the WWTW and reducing the biophysical impacts of such a facility on the environment.

3.2 Biophysical Impacts

The Botanical Impact Report stated that Klaarstroom is located in the valley bottom at the foot of the Swartberg Mountains where the Meiringspoort gorge opens up into the Great Karoo. The WWTW upgrade and pipeline will be located on an almost level area within this open valley. The slight slopes vary slightly from northeast to southwest, from the WWTW. The seasonal Sand River, passes to the northwest of the WWTW and drains into the Groot River, which passes behind (to the west) of Klaarstroom. It was clear that this does not have any significant influence on the vegetation encountered.

The upgrade of the WWTW facility will include a marginal setback from the watercourse as well as design measures to reduce the risk of contamination and to prevent storm water from entering the facility.

3.3 Biodiversity

The vegetation that will be impacted by the proposed WWTW upgrade and pipeline is very small. If it is taken into account that the area where the existing WWTW is, is completely transformed, the additional footprint will approximately be 5000 m², while the pipeline will have a localised yet insignificant impact of veld of which most is located in already disturbed or transformed veld portions. The improved treatment of waste water and re-use of the treated effluent on the existing sports field is regarded as a

positive measure toward reducing the impacts of releasing treated effluent directly into a watercourse, as such no primary aquifers were identified in the area where the treated effluent will be irrigated.

3.4 Heritage / Archaeological Aspects

According to the CTS Heritage Screener the WWTW is situated on the outskirts of a small Karoo town, and alongside a river, it is likely that Early, Middle and Later Stone Age artefacts are present within the WWTW site. In addition, some of the area has been surveyed for rock art and a number of rock art sites have been identified within 20km of the proposed development area. However, as this site is already developed, and as this site is located far from any rocky outcrops, it is unlikely that any significant archaeological resources or rock art sites will be impacted by the proposed development.

The evaluation fulfils the requirements of the relevant heritage resources authority (Heritage Western Cape) and the comments and recommendations of Heritage Western Cape have been taken into consideration in deciding this application.

3.5 Other Impacts

No significant cultural, noise and visual impacts have been identified.

4. Scope and Validity of the Environmental Authorisation

This environmental authorisation does not define specific operational aspects. In light of the proposed implementation programme, the monitoring and post-construction rehabilitation can be adequately incorporated in the construction phase. A period of 12-months is specified for the final monitoring and post-construction rehabilitation to be completed after the construction phase is finalised. The environmental authorisation's validity period has been granted for a period of 2-years, during which period the expansion activities must commence and be concluded within a period of 12-months. The Holder is required to substantially implement the proposal within a period of 12-months after the environmental authorisation is issued.

5. 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.

6. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with an approved EMP, 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.

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