

Appendix D

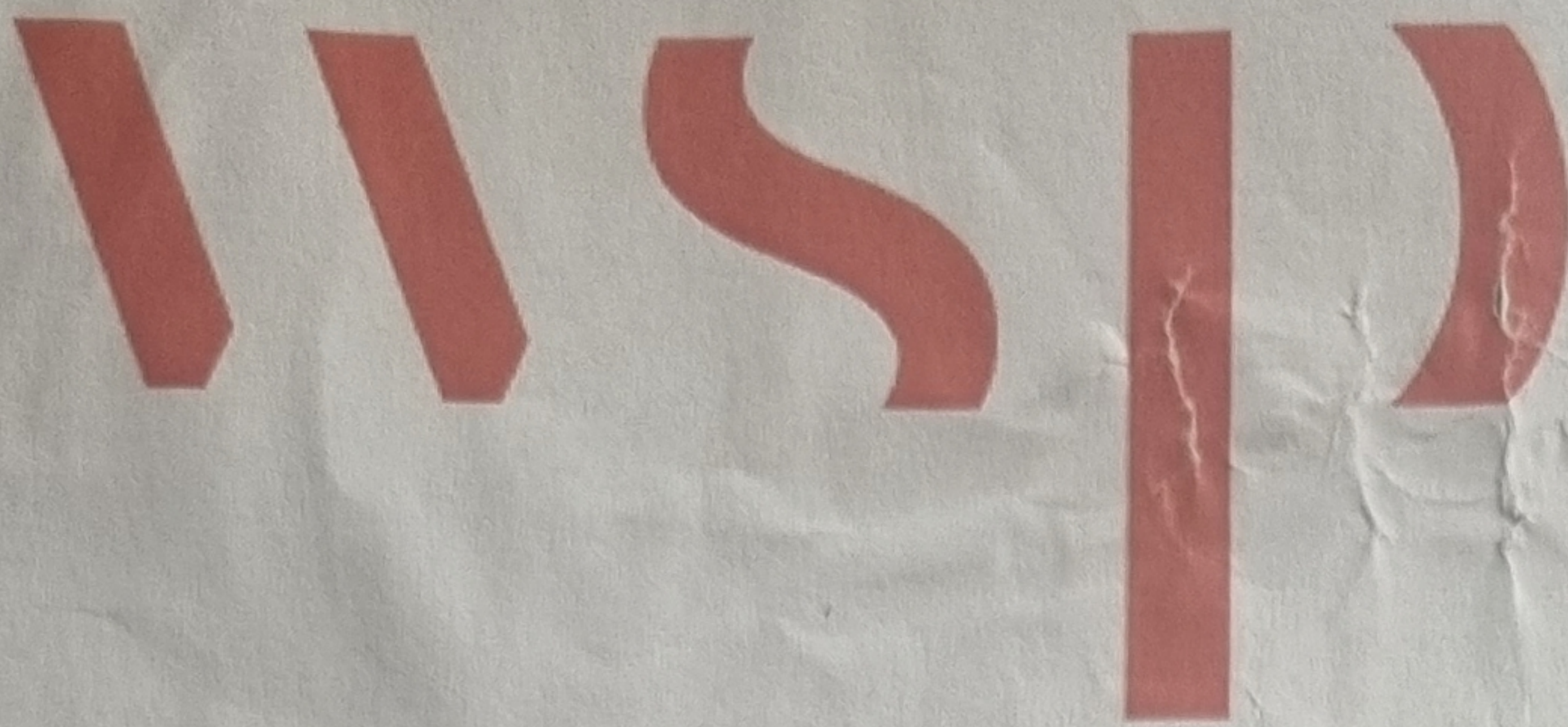
EIR - NOTIFICATIONS



Appendix D.1

EIR - REPORT PLACEMENT





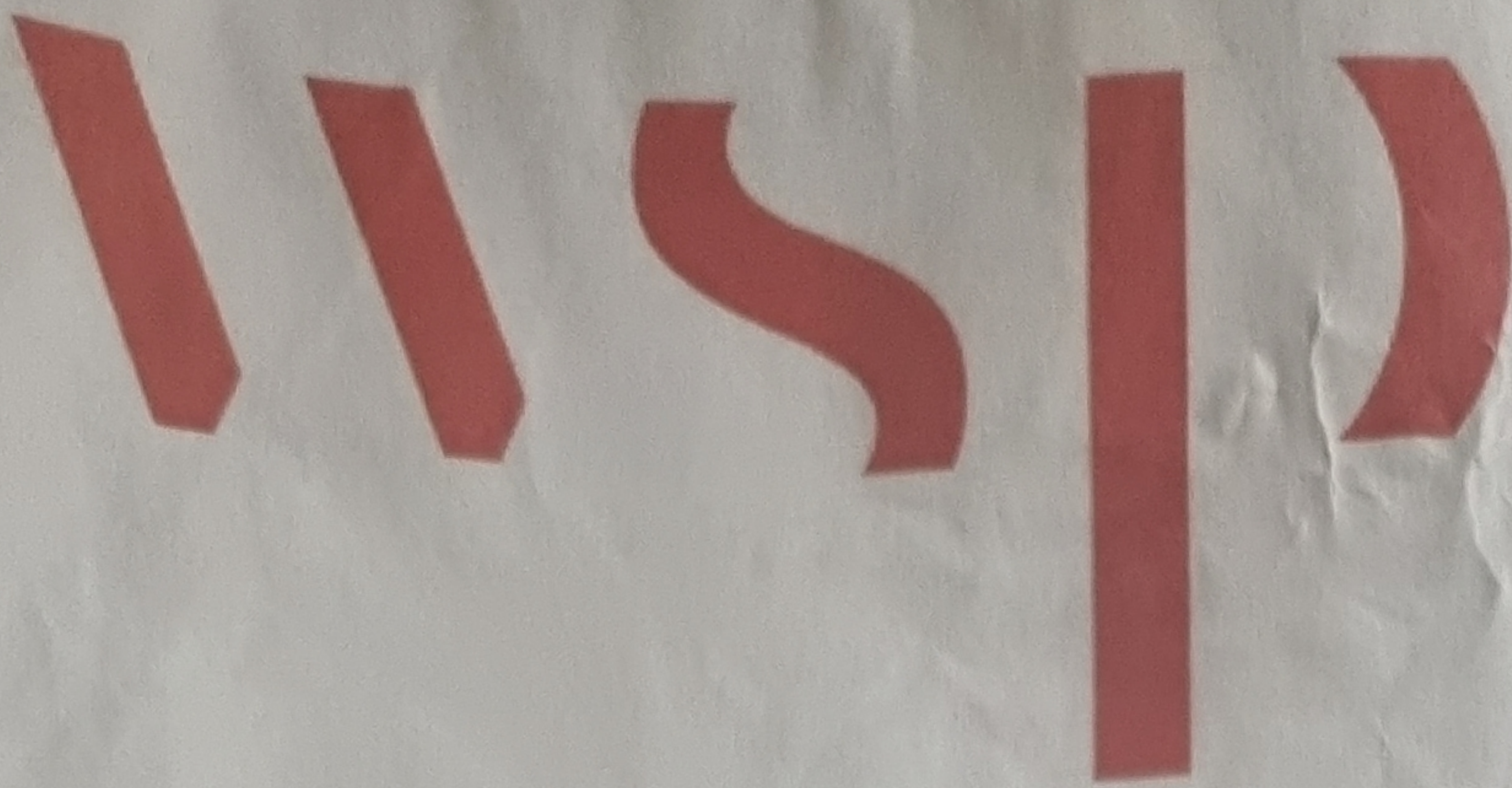
Acknowledgement of Receipt

Date:	10 April 2026	Date:	10 April 2026
Delivery Company	WSP Group Africa 1 st Floor ,Pharos House 70 Buckingham Terrace Westville,3629 From: Patricia Nathaniel	Receiving Company	Aquadene Public Library 4 Via Ammannia, Aquadene, Richards Bay, 3900
Delivered Item	WSP Scoping and EIR (Draft) Project: The proposed development of the Berth 605 and associated infrastructure to support the container handling facility, Port of Richards Bay,KwaZulu Natal. Contact: Patricia Nathaniel (082 303 2346)		

I acknowledge that I have received the above item.

Received by : MONGEZI Mthahane

Signature: [Signature]



Acknowledgement of Receipt

Date:	10 April 2026	Date:	10 April 2026
Delivery Company	WSP Group Africa 1 st Floor ,Pharos House 70 Buckingham Terrace Westville,3629 From: Patricia Nathaniel	Receiving Company	Richards Bay Public Library Richards Bay Central, Richards Bay, 3900
Delivered Item	WSP Scoping and EIR (Draft) Project: The proposed development of the Berth 605 and associated infrastructure to support the container handling facility, Port of Richards Bay, KwaZulu Natal. Contact: Patricia Nathaniel (082 303 2346)		

I acknowledge that I have received the above item.

Received by : Gary Ngobese

Signature: [Signature]

Appendix D.2

EIR - EMAIL NOTIFICATIONS





Outlook

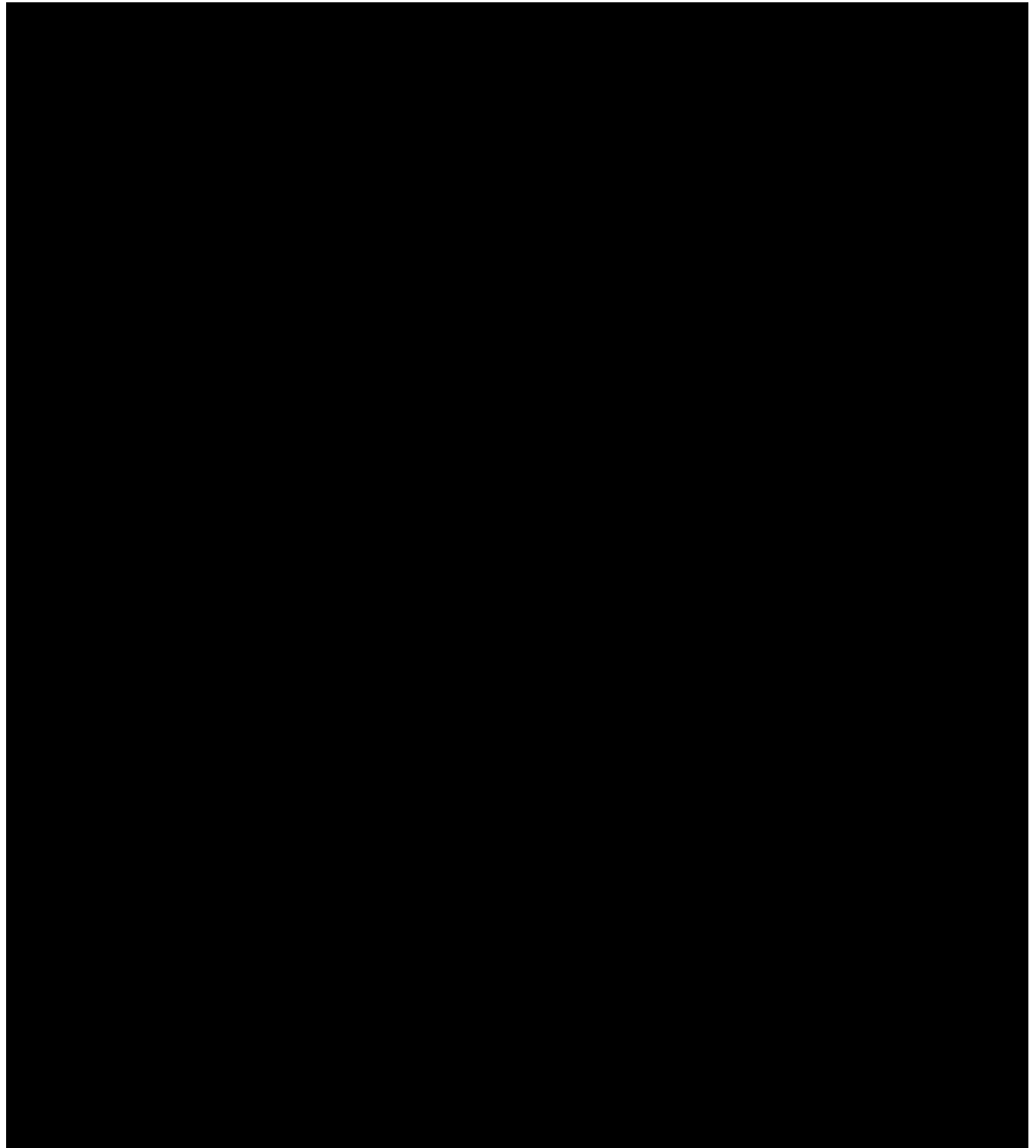
43102871: BERTH 605 AND ASSOCIATED INFRASTRUCTURE IN SUPPORT OF THE CONTAINER HANDLING FACILITY AT THE PORT OF RICHARDS BAY- NOTIFICATION OF THE COMMENT PERIOD OF THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)

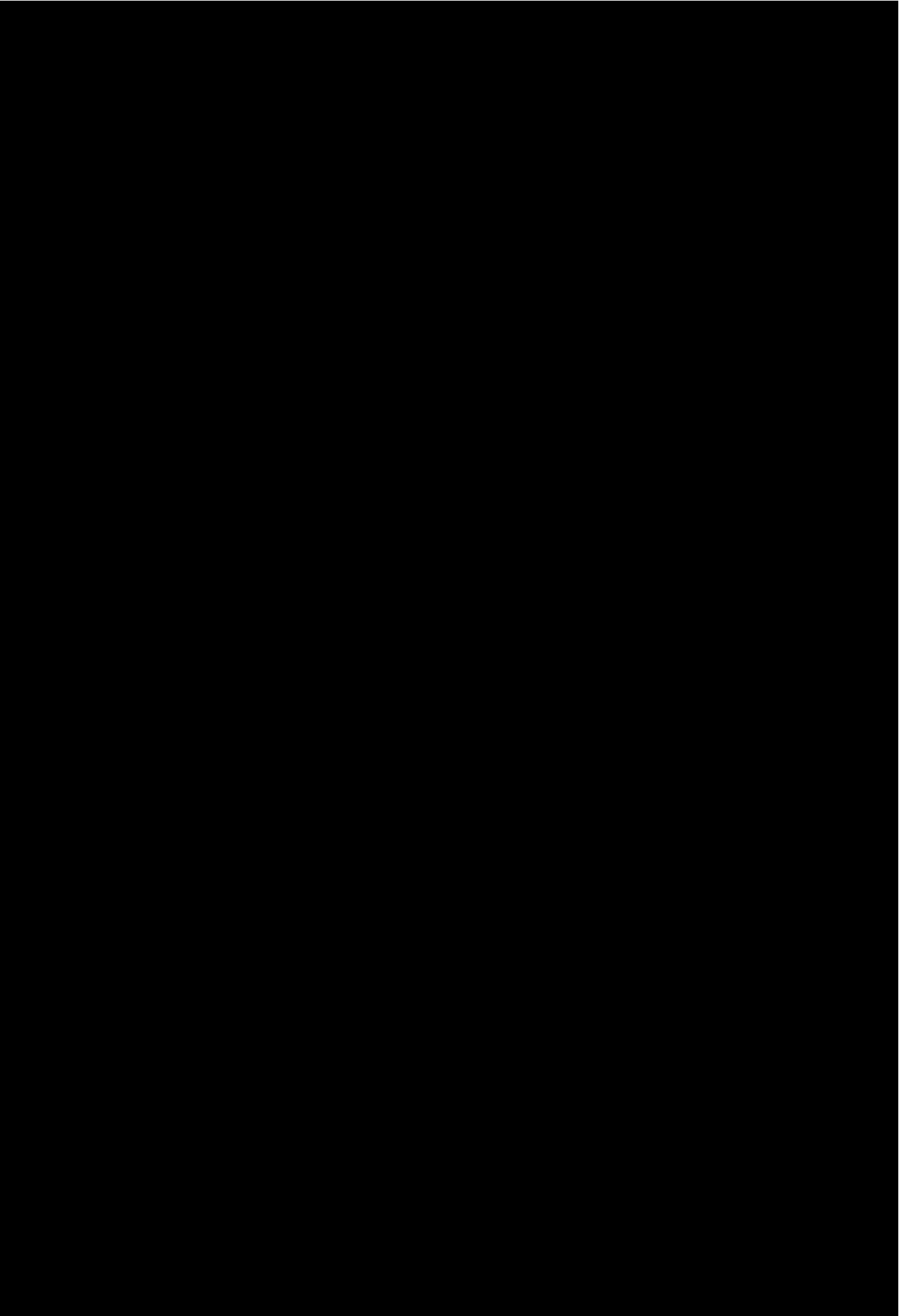
From ZA - WSP - PPOffice <PP@wsp.com>

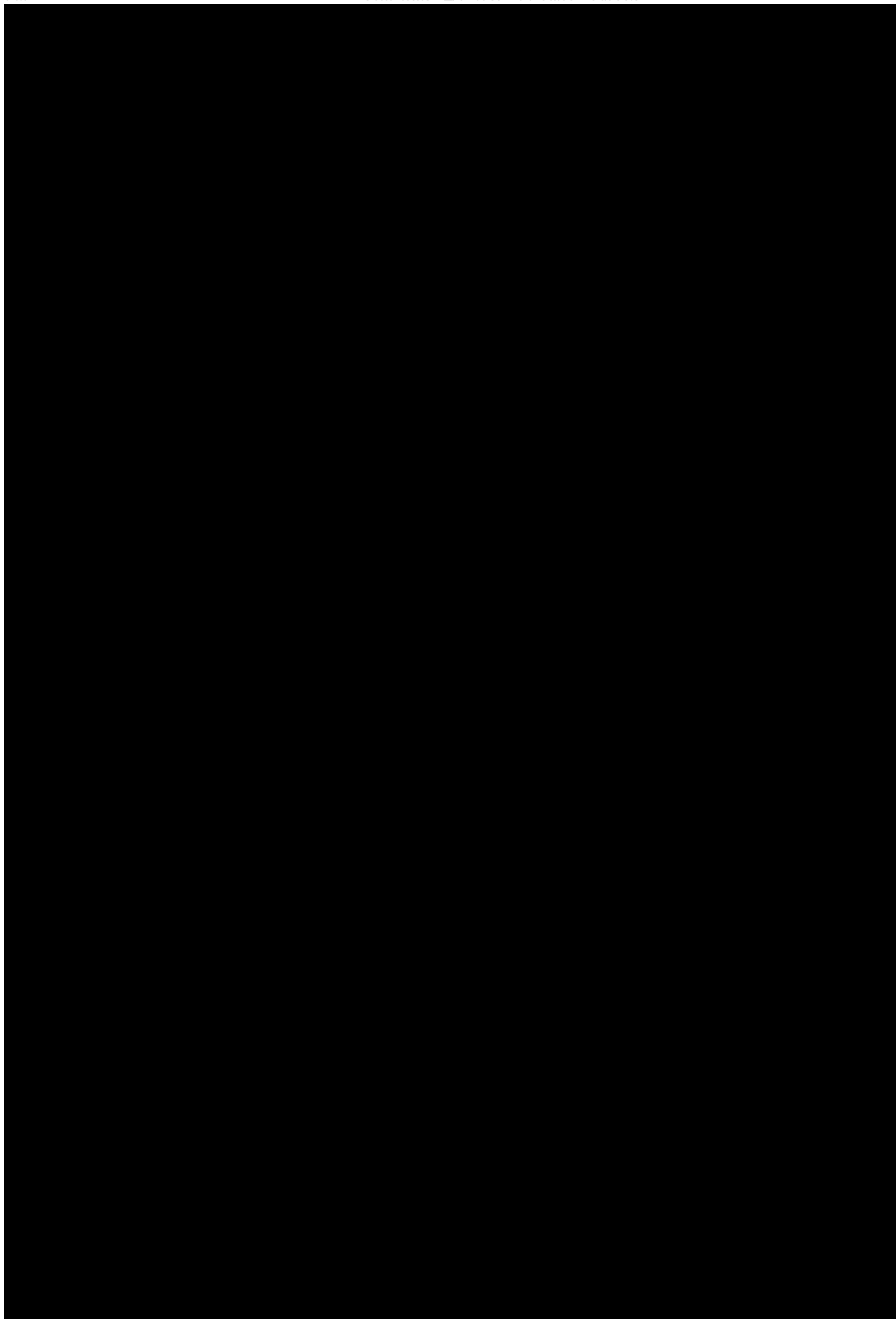
Date Thu 2026/04/09 14:19

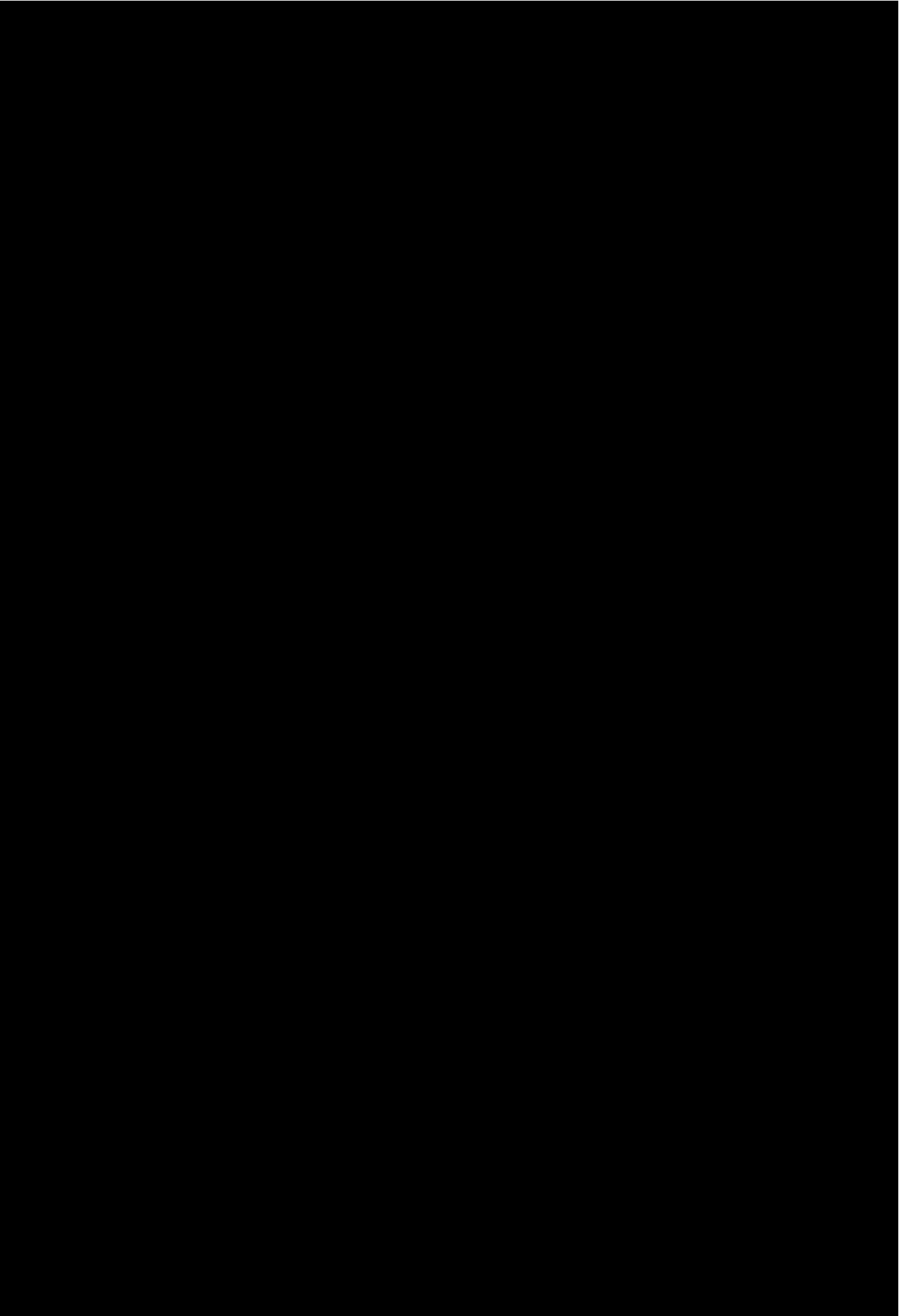
To ZA - WSP - PPOffice <PP@wsp.com>

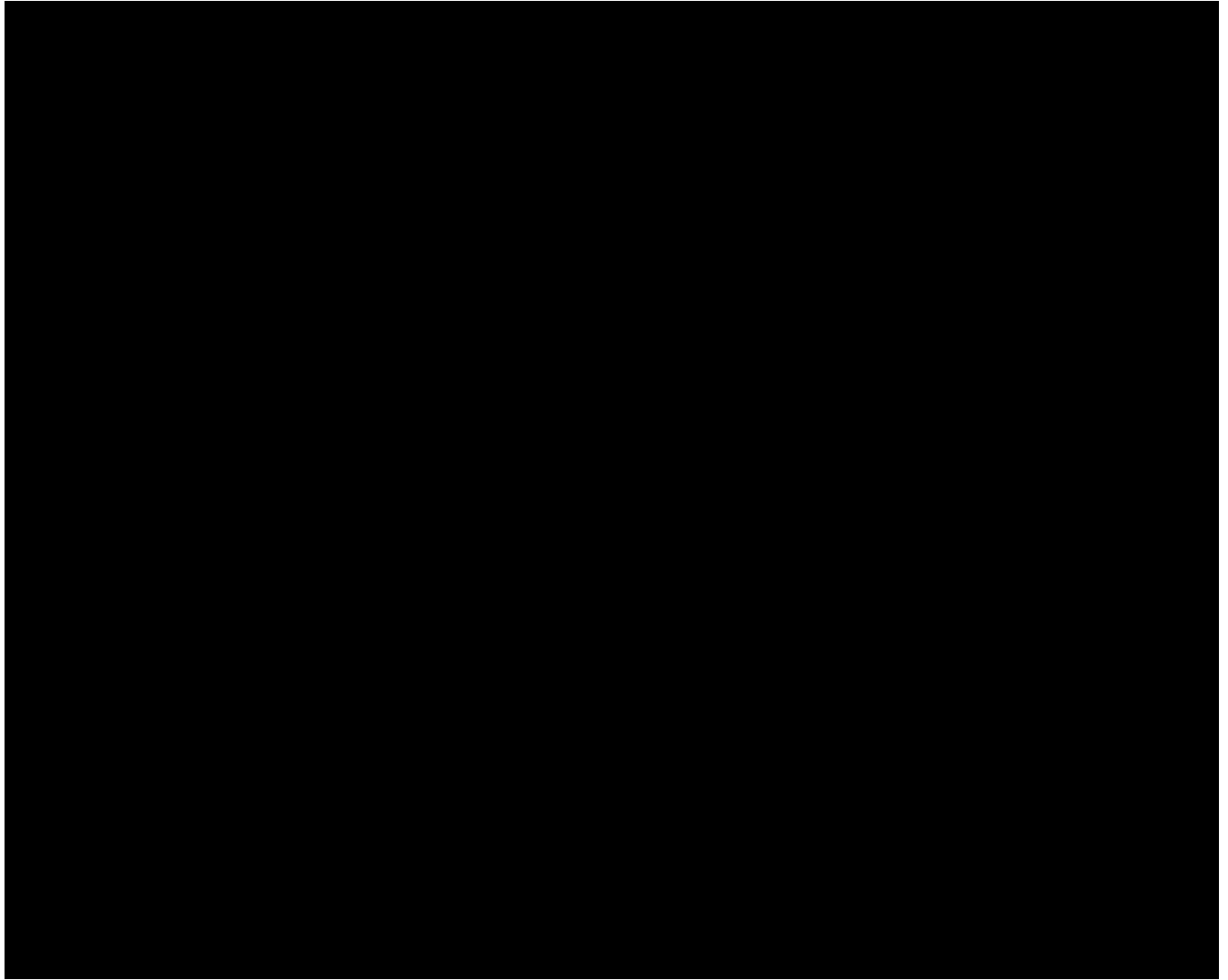
Bcc











 1 attachment (2 MB)

Berth 605 Notification of the Draft EIR Comment Period_April 2026.pdf;

Dear Stakeholder

WSP Group Africa (Pty) Ltd (WSP) has been appointed by Transnet National Ports Authority (TNPA) to undertake the Scoping and Environmental Impact Reporting (S&EIR) process as the independent Environmental Assessment Practitioner (EAP) for the development of Berth 605 and associated infrastructure in support of a Container Handling Facility and associated infrastructure located within the Port of Richards Bay (PoRB), KwaZulu-Natal Province.

An application for Environmental Authorisation (EA) was submitted to the Department of Forestry, Fisheries and the Environment (DFFE) on 18 November 2024 and a Final Scoping Report (FSR) was submitted on 20 January 2025 which was subsequently accepted on 28 February 2025.

During the course of the Environmental Impact Assessment (EIA), undertaken for the Draft Environmental Impact Assessment Report (EIR), concerns were raised by the marine ecologist, the terrestrial biodiversity specialist and the avifaunal specialists with regards to the sensitive environments within the site that the proposed project will remove in its entirety hence recommending offsets as avoiding and minimizing the impact was deemed not possible. The Draft EIR was therefore delayed and was not released into the public domain timeously before a Final EIR was due on 20 August 2025.

Taking the above recommendations for offset/compensation into consideration, the Applicant (TNPA) decided not to submit the Final EIR to the DFFE within the regulated timeframe (on or before 20 August 2025). This will allow the

Applicant time to conduct additional investigations and to further revisit the impacts and associated mitigation measures including an offset/compensation plan (if required).

In terms of Regulation 21(2) of the National Environmental Management Act (Act 107 of 1998) (NEMA) EIA Regulations of 2014 as amended, the Applicant is afforded the option to submit the Final EIR to the DFFE within 2 years of acceptance of the Scoping Report (acceptance dated 28 February 2025).

For more information, please refer to the attached letter.

Kind regards,

Public Participation Office

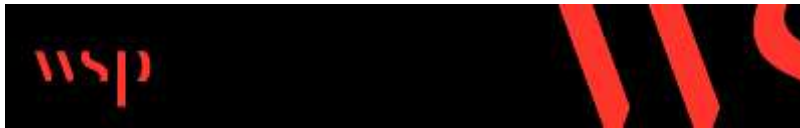
T +27 11 254 4800

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Building 1, Maxwell Office Park, Magwa Crescent West, Waterfall City, Midrand
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Africa Registered Number: 1999/008928/07 South Africa



Outlook

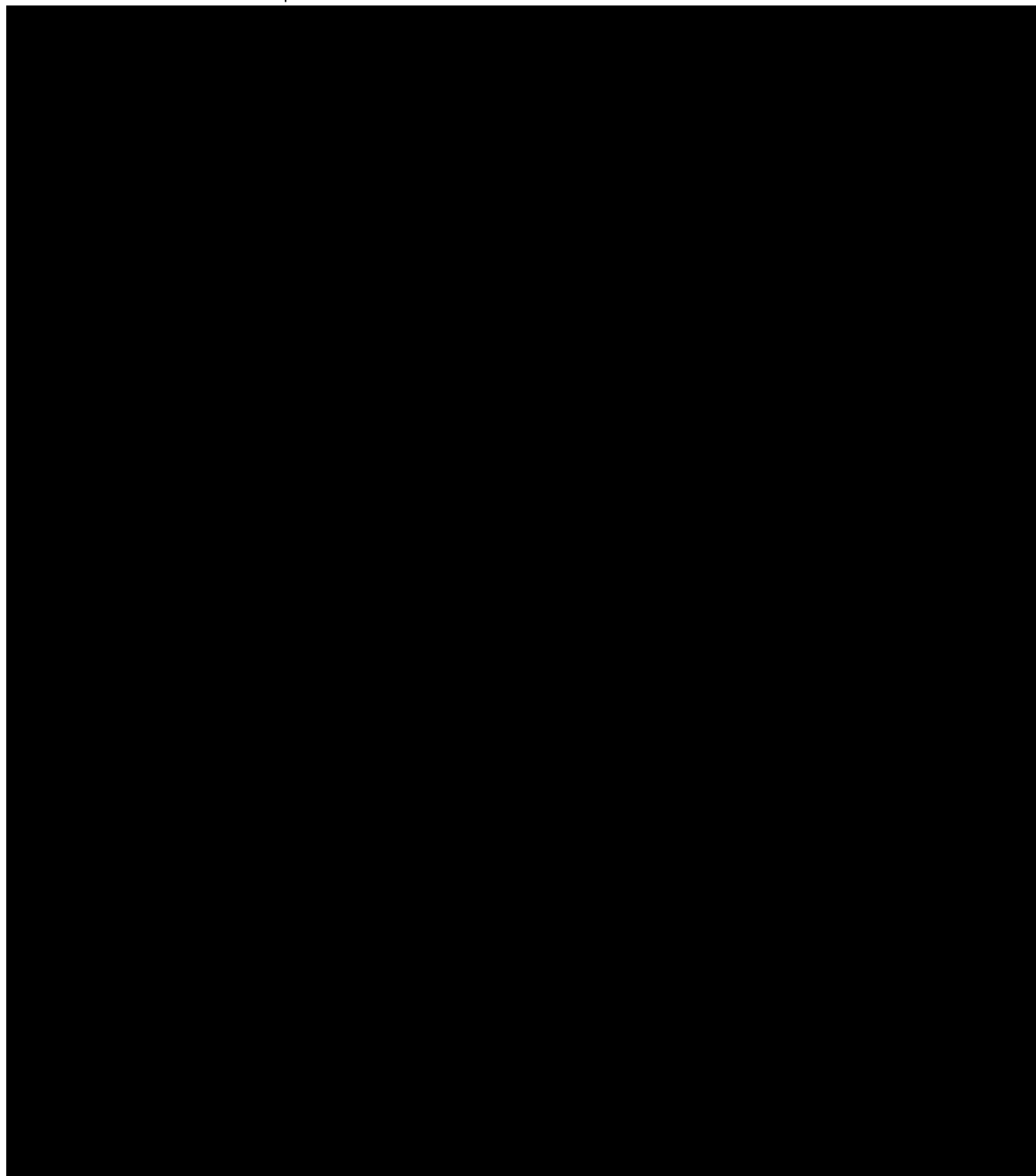
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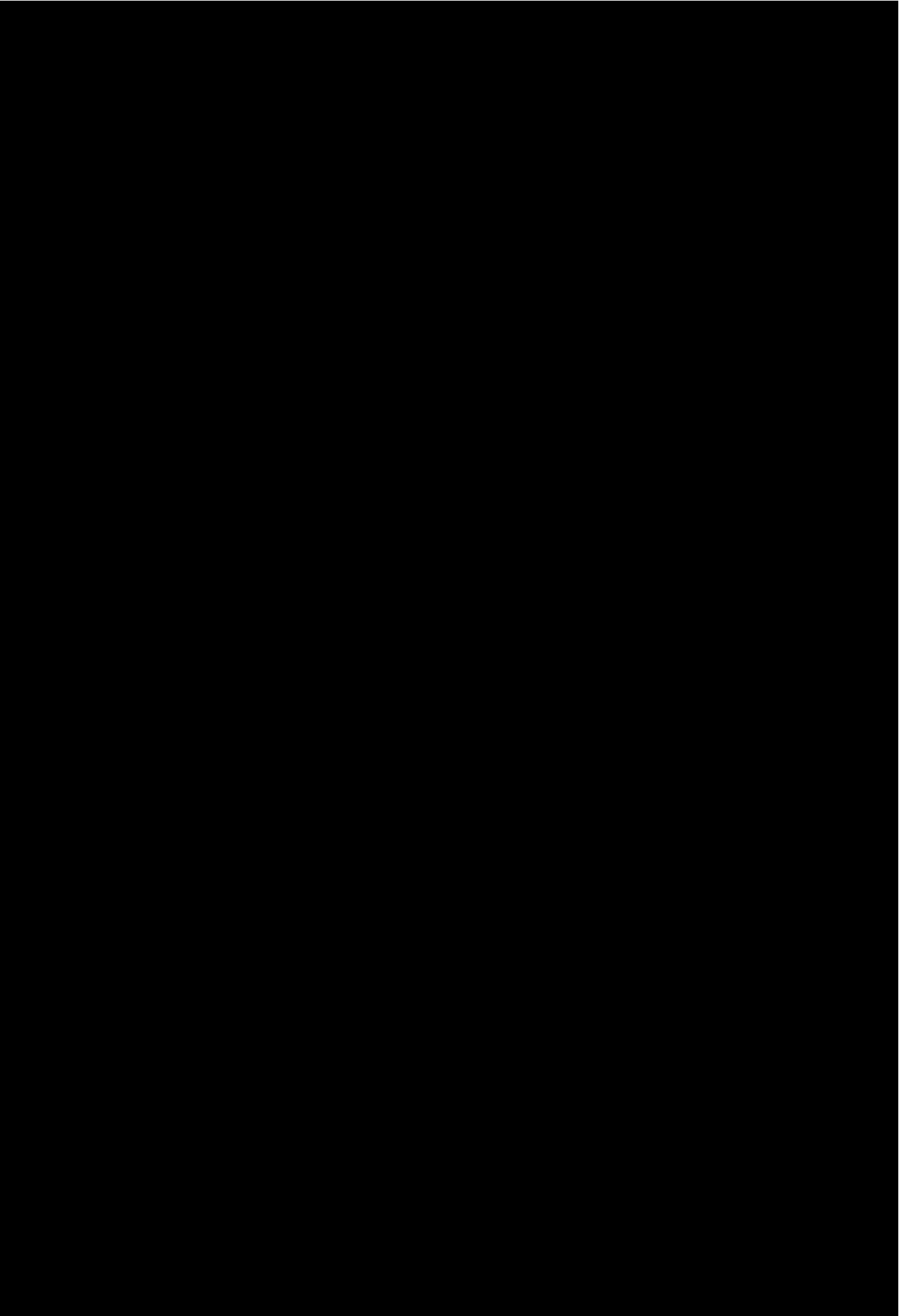
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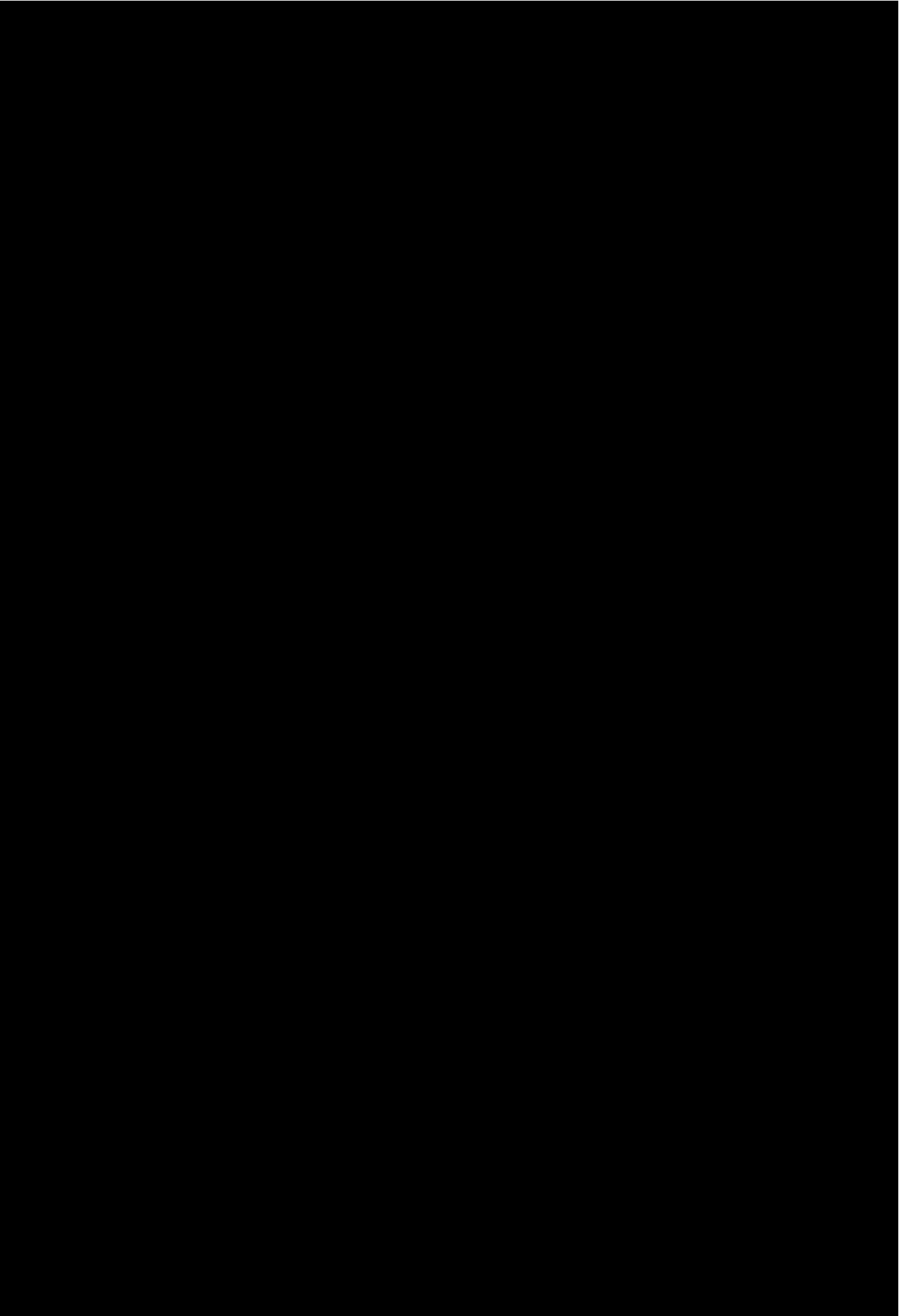
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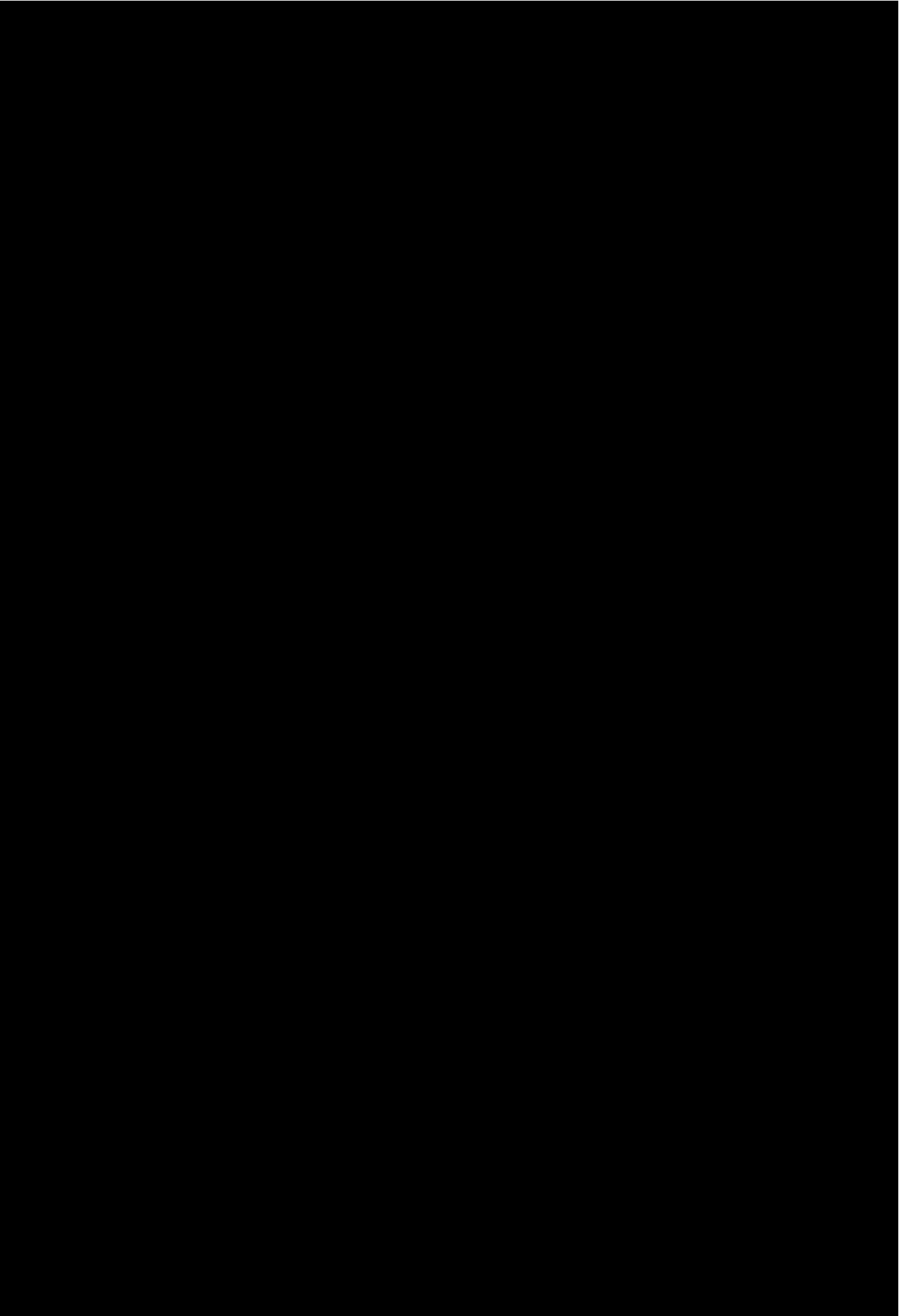
To ZA - WSP - PPOffice <PP@wsp.com>

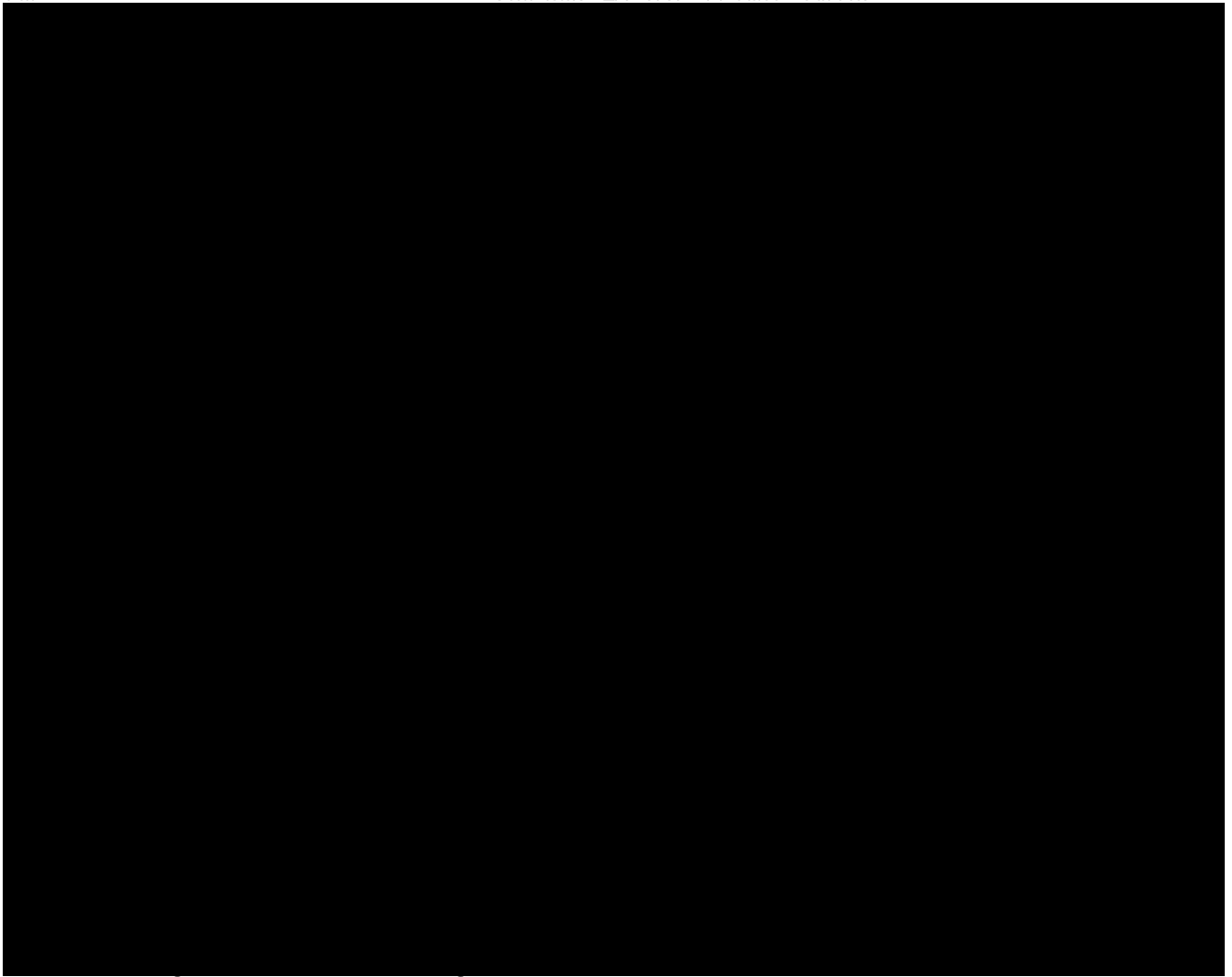
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For more information, please refer to the attached letter.

Kind regards,

Public Participation Office

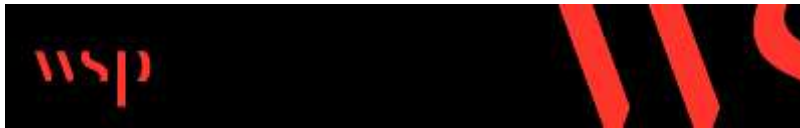
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Registered Number: 1999/008928/07 South Africa

Appendix D.3

EIR - SMS NOTIFICATIONS



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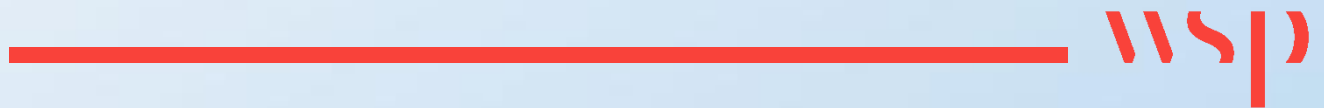
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Appendix E

EIR - COMMENTS RECEIVED AND RESPONSES SENT



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Report

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Respond

File Email

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Review

Comment

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Quick Steps

Move

Tags

Editing

Immersive

Translate

Language

Zoom

Viva Insights

Add-in

Report Message

Protection

14/12/16/3/3/2/2809 - Berth 605 and Associated Infrastructure at the PoRB - Comments and Responses on the Draft EIR



Nathaniel, Patricia

To Nathaniel, Patricia

Bcc

Reply

Reply All

Forward

Tue 2026/09/15 08:06

Business Confidential Internal and External

Berth 605 - Comments and Responses Table.pdf

491 KB

Dear I&APs

Please find the attached comments and responses on the Draft EIR for the aforementioned project

Kind Regards

Patricia Nathaniel
Principal Consultant

M +27 82 303 2346

WSP
1st Floor, Pharos House,
70 Buckingham Terrace,, Westville
3629 South Africa



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA 0001 · Environment House 473 Steve Biko Road, Arcadia, · PRETORIA

DFFE Reference: 14/12/16/3/3/2/2809

Enquiries: Ms Constance Musemburi,

Telephone: () **E-mail:** ()

Ms Patricia Nathaniel
WSP Group Pty (Ltd)
WSP in Africa
1st Floor, Pharos House
70 Buckingham Terrace
WESTVILLE
3629

Cell Number:
Email Address:

PER MAIL / E-MAIL.

Dear Ms Nathaniel

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORTS FOR THE PROPOSED DEVELOPMENT OF NEW BERTH 605 AND ASSOCIATED INFRASTRUCTURE TO SUPPORT THE CONTAINER HANDLING FACILITY, PORT OF RICHARDS BAY, KWAZULU-NATAL PROVINCE.

The final Scoping Report (SR) dated January 2025, received by the Department on 20 January 2025, the acceptance of the final SR dated 28 February 2025, your request for extension in terms of Regulation 3(7) of the 2014 NEMA EIA Regulations, as amended (the EIA Regulations), dated 06 May 2025, approved by the Department on 27 May 2025, your second request for extension in terms of Regulation 3(7) of the EIA Regulations, dated 18 July 2025, the Department's letter dated on 13 August 2025 and the draft Environmental Impact Assessment Report (EIAR) received by the Department on 07 May 2026.

Background

The submission of the draft EIAR is in terms of Regulation 21(2) of the EIA Regulations, following the lapsing of the final SR (DFFE Reference: 14/12/16/3/3/2/2656). The final SR was accepted on 28 February 2025.

This letter serves to inform you that the following information **must** be included in the final EIAR:

1. Application Form.

- a) The draft EIAR did not address the comments made in the acceptance of the final SR28 dated February 2025, therefore some of the comments on listed activities are repeated below for easy reference.

wh



Batho pele – putting people first



Departement van Bosbou, Visserye en die Omgewing • Department of Forestry, Fisheries and the Environment • UmNyango wezamaHlathi, zokuThiya neBhoduluko • iSebe lezamaHlathi, ezokuLoba noKusigqongileyo • Umnyango WezamaHlathi, Ezokudoba Nezemvelo • Kgoro ya Dithokgwa, Boreahlapi le Tikologo • Lefapha la Meru, Botshwasi ba dithapi le Tikologo • Lefapha la Dikgwa, Dithapi le Tikologo • Litiko Letemahlatsi, Tinkhanti Netendawo • Muhasho wa zwa Vhusima-majaka, Vhureakhovhe na Mupo • Ndawulo ya Swihahla, Vunjoveni na Maango. The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessively for the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act, and/or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

- b) It is noted that the construction of the new berth pocket and quay wall will require backfill infill. Where will the infill material be obtained from? Will there be an offshore borrow pit that will require a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) or renewal thereof. If so, please consider the applicability of Activity 21 of Listing Notice 1 of the EIA Regulations. Although the authorisation for the borrow pit will be sought from the Department of Minerals and Energy, background information must be scoped in this EIA.
- c) It is noted that the project will use an existing site for the disposal of dredged materials, therefore a Dumping Permit will not be required for such offsite disposal under the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008). Please provide proof that the existing site is authorised for disposal of dredged material.
- d) It is also possible that certain activities may be no longer relevant or necessary after the outcome of specialist studies. Ensure that only listed activities that are triggered by this development are applied for in the EIAR for the proposed project. The EIAR must assess the correct sub-listed activity for each listed activity applied for and include thresholds. The onus is on the Environmental Assessment Practitioner (EAP) and applicant to ensure that no other activities are triggered, and the correct activities are applied for, are specific and can be linked to the development activity or infrastructure (including thresholds) as described in the project description.
- e) If the activities applied for in the application form differ from those mentioned in the final EIAR, an amended application form must be submitted. Please note that the Department's application form template has been amended recently and can be downloaded from the following link <https://www.dffe.gov.za/documents/forms>.
- f) The description of the listed activities must be project specific and include thresholds of the proposed activities where possible.

2. **Public Participation Process.**

- a) Please ensure that comments from all relevant stakeholders are submitted to the Department with the final EIAR. This includes but not limited to the; Provincial Department, South African Heritage Resources Agency (SAHRA), Earthlife Africa, Provincial Heritage Resources Authority; Wildlife and Environment Society of SA (WESSA); Ezemvelo KZN Wildlife, Local alliances or environmental bodies; South African Civil Aviation Authority, Birdlife South Africa, as well as the affected district and local municipalities.
- b) Ensure that the various directorates within this Department are included for comment such as, Air Quality, Climate Change, Oceans and Coast, Water Sources and Wetlands Conservation Directorate, Biodiversity and Conservation and Protected Areas are included as I&APs. The EAP must ensure that written comment is received from all relevant government stakeholders.
 - Department of Forestry, Fisheries, and the Environment (DFFE): Biodiversity Planning and Conservation (BCAdmin@dffe.gov.za)
 - Protected Areas Directorate [REDACTED] for attention Mr Thivhulawi Nethononda,
 - Water Sources and Wetlands Conservation Directorate ([REDACTED] for attention Mr Stanley Tshitwamulomoni)
 - Climate Change Mitigation – Dr Mapula Tshangela - [REDACTED], Faith Nkohla - [REDACTED]
 - Air Quality – Dr Patience Gwaze, Chief Director: Air Quality Management: [REDACTED]
 - Oceans and Coast – Lona Nondaka - [REDACTED]; Jessica Mans - [REDACTED]
- c) Proof of correspondence with the various stakeholders must be included in the final EIAR. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments.

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- d) The EAP must ensure that all documents pertaining to the proposed development are fully accessible and free of technical errors.
- e) The comments and response trail report (C&R) must be submitted with the final EIAR and subsequent documentation. The C&R report must incorporate all comments received for this development, including comments on the draft SR and comments on the acceptance of the final SR. The C&R report must be a separate document from the main report. The comment and responses report must address all comment received and dated chronologically, while allowing the reader to follow how the issues have been addressed and translated into the report findings. The report must include responses to the I&APs.
- f) Please ensure that all issues raised, and comments received during the circulation of the draft EIAR from registered I&APs and organs of state which have jurisdiction (including this Department's comments) in respect of the proposed activity are adequately addressed. Comments made by I&APs must be comprehensively captured (copy verbatim if required) and responded to clearly and fully. Please note that a response such as "Noted" is not regarded as an adequate response to I&AP's comments.
- g) The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations.

3. Layout maps:

- a) All available biodiversity information must be used in the finalisation of the **final** layout map. Existing infrastructure must be used as far as possible, e.g. roads.
- b) It must be emphasised that the final EIAR **must include a final layout map** which adheres to specialist recommendations as well as the identified no-go areas must be included. Failure to provide a final layout map may be a fatal flaw to the decision-making process.

4. Offsets

- a) In the previously lapsed application (DFFE Reference: 14/12/16/3/3/2/2656), the EAP requested an extension in terms of Regulation 3(7) of the EIA Regulations, for submission of the final EIAR. The motivation provided was that the draft EIAR identified the need for biodiversity offsets/compensation to address impacts on terrestrial biodiversity, avifauna, and estuarine/marine environments. In refusing the extension request, the Department emphasised that the biodiversity offsetting process requires extensive planning, stakeholder engagement, and sufficient time to demonstrate that all reasonable mitigation measures and project alternatives had been exhausted prior to reliance on biodiversity offsets. The Department anticipated that stakeholder engagements and biodiversity-led alternatives investigations would be undertaken before continuation of this application process. However, the draft EIAR does not adequately demonstrate that this was undertaken.
- b) The Department notes the statement contained in the Terrestrial Biodiversity Impact Assessment that *"all mitigation alternatives have been considered and evaluated"* and that *"there is no practical way to reduce the loss of this ecosystem given the envisioned layout."* However, upon review of the draft EIAR and specialist studies, the Department is not satisfied that the alternatives assessment adequately considered biodiversity-led avoidance and minimisation measures aimed specifically at reducing impacts on CBA1: Irreplaceable habitat, mangrove systems, coastal forests, estuarine habitats, and associated species of conservation concern.

The alternatives identified in the draft EIAR appear to focus predominantly on engineering, infrastructure, operational, and technology-related considerations, including quay wall design, scour protection, dredge depth, disposal methods, stormwater, sewerage, rail design, electricity supply, and the location and capacity of the Container Handling Facility (CHF). While these alternatives may influence the technical feasibility and operational efficiency of the project, the Department is not

satisfied that they sufficiently constitute biodiversity-driven alternatives in terms of the mitigation hierarchy, particularly the requirement to first avoid impacts before considering offsets.

The Department is therefore of the view that the alternatives assessment is insufficiently exhaustive to justify the proposed biodiversity offset. The draft EIAR does not clearly demonstrate that reasonable and feasible alternatives were investigated to:

- avoid or reduce impacts on CBA1: Irreplaceable areas and high sensitivity habitats;
- reduce the extent of dredging and associated infrastructure footprints;
- redesign or reposition infrastructure to avoid mangrove, estuarine, and coastal forest habitat;
- reduce the footprint of temporary infrastructure and stockpile areas;
- phase development to minimise habitat disturbance; or
- investigate reduced-capacity, modified layout, or alternative configuration options that may reduce biodiversity impacts.

Furthermore, the reliance on the “*envisioned layout*” as justification for unavoidable biodiversity loss raises concern, as it suggests that the project layout may have been treated as a fixed constraint rather than being iteratively informed by environmental sensitivities and the outcomes of specialist studies. The mitigation hierarchy requires that project design be informed by environmental constraints from the outset, particularly where irreplaceable biodiversity areas are affected.

Accordingly, the EAP and specialist are required to:

- provide a detailed motivation demonstrating how biodiversity considerations informed the project layout and design process;
- identify and assess additional layout, footprint, spatial, and configuration alternatives specifically aimed at avoiding or reducing impacts on sensitive terrestrial and estuarine habitats;
- demonstrate why avoidance of CBA1: Irreplaceable habitat is not feasible;
- provide comparative analysis of biodiversity impacts associated with each alternative considered; and
- justify why the proposed offset approach should be regarded as acceptable considering the residual impacts on irreplaceable biodiversity features.

Until such information is provided, the Department is not satisfied that the need for biodiversity offsets has been appropriately justified in terms of the mitigation hierarchy and the requirements of the National Environmental Management Act, 1998, and the National Biodiversity Offset Guideline, 2023.

- c) Notwithstanding the requirement for the EAP/Applicant to reassess and adequately justify the need for a biodiversity offset through a comprehensive alternatives assessment and application of the mitigation hierarchy, should a biodiversity offset ultimately be confirmed as necessary, a finalised Biodiversity Offset Plan (BOP) must be submitted as part of the final EIAR.
- d) While the Department acknowledges the Biodiversity Compensation Plan (Appendix G16), the Department is not satisfied that the report adequately demonstrates compliance with the Guideline or provides sufficient certainty regarding the feasibility, adequacy, and implementation of the proposed offset measures.
- e) The Department notes, *inter alia*, that:
 - the Biodiversity Compensation Plan appears to rely heavily on habitat recreation and ecological compensation measures associated with artificially created estuarine systems, despite the acknowledged ecological significance and sensitivity of the existing habitats;
 - insufficient evidence has been provided to demonstrate that the proposed compensation measures will achieve no net loss or preferably a net gain of biodiversity, particularly in relation to CBA1: Irreplaceable habitat and threatened ecosystems;

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- the plan does not adequately assess the feasibility, long-term ecological sustainability, success criteria, monitoring requirements, implementation responsibilities, and financial provisioning associated with the proposed compensation measures;
 - no clear indication has been provided regarding the legal securing, management, and long-term protection status of proposed offset areas;
 - the proposed compensation approach does not adequately demonstrate ecological equivalence between impacted habitats and proposed offset or compensation areas;
 - there is insufficient detail regarding offset ratios, calculation methodologies, and the scientific basis for determining adequacy of compensation measures; and
 - the plan does not provide sufficient evidence of agreement in principle or endorsement from the relevant conservation authorities, including *inter-alia*, DFFE: Biodiversity Conservation, Ezemvelo KZN Wildlife, KZN Department of Economic Development, Tourism and Environmental Affairs regarding the acceptability of the proposed offset approach.
- f) The Department further notes that the submitted compensation plan appears to rely, in part, on future rehabilitation or habitat creation opportunities that remain conceptual and have not yet been secured, assessed, or approved by the relevant conservation/management authorities. In the absence of identified and secured offset receiving areas, the Biodiversity Compensation Plan (BCP) remains largely conceptual and does not constitute an implementable Biodiversity Offset Plan as contemplated in the National Biodiversity Offset Guideline, 2023.
- g) Furthermore, while the report acknowledges the presence of irreplaceable biodiversity features and threatened ecosystems, it does not adequately assess whether the residual impacts may remain unacceptable notwithstanding proposed offsets. The National Biodiversity Offset Guideline recognises that there are circumstances where impacts on irreplaceable biodiversity features may constitute a fatal flaw and may not be appropriate for offsetting.
- h) The Department notes that the BCP places considerable emphasis on the ecological functionality of the existing tidal pool and the possibility of recreating similar habitat elsewhere within the Port. However, the report does not provide sufficient scientific evidence demonstrating that recreated or artificial habitats would achieve ecological equivalence to the existing estuarine and mangrove systems proposed to be lost.

Insufficient information is provided regarding:

- the long-term ecological viability and sustainability of proposed compensation areas;
 - measurable no-net-loss or net-gain outcomes;
 - ecological equivalence of replacement habitats;
 - how realistic and practical the mitigation measure is and what
 - offset implementation timelines and lag effects;
 - costly commitments and assurances to implement this mitigation measure
 - financial provisioning, long-term management responsibilities;
 - all the risks, gaps, uncertainties and assumptions;
 - monitoring, auditing, adaptive management, and success criteria; and
 - legally secured protection mechanisms for proposed offset areas.
- i) Therefore, it is unclear how the applicant endeavours to submit a final Biodiversity Offset Plan with the final EIAR given the shortcomings of the draft Compensation Plan submitted. Please note that providing time constraints as a limitation will not be accepted. It is further emphasised that the final EIAR must include the following:
- A detailed finalised Biodiversity Offset Plan and scientifically defensible, detailing all necessary information which meets the requirements of the National Biodiversity Offset Guideline, 23 June 2023, including, *inter alia*, details on the nature and extent of the offset, the total loss of biodiversity

versus the net gain, where the loss will occur and where it will be replaced, be provided in order to be able to make an informed decision on the application. Motivation for the offset and proof that the mitigation hierarchy was followed must be provided. Offset Area must have a legal status to ensure area is safe guarded from other development for at least 30 years.

- reassess and justify the need for biodiversity offsets following a comprehensive biodiversity-led alternatives assessment;
- demonstrate how the mitigation hierarchy has been fully applied, particularly avoidance and minimisation measures;
- provide detailed offset calculations, ecological equivalence assessments, implementation measures, monitoring commitments, financial provisioning, and long-term governance arrangements;
- demonstrate how the proposed compensation measures will achieve measurable and sustainable biodiversity outcomes consistent with the principles of no net loss or net gain.
- Legal agreements between the applicant and the management authority that will manage the offset area, indicating that they support the draft agreement in principle, must be signed and submitted together with the final EIAR before a decision can be made on the application.
- Comments from the DFFE: Biodiversity Conservation, DFFE: Forest Resource Protection, DFFE: IEA, DFFE: Oceans and Coast, Ezemvelo KZN Wildlife, KZN Department of Economic Development, Tourism and Environmental Affairs, the City of uMhlatuze Local Municipality (Environment Department) commenting specifically on the adequacy and acceptability of the draft Biodiversity Offset Plan for decision making.
- I&APs must be given an opportunity to comment on the draft Biodiversity Offset Plan and agreements.
- The Biodiversity Offset Plan to be submitted including an analysis thereof must be final. Post EA decision making offset requirements/work/studies must be avoided.
- The EAP must be competent and know the area within which the offset activities are to take place (prior knowledge of the site important) and must provide a reasoned analysis of the adequacy of the final Biodiversity Offset Plan.

5. **Specialist reports**

a) **Avifaunal Impact Assessment:**

The field surveys were undertaken over only four survey days during the summer season between November 2024 and January 2025. The Department is not satisfied that the survey effort is sufficient to comprehensively assess seasonal variability in avifaunal use of the area, particularly in relation to migratory shorebirds, breeding activity, and seasonal abundance patterns. Additional seasonal avifaunal surveys are required to improve confidence in the assessment of migratory, resident, and breeding bird use of the area. The concerns raised above regarding the adequacy, feasibility, and justification of the proposed biodiversity offset approach are reiterated. In particular, the Department notes that insufficient information has been provided regarding avifaunal-specific offset measures, including measurable biodiversity outcomes, and ecological equivalence. Further assessment is also required regarding the implications of habitat transformation on important waterbird habitats and IBA-associated species.

b) **Freshwater and Aquatic Impact Assessment:**

The Department notes the following concerns

- no detailed aquatic ecological assessment was undertaken;
- the assessment relied partly on desktop delineations due to restricted site access;
- the study was undertaken during a single seasonal window only;
- the report acknowledges uncertainty regarding freshwater-estuarine boundaries and delineation accuracy;
- the assessment relies substantially on historical datasets and desktop information; and

Wk

- cumulative, indirect, and long-term impacts associated with dredging, infilling, stormwater discharge, sedimentation, and harbour expansion were not adequately assessed.

Furthermore, the report does not adequately demonstrate:

- how the mitigation hierarchy was applied to avoid and minimise impacts on aquatic and estuarine systems;
- whether less damaging design or layout alternatives were considered; and
- whether residual impacts on sensitive aquatic ecosystems are considered acceptable, offsetable, or potentially constitute a fatal flaw.

Accordingly, the Department requires additional assessment of aquatic and estuarine ecological functioning, cumulative and indirect impacts, seasonal variability, and clearer justification regarding the significance and acceptability of residual impacts before the Department can conclude that impacts on aquatic ecosystems can be acceptably managed.

c) Marine Impact Assessment:

The Department notes the following concerns:

- the proposed development will result in extensive dredging, shoreline modification, infilling, and habitat transformation within sensitive estuarine environments;
- alternatives considered appear to have been driven primarily by engineering, operational, and cost considerations rather than ecological avoidance;
- cumulative impacts associated with broader port expansion activities and the Port Masterplan were not sufficiently assessed;
- the long-term implications for estuarine functioning, connectivity, sediment dynamics, nursery habitats, fisheries support functions, and ecological resilience require further assessment; and
- insufficient information was provided regarding the feasibility and effectiveness of proposed biodiversity offset or compensation measures.
- The Department is further concerned that the report acknowledges the ecological significance of the tidally influenced pool and associated mangrove habitat adjacent to the Assembly Basin yet does not adequately demonstrate whether impacts to these systems can be acceptably mitigated or offset.
- Accordingly, the Department requires further biodiversity-led alternatives assessment, clearer demonstration of the application of the mitigation hierarchy, additional cumulative impact assessment, clarification regarding the significance and offset ability of residual impacts, and submission of a scientifically defensible biodiversity offset strategy before the Department can conclude that impacts on estuarine and marine ecosystems can be acceptably managed.

d) Wave Climate and Shoreline Change Study:

The Department is not satisfied that the assessment adequately assesses the implications of climate change-related risks, including sea level rise, storm surges, increased extreme wave events, and long-term coastal vulnerability, on the proposed development and associated offshore disposal activities. The assessment also appears to rely substantially on historical wave and wind datasets without clearly demonstrating how future climate projections were incorporated into modelling or impact assessment processes. This is a significant concern given the long operational lifespan of port infrastructure and the increasing vulnerability of coastal environments to climate-related impacts. Additional climate resilience and future scenario assessment is therefore required to demonstrate the long-term environmental acceptability and sustainability of the proposed development. A Feasibility Study is required to adequately address how climate change risks such as the sea level rise and coastal storm surges will be addressed during the construction and operational phase of the proposed development.

6. Environmental Management Programme

a) The final EMP must also include the following:

wh

- All recommendations and mitigation measures recorded in the EIAR and the specialist studies conducted.
- An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.
- Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
- An alien/invasive plant management report; plant rescue and protection report; and re-vegetation and habitat rehabilitation report and post construction monitoring.
- An in-situ search and rescue plan must be developed and implemented for other conservation important species including geophytic species that will be impacted by the construction of the project site.

b) In addition to the above, the EMPr must comply with Appendix 4 of the EIA Regulations.

General

- a) **Please note that the comments on the draft SR (DFFE Reference: 14/12/16/3/3/2/2656) issued on 06 December 2024 and the acceptance of the SR (DFFE Reference: 14/12/16/3/3/2/2656) dated 28 February 2025 are still valid and must be adhered to.**
- b) Please ensure that a separate appendix which includes the GPS coordinates, affected properties and SG codes of the proposed development site (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.

Should you fail to meet any of the timeframes stipulated in Regulation 23 of the EIA Regulations, your application will lapse.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.

Yours sincerely



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries & the Environment

Signed by: Mr Wayne Hector

Designation: Deputy Director: Prioritised Infrastructure Projects

Date: 08/06/2026

cc:	Mr. Thami Sithole	Transnet National Ports Authority (TNPA)	Email:	
		Transnet National Ports Authority (TNPA)	Email:	
	Muziwandile Mdamba	KZN Province: EDTEA	Email:	
	Brenda Strachan	City of uMhlatuze Local Municipality	Email:	

Mathulwe, Tumelo

From: MinistryTransport <[REDACTED]>
Sent: Friday, 10 April 2026 09:18
To: ZA - WSP - PPOffice
Cc: Janine Buitendag; Liesl Jacobs; Itebogeng Chiloane
Subject: FW: 43102871: BERTH 605 AND ASSOCIATED INFRASTRUCTURE IN SUPPORT OF THE CONTAINER HANDLING FACILITY AT THE PORT OF RICHARDS BAY- NOTIFICATION OF THE COMMENT PERIOD OF THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)
Attachments: Berth 605 Notification of the Draft EIR Comment Period_April 2026.pdf

Good day,

On behalf of the Minister of the Department of Transport, Ms B D Creecy, MP, I acknowledge with thanks receipt of your correspondence , in the above regard.

Regards,

Liesl Jacobs

Email: [REDACTED] , Office number: [REDACTED]
Physical Address: 159 Struben Street, Forum Building, Pretoria, 0001



From: ZA - WSP - PPOffice <PP@wsp.com>
Sent: Thursday, 09 April 2026 16:20
To: ZA - WSP - PPOffice <PP@wsp.com>
Subject: 43102871: BERTH 605 AND ASSOCIATED INFRASTRUCTURE IN SUPPORT OF THE CONTAINER HANDLING FACILITY AT THE PORT OF RICHARDS BAY- NOTIFICATION OF THE COMMENT PERIOD OF THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)

Dear Stakeholder

WSP Group Africa (Pty) Ltd (WSP) has been appointed by Transnet National Ports Authority (TNPA) to undertake the Scoping and Environmental Impact Reporting (S&EIR) process as the independent Environmental Assessment Practitioner (EAP) for the development of Berth 605 and associated infrastructure in support of a Container Handling Facility and associated infrastructure located within the Port of Richards Bay (PoRB), KwaZulu-Natal Province.

An application for Environmental Authorisation (EA) was submitted to the Department of Forestry, Fisheries and the Environment (DFFE) on 18 November 2024 and a Final Scoping Report (FSR) was submitted on 20 January 2025 which was subsequently accepted on 28 February 2025.

During the course of the Environmental Impact Assessment (EIA), undertaken for the Draft Environmental Impact Assessment Report (EIR), concerns were raised by the marine ecologist, the terrestrial biodiversity specialist and the avifaunal specialists with regards to the sensitive environments within the site that the proposed project will remove in its entirety hence recommending offsets as avoiding and minimizing the impact was deemed not possible. The Draft EIR was therefore delayed and was not released into the public domain timeously before a Final EIR was due on 20 August 2025.

Taking the above recommendations for offset/compensation into consideration, the Applicant (TNPA) decided not to submit the Final EIR to the DFFE within the regulated timeframe (on or before 20 August 2025). This will allow the Applicant time to conduct additional investigations and to further revisit the impacts and associated mitigation measures including an offset/compensation plan (if required).

In terms of Regulation 21(2) of the National Environmental Management Act (Act 107 of 1998) (NEMA) EIA Regulations of 2014 as amended, the Applicant is afforded the option to submit the Final EIR to the DFFE within 2 years of acceptance of the Scoping Report (acceptance dated 28 February 2025).

For more information, please refer to the attached letter.

Kind regards,

Public Participation Office

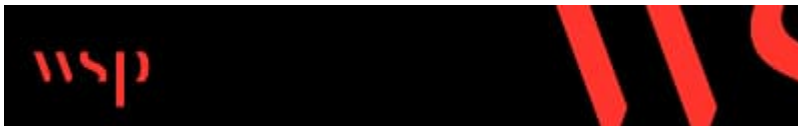
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Registered Number: 1999/008928/07 South Africa

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-LAEmHhHzdJzBITWfa4Hgs7pbKl

Mathulwe, Tumelo

From: ZA - WSP - PPOffice
Sent: Wednesday, 15 April 2026 17:38
To: Andy Blackmore; ZA - WSP - PPOffice
Cc: iem.app
Subject: RE: 43102871: BERTH 605 AND ASSOCIATED INFRASTRUCTURE IN SUPPORT OF THE CONTAINER HANDLING FACILITY AT THE PORT OF RICHARDS BAY- NOTIFICATION OF THE COMMENT PERIOD OF THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)

Good day Andy,

Thank you for that.

It is noted that iem.app@kznwildlife.com was copied in your response, however, the notification was shared directly with the email address directly as well.

Kind regards,

Public Participation Office

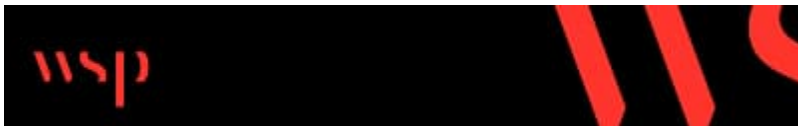
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Registered Number: 1999/008928/07 South Africa

From: Andy Blackmore <[REDACTED]>
Sent: Thursday, 09 April 2026 17:15
To: ZA - WSP - PPOffice <PP@wsp.com>
Cc: iem.app <iem.app@kznwildlife.com>
Subject: Re: 43102871: BERTH 605 AND ASSOCIATED INFRASTRUCTURE IN SUPPORT OF THE CONTAINER HANDLING FACILITY AT THE PORT OF RICHARDS BAY- NOTIFICATION OF THE COMMENT PERIOD OF THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)

Dear WSP

I trust you are aware, but to be clear: sending this or similar notices to me does not relieve you of your obligation to notify and engage directly with Ezemvelo.

All correspondence must be sent to iem.app@kznwildlife.com to ensure proper recording of your compliance with the EIA provisions under the National Environmental Management Act (No. 107 of 1998) and its Regulations.

Please note that sending information to any other Ezemvelo staff member, unless explicitly requested by a member of the IEM Unit, does not constitute compliance with the above requirements.

Kindly ensure that all staff at WSP amend their records accordingly.

Dr Andy Blackmore [Profile](#)

PhD Environmental Law, LLM (cum laude), MSc (Ecology). *Pr.Sci.Nat.* - 117437

Scientific Manager-Conservation Planning

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From: ZA - WSP - PPOffice <PP@wsp.com>

Sent: Thursday, April 9, 2026 4:19:27 PM

To: ZA - WSP - PPOffice <PP@wsp.com>

Subject: 43102871: BERTH 605 AND ASSOCIATED INFRASTRUCTURE IN SUPPORT OF THE CONTAINER HANDLING FACILITY AT THE PORT OF RICHARDS BAY- NOTIFICATION OF THE COMMENT PERIOD OF THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)

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For more information, please refer to the attached letter.
Kind regards,

Public Participation Office

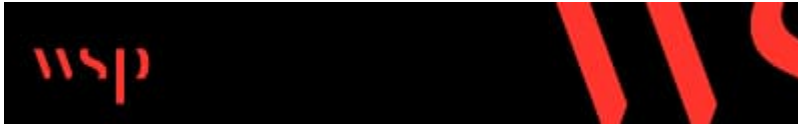
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-LAEmHhHzdJzBITWfa4Hgs7pbKl

From: ZA - WSP - PPOffice
Sent: Wednesday, 15 April 2026 17:35
To: iem.app
Cc: ZA - WSP - PPOffice
Subject: 43102871: BERTH 605 AND ASSOCIATED INFRASTRUCTURE IN SUPPORT OF THE CONTAINER HANDLING FACILITY AT THE PORT OF RICHARDS BAY- NOTIFICATION OF THE COMMENT PERIOD OF THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)
Attachments: Berth 605 Notification of the Draft EIR Comment Period_April 2026.pdf

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For more information, please refer to the attached letter.

Kind regards,

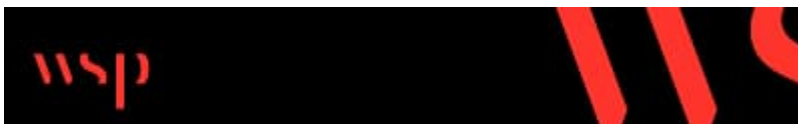
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Mathulwe, Tumelo

From: ZA - WSP - PPOffice
Sent: Friday, 17 April 2026 18:21
To: Peter Henderson; ZA - WSP - PPOffice
Subject: RE: WSP project 43102871

Good day Peter,

Thank you for bringing this to our attention.

The document has be replaced and is working.

Kind regards,

Public Participation Office

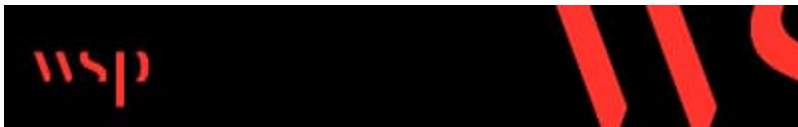
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Registered Number: 1999/008928/07 South Africa

From: Peter Henderson [REDACTED]
Sent: Friday, 10 April 2026 10:02
To: ZA - WSP - PPOffice <PP@wsp.com>
Subject: WSP project 43102871

Please can you check the Appendix E document. The downloaded file contains an error and can't be opened.

Regards
Peter



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Town & Regional Planning | Management Systems Consulting | Training

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Johannesburg | East London | Cape Town
DeVS-SiVEST (Pty) Ltd : Cape Town | www.devs.co.za

Mauritius SiVEST Mauritius Ltd | DWC SiVEST Consulting
Engineers Co. Ltd : Curepipe | www.dwcshivest.com

United Kingdom SiVEST Consulting UK Ltd | MBM Consulting Ltd :
London, England | www.mbmconsult.com

Certified to ISO 9001:2015, ISO 14001:2015 and ISO 45001:2018

Peter Henderson (PrEng PrCPM)

Senior Professional Engineer

SiVEST Civils Division



www.sivest.com

Mathulwe, Tumelo

From: ZA - WSP - PPOffice
Sent: Friday, 17 April 2026 18:03
To: Digby Cyrus; ZA - WSP - PPOffice
Subject: RE: Berth 605 Draft EIA

Good day Prof. Cyrus

Thank you for your interest in the project.

The documents can be found at the public places below:

1. <https://www.wsp.com/en-za/services/public-documents>
2. Richards Bay Public Library - Richards Bay Central, Richards Bay, 3900
3. Aquadene Public Library - 4 Via Ammannia, Aquadene, Richards Bay, 3900

Kind regards,

Public Participation Office

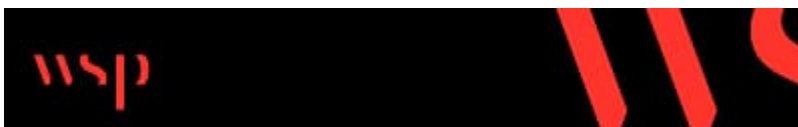
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Registered Number: 1999/008928/07 South Africa

From: Digby Cyrus <[REDACTED]>
Sent: Saturday, 11 April 2026 08:49
To: ZA - WSP - PPOffice <PP@wsp.com>
Subject: Berth 605 Draft EIA

Please will you send or provide me with access to the documents associated with the Draft Environmental Impact Report for TNPA's Berth 605 which was recently advertised as being available.

Thanks,

Prof D.P.Cyrus

Sent from my Galaxy



12 May 2026

To Whom It May Concern,

FORMAL OBJECTION TO THE PROPOSED DEVELOPMENT OF BERTH 605 AND ASSOCIATED INFRASTRUCTURE IN SUPPORT OF THE CONTAINER HANDLING FACILITY AT THE PORT OF RICHARDS BAY

1. INTRODUCTION

We hereby submit this formal objection to the proposed Development of Berth 605 and associated infrastructure in support of the Container Handling Facility at the Port of Richards Bay (the proposed development). This objection is lodged on the basis that the Environmental Impact Assessment (EIA) process has failed to adequately identify, assess and mitigate the significant environmental, social and cumulative impacts associated with the proposed activities, as required by the Constitution of the Republic of South Africa, 1996, the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA), the Environmental Impact Assessment Regulations, 2014, and the National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (ICMA).

We submit that the proposed development poses substantial risks to the marine and coastal environment, surrounding communities and existing ecological systems within Richards Bay, and that the current EIA process does not satisfy the legal threshold for informed, lawful and constitutionally compliant environmental decision-making.

2. FAILURE TO ADEQUATELY ASSESS ENVIRONMENTAL IMPACTS

The proposed dredging, quay construction, berth expansion and associated marine infrastructure activities will result in significant environmental degradation within the marine and coastal receiving environment. The EIA documentation acknowledges activities that may increase turbidity, disturb potentially contaminated sediments, alter hydrodynamic and sediment transport processes, and negatively impact water quality and marine ecological functioning.

These impacts have the potential to adversely affect marine biodiversity, benthic habitats, fish breeding and nursery areas, estuarine functioning and broader coastal ecosystem integrity. Such impacts are particularly concerning given the ecological sensitivity of the Richards Bay coastal and marine environment and the cumulative industrial pressures already affecting the area.

Section 2(4)(a)(i), (ii), (vii) and (viii) of NEMA provides that environmental management must:

- place people and their needs at the forefront of environmental management;
- avoid pollution and ecological degradation;
- apply a risk-averse and precautionary approach; and

The Right to Know | The Duty to Inquire | The Obligation to Act

SDCEA Members

Austerville Clinic Committee

Christ the King Church

Clairwood Ratepayers Association

Earthlife Africa

P.O. Box 211150

Buff, 4036

Kwazulu-Natal, South Africa

SDCEA Members

Isipingo Ratepayers Association

Merebank Clinic Committee

Silverglen Civic Association

Treasure Beach Environmental Forum

- anticipate and prevent negative environmental impacts wherever possible.

We submit that the EIA fails to adequately demonstrate how these principles have been meaningfully applied in the assessment and proposed mitigation measures.

3. INADEQUATE ASSESSMENT OF CUMULATIVE IMPACTS

The Port of Richards Bay and its surrounding environment are already subject to extensive industrial development, including other port expansion projects, shipping activities, industrial emissions, habitat transformation and associated pollution burdens. The proposed development cannot lawfully be assessed in isolation from these existing and reasonably foreseeable cumulative impacts.

Section 24O(1)(b)(iii) of NEMA expressly requires the competent authority to consider cumulative impacts before granting environmental authorisation. Furthermore, Regulation 31(2)(l) of the Environmental Impact Assessment Regulations, 2014 requires an assessment of cumulative impacts in relation to the proposed development.

Despite these legal obligations, the EIA documentation fails to provide a sufficiently detailed cumulative impact assessment addressing:

- cumulative marine ecological degradation;
- cumulative air quality impacts;
- cumulative greenhouse gas emissions;
- increased shipping-related impacts;
- cumulative noise pollution;
- impacts on surrounding communities and livelihoods (more the local fisher folks); and
- long-term ecosystem resilience.

The absence of a comprehensive cumulative impact assessment renders the decision-making process procedurally and substantively deficient.

4. IMPACTS ON COASTAL ECOLOGICAL INTEGRITY AND CLIMATE RESILIENCE

The proposed development will significantly alter the coastal dynamics, sediment movement and hydrodynamic processes within the harbour and surrounding coastal environment. These impacts will in turn increase erosion risks, destabilise coastal systems and undermine long-term climate resilience in the context of sea-level rise and increasingly severe climate-related events.

Section 63 of ICMA requires that coastal management and development decisions protect coastal public property, coastal ecosystems and the natural functioning of the coastal environment. As, the Port of Richards Bay is classified as an estuarine bay, that is characterised by a strong marine influence due to a permanent tidal connection to the sea and is of National ecological and conservation importance. How will the project then preserve this national importance area? Section 2(4)(r) of

The Right to Know | The Duty to Inquire | The Obligation to Act

SDCEA Members

Austerville Clinic Committee

Christ the King Church

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Earthlife Africa

P.O. Box 211150

Buff, 4036

Kwazulu-Natal, South Africa

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Isipingo Ratepayers Association

Merebank Clinic Committee

Silverglen Civic Association

Treasure Beach Environmental Forum

NEMA further requires that sensitive, vulnerable and highly dynamic ecosystems receive special attention in management and planning procedures.

We submit that the EIA has failed to adequately assess:

- long-term climate change impacts;
- coastal vulnerability and resilience;
- the implications of sea-level rise;
- cumulative impacts on coastal ecological functioning; and
- whether the proposed mitigation measures are realistically capable of preventing irreversible harm.

5. AIR QUALITY, NOISE AND COMMUNITY HEALTH IMPACTS

The proposed container handling facility and associated increase in shipping and freight activities that will contribute to an increased air pollution, greenhouse gas emissions, dust generation and noise impacts affecting surrounding communities.

This is particularly concerning given the existing industrial pollution burden experienced by communities within and around Richards Bay. The report does not adequately assess the cumulative health implications associated with increased industrialisation and transport-related emissions.

Section 24 of the Constitution guarantees everyone the right to an environment that is not harmful to their health or well-being. This constitutional right imposes a legal obligation on the competent authority to ensure that environmental authorisation is not granted where significant risks to human health and environmental integrity remain insufficiently assessed or mitigated.

6. IMPACTS ON LIVELIHOODS AND ENVIRONMENTAL JUSTICE

The proposed development may very well adversely affect small-scale fishers, local communities and other persons whose livelihoods and cultural practices are dependent on healthy marine and coastal ecosystems.

Section 2(4)(c) of NEMA requires environmental justice to be pursued so that adverse environmental impacts are not disproportionately borne by vulnerable and historically disadvantaged communities.

We submit that the EIA process has failed to adequately assess:

- impacts on subsistence and small-scale fishing activities;
- socio-economic vulnerability;
- environmental justice implications; and
- the cumulative social impacts associated with continued industrial expansion within Richards Bay.

The Right to Know | The Duty to Inquire | The Obligation to Act

SDCEA Members

Austerville Clinic Committee

Christ the King Church

Clairwood Ratepayers Association

Earthlife Africa

P.O. Box 211150

Buff, 4036

Kwazulu-Natal, South Africa

SDCEA Members

Isipingo Ratepayers Association

Merebank Clinic Committee

Silverglen Civic Association

Treasure Beach Environmental Forum

7. FAILURE TO ADEQUATELY CONSIDER FEASIBLE ALTERNATIVES

The consideration of feasible and reasonable alternatives is a mandatory requirement under the EIA Regulations, 2014 and forms a fundamental component of lawful environmental decision-making.

The EIA documentation fails to demonstrate that genuine consideration has been given to:

- less environmentally harmful alternatives;
- reduced-scale development options;
- alternative infrastructure configurations;
- alternatives that minimise dredging impacts; and
- alternatives that better protect ecological integrity and community interests.

The failure to meaningfully assess alternatives undermines the legality and rationality of the EIA process.

8. APPLICATION OF THE PRECAUTIONARY PRINCIPLE

The precautionary principle is a foundational principle of South African environmental law. Section 2(4)(a)(vii) of NEMA requires a risk-averse and cautious approach to be applied where there is uncertainty regarding environmental consequences.

Given:

- the ecological sensitivity of the receiving environment;
- the uncertainty surrounding long-term cumulative impacts;
- the existing industrial pressures within Richards Bay; and
- the potentially irreversible nature of marine and coastal degradation,

the competent authority cannot lawfully grant environmental authorisation unless it is satisfied that all significant impacts have been comprehensively assessed and can be effectively avoided, minimised or mitigated.

9. LANGUAGE BARRIER:

The failure to provide the project reports in isiZulu, the primary language spoken by the majority of communities within the uMhlathuze Local Municipality, constitutes a direct infringement of the principle of informed and meaningful public participation. Technical environmental reports are already complex and difficult for ordinary community members to engage with; restricting these documents exclusively to English creates an additional barrier that effectively excludes and silences those most likely to experience the project's environmental, social and livelihood impacts.

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In terms of the applicable Public Participation Guidelines, the Environmental Assessment Practitioner (EAP) is obligated to ensure that the language used in notices and project information is understandable to the affected persons and communities. The failure to translate, at minimum, the Executive Summary and the Plan of Study for the Environmental Impact Assessment (EIA) undermines the legitimacy of the participation process and renders it public participation in form rather than substance. Meaningful engagement cannot reasonably occur where fishers, local residents, traditional leaders and other Interested and Affected Parties must first overcome a language barrier merely to understand the nature, extent and implications of the proposed dredging and regasification activities within their area.

Accordingly, we submit that the current public participation process cannot be regarded as lawful, fair or compliant until the EAP has taken proactive measures to facilitate genuine community understanding through translated documentation and inclusive engagement processes conducted in the relevant local language(s).

Public participation in environmental decision-making is not a discretionary procedural exercise or a mere administrative formality. It is a constitutional and statutory requirement grounded in the principles of transparency, accountability and environmental justice. The applicable legal framework requires far more than the circulation of notices, online publications or technical summaries; it demands a process that is accessible, inclusive, substantive and meaningful to the lived realities of affected communities. Any environmental authorisation granted on the basis of the current deficient process would therefore be procedurally unfair, inconsistent with constitutional obligations, and susceptible to legal challenge.

10. CONCLUSION

In light of the above, we submit that the proposed Development of Berth 605 and associated infrastructure in support of the Container Handling Facility at the Port of Richards Bay does not comply with the requirements of:

- section 24 of the Constitution of the Republic of South Africa, 1996;
- the National Environmental Management Act, 1998;
- the Environmental Impact Assessment Regulations, 2014; and
- the National Environmental Management: Integrated Coastal Management Act, 2008.

Accordingly, we formally object to the proposed development and submit that environmental authorisation should not be granted unless and until all identified legal, environmental, cumulative and socio-economic deficiencies have been comprehensively addressed through a lawful, transparent and scientifically robust assessment process.

End

The Right to Know | The Duty to Inquire | The Obligation to Act

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Kwazulu-Natal, South Africa

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Merebank Clinic Committee

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Treasure Beach Environmental Forum



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · Pretoria · 0001 · Environment House · 473 Steve Biko Road, Arcadia, Pretoria

EDMS Reference: 272685
Enquiries: Ms. Tabisile Mhlana
Telephone: (021) 493 7049
Email: OCEIA@dffe.gov.za

Ms. Patricia Nathaniel
WSP in Africa
1st Floor, Pharos House,
70 Buckingham Terrace,
Westville
3629

Tel: (011) 361 1398

Email Address: pp@wsp.com

Dear Ms Nathaniel

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORTING PROCESS FOR THE DEVELOPMENT OF NEW BERTH 605 AND ASSOCIATED INFRASTRUCTURE TO SUPPORT THE CONTAINER HANDLING FACILITY, PORT OF RICHARDS BAY, KWAZULU-NATAL.

The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C), appreciates the opportunity to comment on the Draft Environmental Impact Reporting (EIR) Process for the Development of New Berth 605 and Associated Infrastructure to Support the Container Handling Facility, Port of Richards Bay, KwaZulu-Natal. This Branch has provided recommendations in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("ICM Act").

The Branch O&C has the mandate to ensure the holistic management of the coast and estuarine areas as an integrated system and promote coordinated coastal management. It ensures that the ecological integrity, natural character, and economic, social, and aesthetic value of coastal zones are maintained to ensure that people, properties, and economic activities are protected against the impacts of dynamic coastal processes.

Guided by the principles of integrated coastal management, this Branch promotes developments that promote socially justified sharing of benefits derived from a resource-rich coastal area and strives to ensure that the principles of sustainable development are upheld.

Based on the submitted Draft Environmental Impact Report, the Branch presents the comments stipulated below for consideration. Please note the **recommendations for your consideration**:

1. It is noted that a CWDP is not needed as the existing infrastructure will be used for sewage disposal. It is noted that the risk of plastic and other litter finding its way into the environment is a concern. There needs to be a plan of action to ensure this risk is minimised and a contingency plan if this does occur. There is also a risk of chemical spills, which can flow into the harbour and therefore have environmental impacts. Again, a contingency plan needs to cover what will be done in the case of a spill.
2. Dredging for the Berth 605 Project will resuspend sediment into the water column; however, these effects are expected to be largely localised and decrease with distance from the dredged site. The resuspended sediment eventually will settle and may negatively affect benthic invertebrate and fish communities. The proposed mitigation measure that dredging should preferably be undertaken during winter, when biological productivity and recruitment activity within the system are generally lower, is supported from an ecological perspective. Consideration should also be given to undertaking dredging outside peak fish and invertebrate recruitment periods, where feasible, as this could further reduce potential impacts on larval and juvenile fish and invertebrates associated with elevated suspended-sediment concentrations and turbidity.
3. The report considers land-based disposal as the primary alternative and identifies the existing authorised dredged spoil disposal site off Richards Bay as the only offshore disposal option assessed. It is acknowledged that the EAP may have selected the existing authorised offshore disposal site based on regulatory certainty, previous modelling outcomes, and the established suitability of the disposal area. It is therefore recommended that the Directorate: Coastal Pollution Management (Ms Feroza Albertus [REDACTED]) provide guidance and confirmation regarding the appropriateness and suitability of the proposed dredged spoil disposal option.
4. The report's conclusion that chromium-contaminated sediment may not pose a significant ecological risk appears to be informed by unpublished CSIR research findings. Given that CSIR is also undertaking the specialist studies supporting the assessment, further clarity is requested on whether the unpublished studies and associated methodologies have been subjected to independent scientific review or verification, particularly as these findings materially inform conclusions relating to sediment suitability and disposal considerations. Alternatively, it is recommended that the unpublished studies, together with the relevant methodologies applied, be made available for consideration by the competent authority. This would enhance transparency and support a more informed and robust decision-making process.
5. The compensation plan indicates that the proposed compensation site will be incorporated into the Port Development Framework Plan as a no-go development area, with development restrictions applicable for a minimum of 30 years or the lifespan of the project, whichever is longer. The inclusion of a Biodiversity Management Plan and binding implementation agreements as conditions of Environmental Authorisation is noted and supported.
6. However, the report appears to present an inconsistency insofar as the proposed tidally influenced pool habitat is recognised as ecologically significant and effectively irreplaceable due to the permanent habitat loss associated with Berth 605 development, while the proposed protection measures are limited to a defined timeframe.

7. Clarification is therefore requested on the appropriateness of applying time-bound protection measures where the loss of ecological functionality is acknowledged to be permanent and unlikely to be recoverable elsewhere. Limiting protection to a finite period may inadvertently weaken the long-term intent and effectiveness of the compensation measures and could expose the site to future development pressures.
8. It is therefore recommended that, through the proposed binding implementation agreements and conditions of Environmental Authorisation, the compensation site and associated tidally influenced pool habitat be secured as a permanent no-go development area, supported by legally enforceable protection mechanisms and/or formal conservation status.
9. In this regard, consideration should also be given to the recommendations contained in the Richards Bay Estuary Management Plan relating to the formal protection of ecologically important estuarine habitats.
10. Further clarity is requested on whether measures to secure formal, long-term legal protection for the compensation site have been considered, including mechanisms aligned with the principles of the National Environmental Management: Protected Areas Act, 2003, to ensure the compensatory habitat remains protected in perpetuity. Consideration could also be given to an approach similar to that applied in the designation of the eChwebeni Heritage Site to strengthen the conservation status of the area.
11. The report notes that several potential biodiversity compensation areas within the Port of Richards Bay were identified and assessed; however, only the area adjacent to the 600 Berth Basin was ultimately considered suitable, largely due to anticipated future port expansion plans and potential biodiversity compensation requirements associated with other developments under the Port of Richards Bay Masterplan. In this context, it appears that the preferred compensation site may have been influenced significantly by considerations relating to future development compatibility and spatial planning constraints, in addition to ecological factors. Clarity is therefore requested on the criteria and methodology applied in evaluating the ecological suitability and long-term compensation effectiveness of the preferred site, independent of future port development considerations, to ensure that the selected area adequately achieves the intended biodiversity conservation and offset objectives.
12. The report indicates that a detailed conceptual design for the proposed estuarine biodiversity compensation areas cannot yet be finalised, as further engineering investigations and geotechnical assessments are still required to confirm constructability and overall site suitability. Considering this, uncertainty remains regarding the practical implementation of the proposed compensation measures, given that engineering feasibility has not yet been confirmed. Therefore, clarity is requested on the proposed measures, alternative options, or contingency arrangements that would be considered should the outstanding engineering, hydrological, or geotechnical investigations conclude that the preferred compensation site is unsuitable, impractical, or unlikely to achieve the intended ecological outcomes and biodiversity compensation objectives.
13. The applicant is reminded of the Duty of Care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: "...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorized by law or cannot reasonably be avoided or stopped, to minimize and rectify

such pollution or degradation of the environment...” together with Section 58 of the NEM: ICMA which refers to one’s duty to avoid causing adverse effects on the coastal environment.

14. Section 63 of the ICM Act states that when environmental authorization for coastal activities is applied for in terms of Chapter 5 of the National Environmental Management Act, the competent authority must take into account all relevant factors, including whether coastal public property, the coastal protection zone or coastal access land will be affected, and if so, the extent to which the proposed development or activity is consistent with the purpose for establishing and protecting those areas, the socio-economic impact of the proposed activities and the likely effects of coastal processes on the developmental proposal.
15. The applicant is reminded that no person may discharge effluent that originates from a source on land into coastal waters or dump any waste or other material at sea without authorization from the Minister.
16. You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no other additional activities outside the scope of this application may commence before an Environmental Authorization is granted by the Department.

Kindly note that the Branch Oceans & Coasts reserves the right to revise its comments and request further information based on any additional information received. All correspondence, documentation, and/or requests (hard copy and an electronic copy) should be submitted to our office via email to OCEIA@dffe.gov.za / or **Physical Address: Department of Forestry, Fisheries & the Environment (DFFE), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001.**

Yours Sincerely,



Ms Makwarela Mnwana
Acting Director: Coastal Development & Coordination
Department of Forestry, Fisheries & the Environment
Date: 14/05/2026

Proposed Development of a new Berth 605 and associated infrastructure at the Port of Richards Bay

Letter

**IN TERMS OF SECTION 37 OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT
(ACT 05 OF 2018)**

Transnet National Ports Authority (TNPA)
Port of Richards Bay

King Cetshwayo District Municipality and Umhlathuze Local Municipality

Development of a new Berth 605 and associated infrastructure at the Port of Richards Bay

CASE DISCUSSION

The application was considered by the Provincial Heritage Authority, the KwaZulu Natal Amafa and Research Institute on 15 April 2026. The documents submitted in support of the application were reviewed. The committee noted that the applicant did not submit adequate proof of public participation as part of the application. The applicant is therefore required to upload all relevant supporting documentation to demonstrate that a compliant public participation process was undertaken. Furthermore, the committee considered the maritime report submitted and noted that a total of 13 abnormalities were identified during the diving survey. The committee requires that these abnormalities be clearly verified and comprehensively clarified.

Please be advised as follows:-

- The applicant needs to upload proof of public consultation
- The applicant is also required to submit a report verifying/clarifying the 13 abnormalities identified during the maritime survey.

If the required documentation is uploaded on the case before 10am Monday, the application will be tabled again in the meeting.

Written responses/requests for reconsideration of the application or consideration of new information must be loaded to the case on Sahr's (email [REDACTED]) within 30 days of the date of this letter or any requirements/decisions contained herein will be considered final. Extensions of this time frame can be requested upon receipt of motivation.

Required additional information or revised plans must be submitted within six months from the date of this letter or the application will lapse, and a new application will be required.

THIS LETTER DOES NOT CONSTITUTE FORMAL APPROVAL OF THE PROPOSAL SUBMITTED TO THE INSTITUTE. UNAUTHORISED WORK CARRIED OUT ON THE ABOVE SITE WILL BE IN CONTRAVENTION OF THE KWAZULU-NATAL AMAFA AND RESEARCH INSTITUTE ACT, Act 5 of 2018.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully



Zola Daniels
Heritage Officer
KwaZulu-Natal Amafa and Research Institute

ADMIN:

Direct URL to case: <https://sahr's.org.za/395829>

Nathaniel, Patricia

From: Nathaniel, Patricia
Sent: Wednesday, 29 July 2026 10:56
To: 'Zola Daniels'
Cc: Khanyi Zondi
Subject: RE: Case ID: 28098 - Berth 605 EIR

Good Day Zola

The additional information regarding the anomalies were submitted.

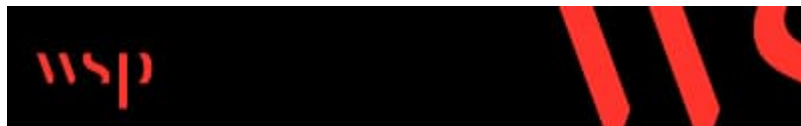
We are still putting together the PPP report and that will be uploaded once completed.

Please can you view the attachment from the underwater specialist and confirm if this is adequate

Kind Regards

Patricia Nathaniel
Principal Consultant

M + [REDACTED]



From: Zola Daniels <[REDACTED]>
Sent: Friday, 17 July 2026 12:40
To: Nathaniel, Patricia <[REDACTED]>
Cc: Khanyi Zondi <[REDACTED]>
Subject: Re: Case ID: 28098 - Berth 605 EIR

Good Afternoon, Patricia

Your email is noted. Please notify me once the requirements have been uploaded.
Thanks.

Kind regards,

Zola Daniels

Heritage Officer

T: + [REDACTED]

M: [REDACTED]

E: [REDACTED]

W: www.amafainstitute.org.za



OUR VISION: Management of heritage to promote social cohesion and stimulate inclusive economic growth

From: Nathaniel, Patricia <[REDACTED]>
Sent: Friday, July 17, 2026 11:50
To: Zola Daniels <[REDACTED]>
Cc: Khanyi Zondi <[REDACTED]>
Subject: Case ID: 28098 - Berth 605 EIR

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Good Day Zola and Khanyi

Please note that the specialist on this project was abroad and could not provide the requested information within 30 days,

The information will be uploaded to the case on or before 30 July 2026

Kind Regards

Patricia Nathaniel
Principal Consultant

M [REDACTED]

WSP
1st Floor, Pharos House,
70 Buckingham Terrace,, Westville
3629 South Africa

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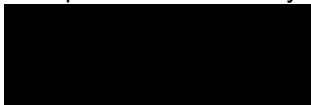
forestry, fisheries
and the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

KWAZULU-NATAL FORESTRY MANAGEMENT: FORESTRY RESOURCE PROTECTION

DFFE

Enquiries: Amkela Chiya



WSP

Building 1, Maxwell Office Park
Magwa Crescent West, Waterfall City
Midrand, 1685

19 May 2026

Attention: Patricia Nathaniel

**RE: COMMENTS ON PROPOSED DEVELOPMENT OF NEW BERTH 605 AND ASSOCIATED
INFRASTRUCTURE TO SUPPORT THE CONTAINER HANDLING FACILITY, PORT OF
RICHARDS BAY, UMHLATHUZE LOCAL MUNICIPALITY, KING CETSHWAYO
MUNICIPALITY, KWAZULU-NATAL.**

The Department of Forestry, Fisheries and the Environment (DFFE) appreciate the opportunity given to review and comment on the above-mentioned project. DFFE through the sub-directorate Forest Resource Protection is the authority mandated to implement the National Forests Act No. 84 of 1998 by regulating the use of natural forests¹ and protected tree species listed under the said Act. The purpose of this Act is to promote sustainable forest management and the development of forests for the benefit of all.

¹ "Natural forest" means a group of indigenous trees-

- (a) whose crowns are largely contiguous; or
- (b) which have been declared by the Minister to be a natural forest under section 7(2); (xxviii)

The principles of the Act in Section 3 state clearly that “...*natural forests must not be destroyed save in exceptional circumstances where, in the opinion of the Minister, a proposed new land use is preferable in terms of its economic, social or environmental benefits*”. This prescribes that no development affecting forests may be allowed unless “*exceptional circumstances*” can be proven, it is the responsibility of the applicant to prove the said principle.

Upon review of the document (Draft Environmental Impact Assessment) and the Biodiversity Compensation Plan (BCP), received, the proposed project falls within Critical Biodiversity Area 1 (irreplaceable), which are areas that are crucial for conserving biodiversity and maintaining ecosystem functioning. The proposed development could result in irreversible loss of ecosystems or species. Such impacts are deemed unacceptable and may render the project fatally flawed.

The proposed project site falls within a Key Biodiversity Area, where the following vegetation types will be affected: Mangrove Forests (Endangered), Maputaland Coast Forest (Endangered), and Coastal Forest (Near Threatened). It should be noted that the proposed development is located within a highly sensitive biodiversity environment that is identified as of conservation significance. Approximately a total of 11,01 ha of habitat loss will require compensation (coastal forest 5,17ha, coastal grassland 3,78 and which 2,06ha of tidal pool and mangrove habitat will be lost. Therefore, a compensation plan needs to be developed for the proposed development.

The Department recommends that, before the finalisation of the Environmental Impact Assessment report:

- a) A suitable area in size that will compensate for the habitat loss should be identified by the developer, as the BCP identifies a requirement for approximately 11.01 ha of compensation habitat associated with the loss of mangrove habitat, coastal forest and coastal grassland systems. However, the currently identified compensation area appears capable of accommodating only approximately 7 ha.
- b) A detailed/sufficient ratio of compensation for loss of Mangrove Forest should be explored to account for the loss of 2.06 ha of Mangrove Forest.

- c) The recommended compensation ratio of 1:1 as per the BCP for all vegetation and habitat types needs to be revised as it would not account for the habitat loss from the proposed development.
- d) The specialist should provide a revised and fully substantiated compensation proposal capable of meeting the identified compensation requirements in full.
- e) Further consultation with the relevant stakeholders is required for an agreed compensation plan for the habitat loss for the proposed development.

Please note that should there be any further information required, do not hesitate to contact this office. This letter doesn't exempt you from considering other legislations.

Yours faithfully

Mr. A. P Chiya

A handwritten signature in cursive script, appearing to read 'A. P. Chiya', is written over a horizontal line.

Senior Forestry Regulations Officer: KZN Forest Resource Protection

Mathulwe, Tumelo

From: Estelle Naidoo [REDACTED]
Sent: Friday, 08 May 2026 08:29
To: Nathaniel, Patricia; ZA - WSP - PPOffice
Subject: REQUEST FOR EXTENSION - BERTH 605 AND ASSOCIATED INFRASTRUCTURE IN SUPPORT OF THE CONTAINER HANDLING FACILITY AT THE PORT OF RICHARDS BAY

Follow Up Flag: Follow up
Flag Status: Flagged

Good day,

I trust this email finds you well.

Kindly note our request for an extension to provide our comments on 19 May 2026.

Your assistance with the above is appreciated!

Estelle E Naidoo

Project Manager : Environmental Planning

Department: City Development

City of uMhlathuze

[REDACTED]

Enquiries: reg@umhlathuze.gov.za
Telephone: 035 907 5000
Fax: 035 907 5444/5/6/7
Toll Free No: 0800 222 827



Physical Address:
5 Mark Strasse Civic Centre
Private Bag XI 004
Richards Bay, 3900

Your ref:

Contact: Estelle Naidoo (035-907 5174)

Our file ref:

In response to DMS No.: 1821938

Date: 19 May 2026

ATTENTION: WSP Group Africa
EMAIL: PP@wsp.com

1st Floor,
Pharos House 70 Buckingham Terrace Westville,
Durban,
3629

Dear Sir/Madam

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE DEVELOPMENT OF NEW BERTH 605 AND ASSOCIATED INFRASTRUCTURE TO SUPPORT THE CONTAINER HANDLING FACILITY, PORT OF RICHARDS BAY.

The City of uMhlathuze has reviewed the Draft Scoping and Environmental Impact Reporting process for the development of New Berth 605 and associated infrastructure to support the container handling facility, Port of Richards Bay, in respect of the above application. We accordingly submit the following:

1. SPATIAL PLANNING

Spatial Planning has no objections to the proposed project as it aligns with the Port of Richards Bay Development Framework and long-term vision.

2. ENVIRONMENTAL PLANNING

- i. It is recommended that strict adherence to the Environmental Management Programme (EMPr), no-go areas, dredge management measures, stormwater controls, biodiversity offset measures, and rehabilitation requirements be enforced throughout the lifespan of the proposed project.
- ii. In terms of the Wave Climate and Shoreline Change Study, it is noted that the proposed development may have adverse impacts on Alkantstrand Beach, particularly within an already strained shoreline system influenced by ongoing anthropogenic activities. The report indicates that where sand nourishment exceeds 800 000 m³ per annum, Alkantstrand Beach may experience a degree of shoreline stability. In this regard, it is emphasised that Transnet National Ports Authority (TNPA) ensures that sand replenishment activities are undertaken in accordance with the recommendations contained in the specialist studies.
- iii. It is further noted that the dredged material is proposed to be discharged offshore. Considering the current erosion challenges experienced at Alkantstrand Beach, it is recommended that TNPA explores the option of using the dredged material to replenish the sand at Alkantstrand Beach. This recommendation would, however, remain subject to confirmation of the quality and compatibility of the dredged material.
- iv. In light of the above, it is requested that Transnet National Ports Authority and City of uMhlathuze engage further on mechanisms to strengthen commitments toward ongoing sand replenishment initiatives and to ensure the continued protection and safety of Alkantstrand Beach for both the surrounding community and the environment.

3. LAND USE MANAGEMENT (DEVELOPMENT CONTROL)

- i. Land Use Management (Development Control) has no objections to the proposed project.
- ii. The site is zoned as Harbour and falls within the jurisdiction of the Port Authority, the harbour zoning allows for such activities.
- iii. Building Plans must be submitted to the Municipality for approval before the development of any new structures.

All correspondence must be addressed to the City Manager

4. AIR QUALITY MANAGEMENT

- i. The application is supported subject to construction activities being monitored to ensure compliance with the National Environmental Management: Air Quality Act (NEM:AQA).
- ii. Dust suppression measures such as regular wetting of exposed areas and haul roads must be implemented.
- iii. The applicant is requested to ensure ongoing monitoring for dust and nuisance complaints during construction activities.

5. WASTE MANAGEMENT

- i. The applicant is requested to be cognizant of the National Environmental Management: Waste Act 59 of 2008.

6. FIRE AND RESCUE SERVICES

- i. Building plans including a fire layout plan is required for approval by the Fire Department.
- ii. The existing fire water infrastructure is to be extended to serve the project area as a whole.

You are welcome to direct further queries regarding the above to Ms. Estelle Naidoo from the Office of the Deputy City Manager: City Development on Tel: [REDACTED]; or email: [REDACTED]

Yours faithfully



MTHOKOZISI MHLONGO Pr Pin A/2743/2018
DEPUTY CITY MANAGER: CITY DEVELOPMENT
DMS1823526/EEN

All correspondence must be addressed to the City Manager



Planning Division: IEM Section

Enquiries: Dominic Wieners

Your Ref: None Provided

Chief Director: Intergrated Environmental Authorisations
C/o Assessing Officer
Department of Environmental Affairs
Private Bag X447
Pretoria
0001

14 May 2026

ATTENTION: WAYNE HECTOR

Dear Mr Hector

PROPOSED BERTH 605 AND ASSOCIATED INFRASTRUCTURE TO SUPPORT THE CONTAINER HANDLING FACILITY IN THE PORT OF RICHARDS BAY, UMHLATUZE
District Municipality: King Cetshwayo

The Draft Biodiversity Compensation Plan (BCP), dated March 2026, for the abovementioned application has been reviewed by Ezemvelo KZN Wildlife (Ezemvelo) IEM staff.

The BCP for the proposed Berth 605 development raises a number of significant concerns from a biodiversity and ecological functioning perspective, particularly when considered in conjunction with the specialist findings and previous comments submitted by Ezemvelo. The concerns outlined below should be addressed comprehensively prior to any finalisation of the Environmental Impact Assessment process.

It should be recognised that the proposed development remains located within a highly sensitive biodiversity environment which has already been identified as being of conservation significance. As previously noted by Ezemvelo, specialist studies should continue to interrogate the proposal for potential fatal flaws associated with impacts to estuarine functioning, avifaunal habitat, mangrove systems, freshwater resources and cumulative ecological impacts.

Ezemvelo's primary concern relates to the adequacy of the proposed compensation area and the apparent shortfall in achieving the required compensation targets. The BCP identifies a requirement for approximately 11.01 ha of compensation habitat associated with the loss of mangrove habitat, coastal forest and coastal grassland systems. However, the currently identified compensation area appears capable of accommodating only approximately 7 ha. The report itself acknowledges that the currently available compensation site cannot accommodate the required compensation in its current form and location and indicates that further stakeholder engagement is required regarding the acceptability of the proposed approach.

This concern is further compounded by the biodiversity importance of the affected site. The development footprint falls predominantly within areas mapped as CBA 1: Irreplaceable and within a Key Biodiversity Area of international significance. In such instances, reliance on a basic 1:1 compensation ratio appears difficult to justify without explicit and detailed motivation supported by the additional relevant competent biodiversity authorities. Furthermore, the inability to meet even the proposed minimum compensation requirement raises concerns regarding whether the proposal is capable of achieving an acceptable no-net-loss outcome. Ezemvelo is of the opinion that although this is compensation and not offset, that an equivalent offset ratio for terrestrial environments of similar importance would attract ratios in the order of 30:1. Proposing less than even no-net-loss is not acceptable.

Concern is also raised regarding the extent to which the proposal adequately addresses impacts to freshwater resources and associated ecosystem services. Ezemvelo previously highlighted that wetlands and freshwater features within the Estuarine Functional Zone, including those resulting from historic anthropogenic disturbance, continue to contribute ecological goods and services and should therefore not be dismissed from an offset and ecological functioning perspective. It is not clear from the current BCP whether these freshwater ecosystem service losses have been fully quantified and incorporated into the compensation calculations and long-term management proposals.

The proposed compensation strategy also presents uncertainty regarding the long-term ecological trajectory of the intended habitats. While the proposal seeks to establish shoreline and shallow estuarine habitat intended to support wader habitat and estuarine ecological functioning, the report simultaneously acknowledges that mangroves readily colonise disturbed intertidal areas within the Port of Richards Bay environment and may become dominant over time. This creates uncertainty regarding whether the intended habitat objectives can realistically be maintained in the long term without substantial ongoing intervention and management. This has been raised in meetings held with the specialist, but the outcome remains unclear in the report.

Additional concern is raised regarding the reliance on “trading up” principles and the proposed rehabilitation or re-establishment of estuarine habitat features where there remains considerable ecological uncertainty regarding success rates and long-term sustainability. The proposed compensation areas involve significant habitat engineering and re-creation of estuarine ecological function. However, there appears to be limited certainty that these systems will develop the intended ecological characteristics within acceptable timeframes, particularly given the highly modified and dynamic nature of the Port environment. It should be noted that in these higher risk scenarios, risk multipliers on the offset ratio would need to be applied, something which has not been dealt with adequately.

It is further noted that the project area supports habitat utilised by a range of faunal Species of Conservation Concern, including estuarine fauna, avifauna and associated mangrove-dependent species. Previous Ezemvelo comments highlighted concerns relating to cumulative noise and lighting impacts on roosting birds associated with nearby sandspits and mangrove habitat. These concerns remain relevant and should be addressed comprehensively in the final impact assessment and associated management measures. Furthermore, wake run up onto the offset recreated habitat will also need to be assessed in terms of long term persistence of the compensation receiving areas, should these be deemed appropriate.

Given the above, it is considered necessary that the following matters be addressed:

- The specialist should provide a revised and fully substantiated compensation proposal capable of meeting the identified compensation requirements in full.

- The ecological feasibility of the proposed estuarine habitat creation and rehabilitation measures should be independently reviewed by a suitably qualified estuarine specialist with demonstrated experience in estuarine restoration and habitat engineering.
- Long-term ecological monitoring, adaptive management requirements and legally binding protection mechanisms for the compensation area will need to be clearly secured as enforceable conditions of authorisation, once these proposals are further refined and are more acceptable.
- The duration of protection of compensation areas should be secured for at least the operational life of the project, with appropriate inclusion into the Port Development Framework and associated planning instruments.
- Freshwater ecosystem functioning and associated ecosystem service losses should be fully assessed and incorporated into the compensation and offset calculations where applicable.

Based on the currently available information, substantial uncertainty remains regarding the adequacy, feasibility and long-term ecological sustainability of the proposed biodiversity compensation measures. As such, the acceptability of the proposed residual biodiversity impacts has not yet been satisfactorily demonstrated.

Ezemvelo look forward to engaging further in this project proposal. Please note that this does not constitute final comment, but that final comment will be submitted upon review of the specialist reports as part of the Draft Environmental Impact Report.

Should you wish to discuss any of the points raised above or should any further biodiversity issues arise please do not hesitate to contact our offices.

Yours sincerely

pp 

Scientific Manager: Conservation Planning

For CHIEF EXECUTIVE OFFICER: EZEMVELO KZN WILDLIFE

C:\Dom\Harbour Development\14038_Berth605RBay\14038_Berth605RBay_OfficialComment_14052026

cc: Patricia Nathaniel (WSP), Muzi Mdamba (EDTEA – King Cetshwayo)

Mathulwe, Tumelo

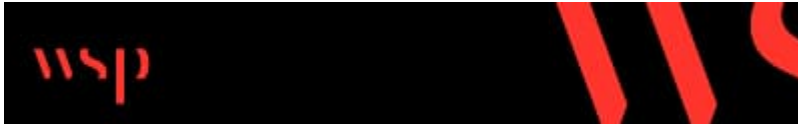
From: Mathulwe, Tumelo
Sent: Friday, 31 July 2026 08:53
To: Nathaniel, Patricia; Tara Conrads
Cc: ZA - WSP - PPOffice; Rowles, Rob
Subject: RE: 14/12/16/3/3/2/2656 _ Berth 605 Registration

Good day Tara,

Please find the documents at the link below:
<https://www.wsp.com/en-za/services/public-documents>

Regards,

Tumelo Mathulwe
Principal Consultant
T +27 11 361-1300



From: Nathaniel, Patricia <P[REDACTED]>
Sent: Friday, 31 July 2026 07:57
To: [REDACTED]
Cc: ZA - WSP - PPOffice <PP@wsp.com>; Rowles, Rob [REDACTED]
Subject: RE: 14/12/16/3/3/2/2656 _ Berth 605 Registration

Hi Tara

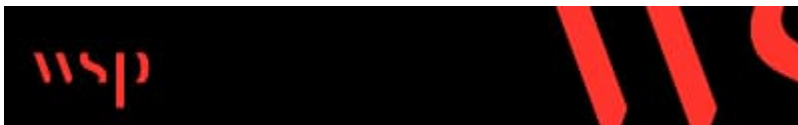
My apologies, I thought this has been done

[REDACTED] please forward Tara the Draft EIR link

Kind Regards

Patricia Nathaniel
Principal Consultant

[REDACTED]



From: Tara Conrads [REDACTED]
Sent: Thursday, 30 July 2026 14:19
To: Nathaniel, Patricia [REDACTED]
Cc: ZA - WSP - PPOffice <PP@wsp.com>; Rowles, Rob [REDACTED]
Subject: RE: 14/12/16/3/3/2/2656 _ Berth 605 Registration

Hi Patricia,

I hope you are well.

I am following up on the request to be registered as an I&AP and to receive the documents that have been released thus far for the above referenced project.

Thanks.

Kind regards,



DR TARA CONTRADS

Reg. EAP (2022/5574)

Manager & Lead Environmental Consultant

C:
T:
E:

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From: Tara Contrads

Sent: Thursday, 16 July 2026 14:06

To: 'Nathaniel, Patricia' [REDACTED]

Cc: ZA - WSP - PPOffice <PP@wsp.com>; Rowles, Rob [REDACTED]

Subject: RE: 14/12/16/3/3/2/2656 _ Berth 605 Registration

Hi Patricia,

Noted – thank you for your response.

I will await the documents.

Kind regards,



DR TARA CONTRADS

Reg. EAP (2022/5574)

Manager & Lead Environmental Consultant

C:
T:
E:

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From: Nathaniel, Patricia [REDACTED]
Sent: Thursday, 16 July 2026 13:11
To: Tara Conrads <[REDACTED]>
Cc: ZA - WSP - PPOffice <PP@wsp.com>; Rowles, Rob [REDACTED]
Subject: RE: 14/12/16/3/3/2/2656 _ Berth 605 Registration

Hi Tara

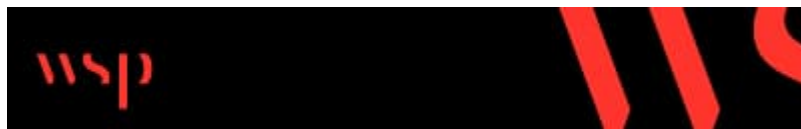
Our PP office will share the Draft EIR with you

There has been a lot of push back from the departments and we are currently working on responses

Kind Regards

Patricia Nathaniel
Principal Consultant

[REDACTED]



From: Tara Conrads [REDACTED]
Sent: Wednesday, 15 July 2026 09:02
To: Nathaniel, Patricia <[REDACTED]>
Cc: ZA - WSP - PPOffice <PP@wsp.com>; Rowles, Rob <[REDACTED]>
Subject: RE: 14/12/16/3/3/2/2656 _ Berth 605 Registration

Dear Patricia and Rob,

I trust you are both well.

I am following up regarding the request below.

Thanks so much. Have a great day.

Kind regards,



DR TARA CONTRADS

Reg. EAP (2022/5574)

Manager & Lead Environmental Consultant

C: [REDACTED]
T: [REDACTED]
E: [REDACTED]

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From: Tara Conrads
Sent: Thursday, 09 July 2026 12:52
To: 'Nathaniel, Patricia' <[REDACTED]>
Cc: ZA - WSP - PPOffice <PP@wsp.com>; Rowles, Rob <[REDACTED]>
Subject: RE: 14/12/16/3/3/2/2656 _ Berth 605 Registration

Hi Patricia and Rob

Thanks so much for your response.

I have done quite a bit of work for TNPA and now also have a new Berth proposal. If your PP division could share the Draft EIR and associated docs, I would greatly appreciate it. I am mostly interested in seeing if there has been any kick-back from the authorities, and how this has been managed.

Thanks again for your assistance.

Kind regards,



DR TARA CONRADTS

Reg. EAP (2022/5574)

Manager & Lead Environmental Consultant

C: [REDACTED]
T: [REDACTED]
E: [REDACTED]

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From: Nathaniel, Patricia <[REDACTED]>
Sent: Wednesday, 08 July 2026 08:28
To: Tara Conrads <[REDACTED]>
Cc: ZA - WSP - PPOffice <PP@wsp.com>; Rowles, Rob <[REDACTED]>
Subject: Re: 14/12/16/3/3/2/2656 _ Berth 605 Registration

You don't often get email from p[REDACTED]. [Learn why this is important](#)

Good day Tara

I will share a link with you for the Draft EIR however we are not at liberty to share the ESG and SDD reports. Unfortunately, these do not form part of the documents released into the public domain. These are done by our climate change specialists, and we have no permission from TNPA to release these to IAPs.

We do however have a climate change report that forms part of the EIR

Regards

Patricia

From: Rowles, Rob [REDACTED]
Sent: Wednesday, 08 July 2026 08:25:28
To: Tara Conrads [REDACTED]
Cc: ZA - WSP - PPOffice <PP@wsp.com>; Nathaniel, Patricia [REDACTED]
Subject: RE: 14/12/16/3/3/2/2656 _ Berth 605 Registration

Hi Tara,
Good to hear from you.

Our PP team will register you as an I&AP. I will hand these questions on to Patricia, as the PM of this project. I don't know what WSP did or didn't do with Berth 605.

May I ask what your role/ interest is with Berth 605? Do you have another TNPA project that requires similar input?

Kind regards

Rob Rowles
Principal Consultant

[REDACTED]



From: Tara Conrads [REDACTED]
Sent: Tuesday, 07 July 2026 11:05
To: Rowles, Rob [REDACTED]
Cc: ZA - WSP - PPOffice <PP@wsp.com>
Subject: 14/12/16/3/3/2/2656 _ Berth 605 Registration

Hey Rob,

I hope you're well.

As discussed, I would like to register as an I&AP for the above-referenced project. Please can you send me a link with all the docs? Please also advise whether WSP did the Sustainable Development Design and Environmental and Social Governance reports (usually done for TNPA projects) prior to the commencement of the EA process. If so, please share these docs as well.

Thank you so much for your help.

Kind regards,



DR TARA CONTRADS

Reg. EAP (2022/5574)

Manager & Lead Environmental Consultant

C:
T:
E:



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Appendix F

MEETING MATERIALS





MEETING NOTES

MEETING TITLE	TNPA – Berth 605 Pre-Application Meeting
PROJECT NUMBER	43102871
DATE	19 September 2024
TIME	10:00 – 11:00
VENUE	Online (Microsoft Teams)
SUBJECT	Berth 605 Pre-Application Meeting
CLIENT	Transnet National Ports Authority (TNPA)
PRESENT	Mbongeni Sangweni (TNPA) – MS Nokhuthala Hlongwana (TNPA) - NH Rajan Chetty (TNPA) – RC Brian Goulding (TNPA) – BG Nkhensani Khandlhela (TNPA) – NK Tsepo Ngema (TNPA) – TN Mazwi Mdletshe (TNPA)- MM Constance Musemburi (DFFE) – CM Lerato Mokoena (DFFE) - LM Roy Van Ballegoyen (WSP) - RvB Ruan Gilau (WSP) – RG Wayne Hector (DFFE) – WH Brent Baxter (WSP) - BB Yasmin Kistner (WSP) – YK James Melvill (WSP) – JM Jacqui Fincham (WSP) – JF Patricia Nathaniel (WSP) - PN
APOLOGIES	Wayne Peterson (WSP) - WP
DISTRIBUTION	Appendix A

MATTERS ARISING

ACTION

1.0	INTRODUCTIONS AND WELCOME	
------------	----------------------------------	--

1st Floor, Pharos House,
70 Buckingham Terrace,
Westville, 3629
South Africa

T: +27 31 240-8830
F: +27 31 240 8801
www.wsp.com

MEETING NOTES

- PN welcomed everyone to the meeting, stated the purpose of the meeting, and shared the meeting agenda. This was followed by a round of introductions, including the role of all attendees in the project.
 - A presentation was made to all attendees to provide information on the proposed project.
- *PN recorded the meeting for the purpose of taking minutes.*
*** A copy of the PowerPoint presentation is included in **Appendix B** for reference.*

2.0 PRESENTATION

2.1 Project Background

- PN presented the project background.
- The Berth 605 project area is located within the Port of Richards Bay (PoRB) and form part planned projects of the Masterplan for the Port.
- She presented a locality and layout map associated with the project.
- PN highlighted that the project layout is in its concept design stage and could be subject to minor changes therefore the information presented in the pre-application meeting could differ from the application form and Draft Scoping Report.

2.2 Project Details

- PN presented the following key details of the project:
 - a. New Berth Pocket and Quay Wall
 - b. Dredging and Dredge Disposal
 - c. Container Handling Facility
 - d. Utilities including electrical supply, stormwater, water and sewerage
 - e. Roads and access
 - f. New rail siding

2.3 Listed Activities

- PN presented the potential listed activities under the National Environmental Management Act (Act 107 of 1998) (NEMA) Environmental Impact Assessment Regulations, 2014 as amended (EIA Regulations) that are likely to be applicable to the project.
- The project triggers a combination of Listing Notice 1, 2 and 3 activities therefore an application for Environmental Authorisation (EA) subject to a Scoping and Environmental Impact Reporting (S&EIR) process is applicable.

2.4 DFFE screening results and specialist studies

- PN explained the DFFE Screening Tool Sensitivities and the associated protocols for each theme.
- PN explained that the site varies in sensitivity.
- To note, the site is Very High in sensitivity for the aquatic and terrestrial biodiversity themes due to the site being located entirely within a Critical Biodiversity Area (CBA) and an Estuarine Functional Zone (EFZ).
- The following specialist studies will be undertaken as part of the Environmental Impact Assessment Phase of the project:
 - a. Heritage Impact Assessment (underwater and terrestrial)
 - b. Terrestrial Biodiversity (including plant and animal species)
 - c. Aquatic Biodiversity Assessment
 - d. Estuarine Baseline and Marine Ecology Assessment
 - e. Visual Impact Assessment
 - f. Socio-economic Assessment
 - g. Climate Change Impact Assessment
 - h. Avifaunal Assessment
 - i. Noise and underwater noise Assessment (due to the existing noise of the PoRB, these studies may not be required).

2.5 Key Considerations

- PN presented historical imagery of the site which indicated large scale transformation and disturbance of the site and surrounding areas.
- The uMhlatuze Local Municipality Spatial Development Framework indicates that the PoRB is located within an urban area therefore listed activities with the urban area exclusion will not be applied for.

2.6 Scope of the S&EIR Process

MEETING NOTES

<ul style="list-style-type: none"> – PN presented a summary of the process flow and plan of study for the EIA which will be in accordance with the EIA Regulations. <p>2.7 Way forward</p> <ul style="list-style-type: none"> – PN stated that a S&EIR process is applicable and will be conducted for the project. – She requested confirmation from the DFFE that the presented specialist studies will be adequate and additional studies will not be requested by the DFFE. – PN further requested confirmation of the urban area exclusions. 	
<p>3.0 DISCUSSION</p>	
<p>3.1 Questions and Comments</p> <ul style="list-style-type: none"> – MS commented stating that there are two (2) projects included in this project i.e. this application is for the quay wall and associated infrastructure and the container handling facility. Although the site forms part of this S&EIR process, it is a standalone project with an independent operator. – WH enquired about the reason for the separation of the quay wall and container handling facility. He further added that the DFFE Oceans and Biodiversity Directorates must be consulted. – He also requested that the listed activities that will not be applied for must be explained and a motivation for exclusion must be provided. – He added that alternatives must also be presented in the documents presented to the DFFE. – He confirmed that the specialist studies will not be confirmed in the pre-application meeting but will be confirmed once the DFFE receives further information on the project. – He enquired about the berth and if it will make provision for larger vessels for the future. <p>MS responded to the enquiry of the separation of the quay wall and container handling facility stating that TNPA will provide for bulk services for the container handling facility however the Operator will be responsible for all other required permits associated with the operation of the container handling facility.</p> <p>RG responded to the enquiry about the vessel size. The quay wall will be designed to accommodate the larger vessels. The dredging will be to the existing level.</p> <p>PN responded to the other comments by WH stating that alternatives will be included in the Draft Scoping Report and a motivation will be provided for activities not applied for.</p> <p>CM commented stating that the Public Participation Process (PPP) may highlight additional specialist studies. She also added that the DFFE Oceans and Biodiversity Directorates must be consulted as early as possible in the process.</p> <p>PN responded stating that these departments will be consulted.</p> <p>NH enquired about the exclusions associated with listed activities pertaining to increasing the footprint of the port and if this project constitutes expansion.</p> <p>WH explained that when a channel is widened or deepened, this constitutes an increase in the footprint of the port. WH further added that the S&EIR process must consider cumulative impacts.</p> <p>NK enquired about the listed activities relating to development within 32m from a watercourse. She enquired about the applicability if these wetlands are within an estuarine. She also enquired about the applicability of the noise and underwater noise assessment. She also enquired about the timing of DFFE's response relating to the confirmation of specialist studies.</p> <p>WH responded to the applicability of noise assessments stating that it is determined based on the proximity of surrounding communities. He further added that the EAP must provide guidance on listed activities. He then added the Oceans Directorate, and the Department of Water and Sanitation can provide further guidance on water resource related enquiries.</p> <p>PN agreed with WH stating that the EAP will provide guidance on the listed activities. WH added that even if listed activities are added after the scoping phase, the application form can be amended and submitted to the DFFE.</p>	

MEETING NOTES

<p>JF welcomed the flexibility of the DFFE regarding the listed activities. She further enquired about the newspaper adverts and if these must be published again if there are changes to the project.</p> <p>CM responded and stated that the changes can be communicated with the registered stakeholders in the form of a notification and that placing newspaper adverts again will not be necessary.</p> <p>PN expressed gratitude to the DFFE team for their availability.</p>	
<p>4.0 WAY FORWARD</p>	
<p>— WSP to draft minutes and forward to DFFE to endorsement.</p>	<p>WSP</p>

<p>WSP</p>	<p>DFFE</p>
<p>Patricia Nathaniel</p>	<p>Wayne Hector</p>
<p>EAP</p>	<p>DFFE Representative</p>
<p>Signature</p>	<p>Signature</p>

APPENDIX A: MEETING ATTENDANCE

TNPA - Berth 605 Pre-Application Meeting

TNPA - Berth 605 Pre-Applicati...

Join

8

Thursday, 19 September 2024 09:53 - 10:57

Download

<div>16</div> <div>Attended</div>	<div>09:53 - 10:57</div> <div>Start and end time</div>	<div>1h 4m 50s</div> <div>Meeting duration</div>	<div>57m 54s</div> <div>Average attendance time</div>
-----------------------------------	--	--	---

Participants

Name	First join	Last leave	In-meeting duration	Role
<div>Nathaniel, Patricia Patricia.Nathaniel@wsp.com</div>	09:53	10:57	1h 4m 42s	Organizer
<div>Fincham, Jacqui Jacqui.Fincham@wsp.com</div>	09:53	10:57	1h 16s	Presenter
<div>Constance Musemburi CMusemburi@dffe.gov.za</div>	09:54	10:57	1h 3m 41s	Presenter
<div>Rajan Chetty [Transnet NPA HQ] Rajan.Chetty@transnet.net</div>	09:54	10:57	1h 3m 25s	Presenter
<div>van Ballegooyen, Roy Roy.VanBallegooyen@wsp.com</div>	09:55	10:57	1h 2m 48s	Presenter
<div>Brian Goulding Brian.Goulding@transnet.net</div>	09:57	10:57	1h 8s	Presenter
<div>Mbongeni Sangweni [Transnet ... Mbongeni.Sangweni@transnet.net</div>	09:58	10:57	58m 59s	Presenter
<div>Gilau, Ruan Ruan.Gilau@wsp.com</div>	09:59	10:57	58m 12s	Presenter

MEETING NOTES

	Wayne Hector WHECTOR@dffe.gov.za	09:59	10:57	57m 57s	Presenter
	Nkhensani Khandlhela Nkhensani.Khandlhela@transnet.net	09:59	10:57	57m 59s	Presenter
	Melvill, James James.Melvill@wsp.com	10:00	10:57	57m 10s	Presenter
	Tsepo Ngema [Transnet NPA D... Tsepo.Ngema@transnet.net	10:01	10:57	56m 38s	Presenter
	Baxter, Brent brent.baxter@wsp.com	10:02	10:57	54m 55s	Presenter
	Kistner, Yasmin Yasmin.Skibbe@wsp.com	10:03	10:57	54m 30s	Presenter
	Lerato Mokoena LMOKOENA@dffe.gov.za	10:03	10:57	54m 17s	Presenter
	Mazwi Mdletshe [Transnet NPA... Mazwi.Mdletshe@transnet.net	10:17	10:57	40m 51s	Presenter

MEETING NOTES

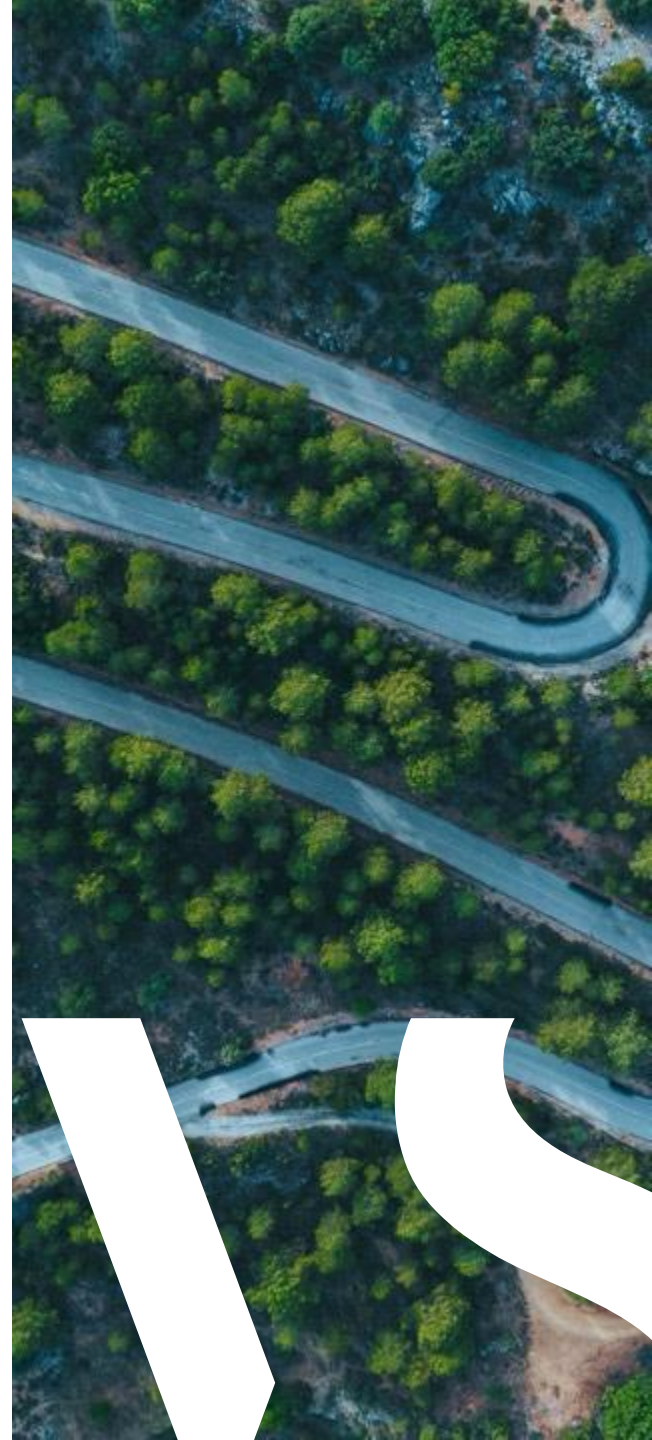
APPENDIX B: PRESENTATION

Proposed Berth 605 and associated infrastructure at the Port of Richards Bay

Transnet National Ports Authority

Pre Application Meeting– 19 September 2024

XRB.E.0030-T001-PRS-0003



Agenda

1. Introductions –TNPA, WSP and DFFE Environmental Teams
2. Background, Location and Layout
3. Project Components and associated infrastructure
4. Listed Activities under the NEMA EIA Regulations, 2014 as amended
5. DFFE Screening Tool and Specialist Requirements
6. Site Sensitivity
7. Proposed Plan of Study for the EIA
8. Way Forward
9. Q & A Session

Introductions

TNPA:

- Nokhuthala Hlongwana
- Nkhensani Khandlhela
- Mbongeni Sangweni
- Mazwi Mdletshe

WSP (EAP Team):

- Brent Baxter (Project Director)
- Patricia Nathaniel (Project Manager and EAP)

WSP (Engineering and Project Management Team):

- James Melville
- Wayne Petersen
- Ruan Gilau
- Yasmin Kistner

Department of Forestry, Fisheries and the Environment (DFFE)

- Wayne Hector
- Lerato Mokoena
- Constance Musemburi

Berth 605 Container Handling Facility

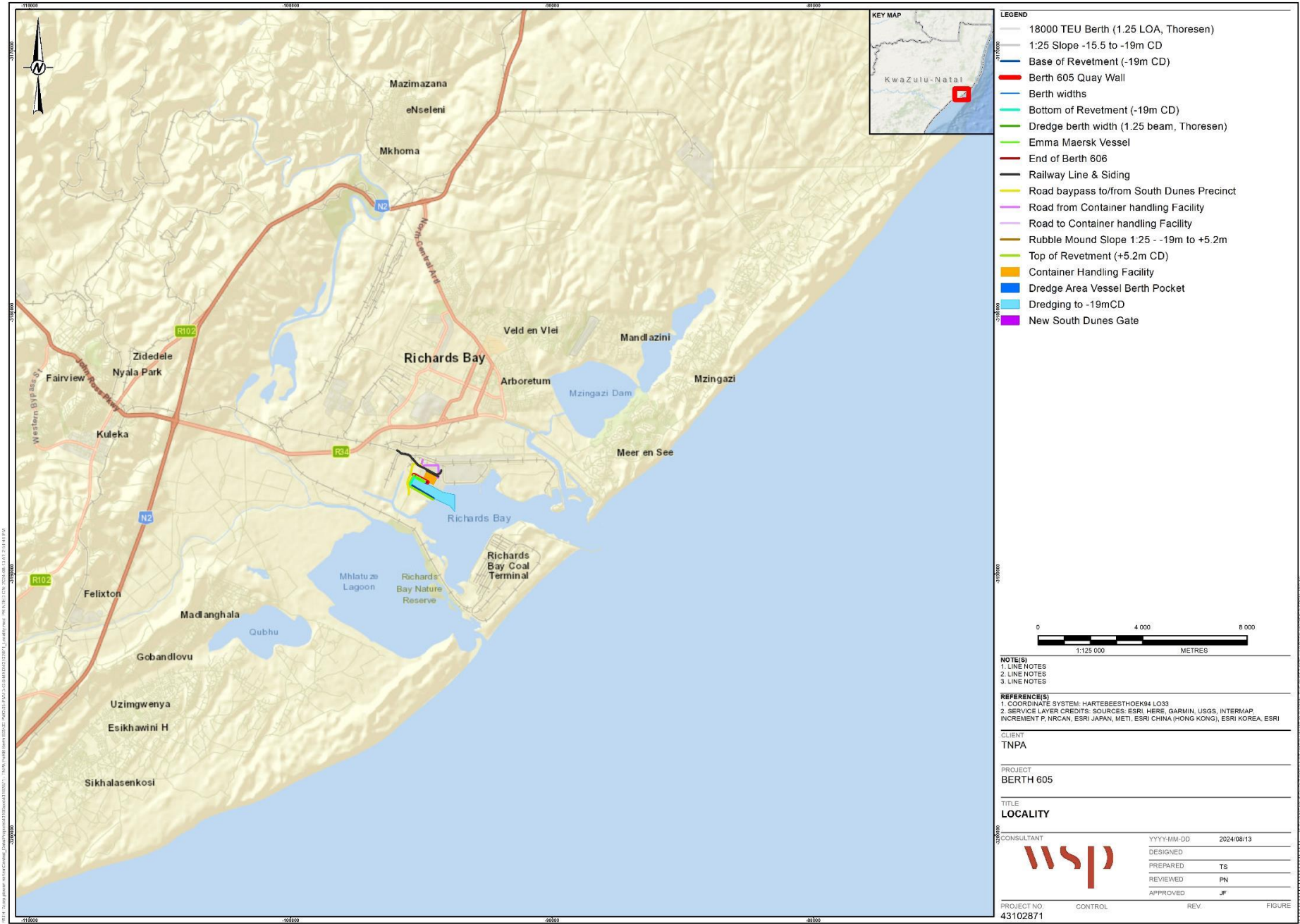
Project Background

- Berth 605 project falls within the PoRB Masterplan within the Bayvue Precinct.
- Other precincts that form part of the PoRB Masterplan are South Dunes and Newark Precincts.
- WSP has been commissioned to undertake the engineering and environmental tasks associated with the Berth 605 Container Handling Facility and associated infrastructure.

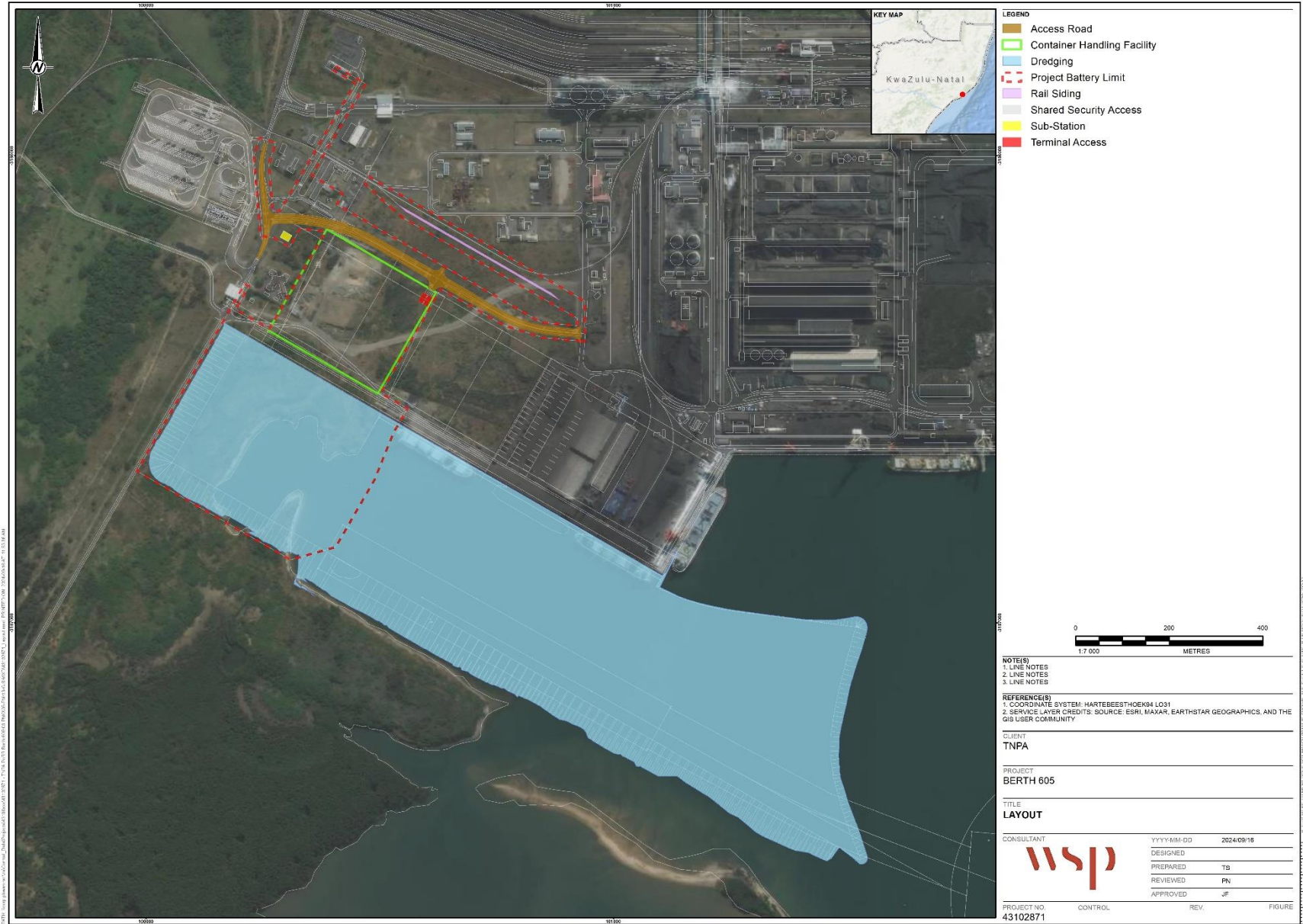
Location:

The PoRB is situated on the north-eastern coast of KwaZulu Natal (KZN) and falls within the uMhlathuze Local Municipality (ULM) and King Cetshwayo District Municipality (KCDM).

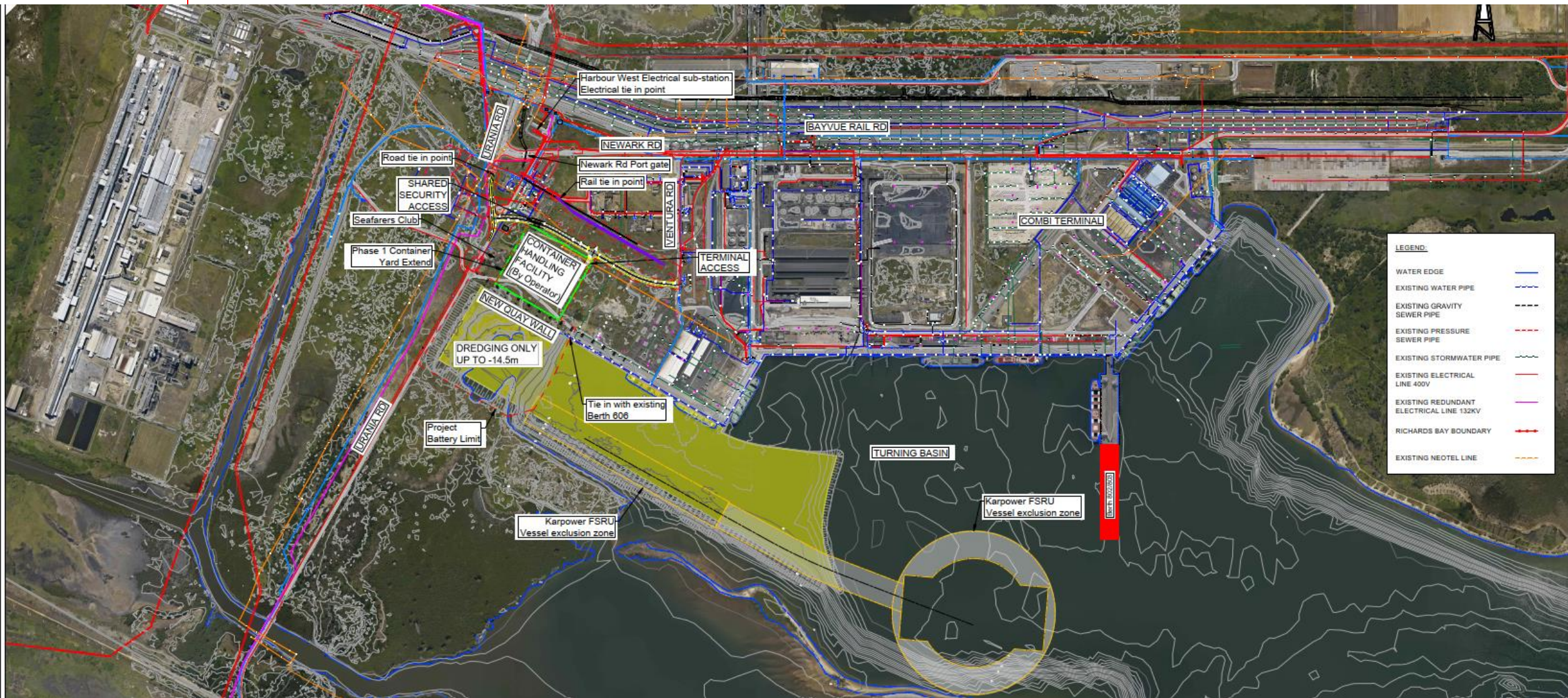
The GPS location of Berth 605 are: 28°47'25.71"S; 32° 1'37.70"E



Simplified Layout Plan



Preliminary Layout

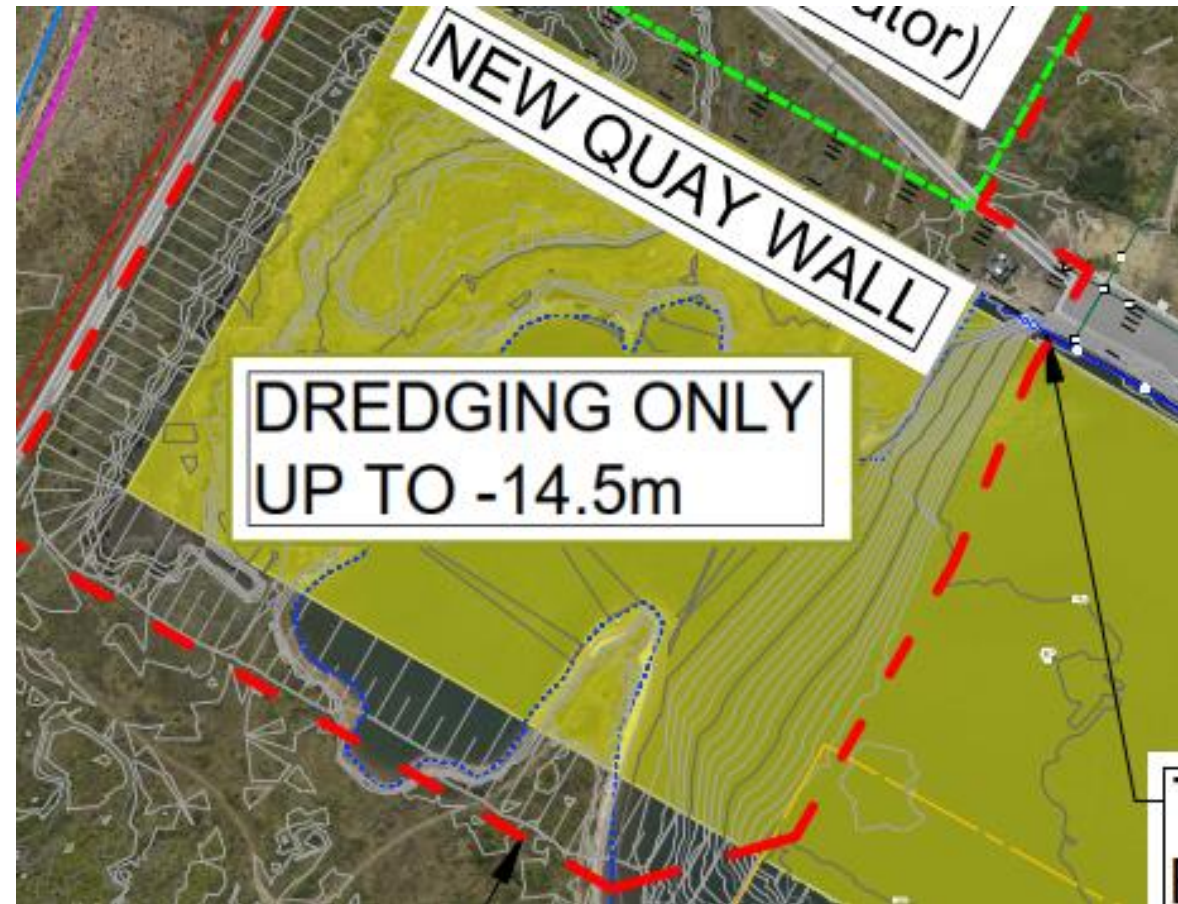


Summary of Project Components

New Berth Pocket and Quay Wall –

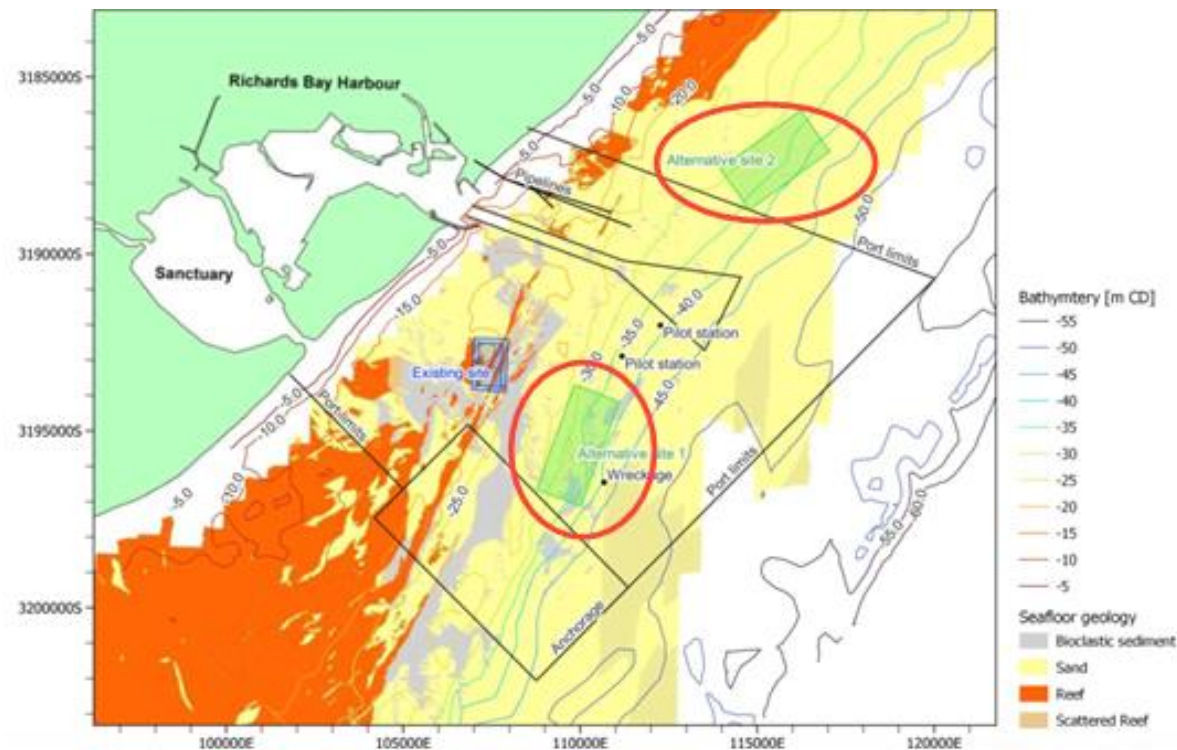
A new berth pocket will be constructed. It will be approximately 360m in length, 33m wide.

The new quay wall will interface with the western end of the existing Berth 606 quay wall. The cope level is to match the existing cope level of 5.2m CD. The quay wall will be founded to facilitate a future design dredge level of -19m CD.



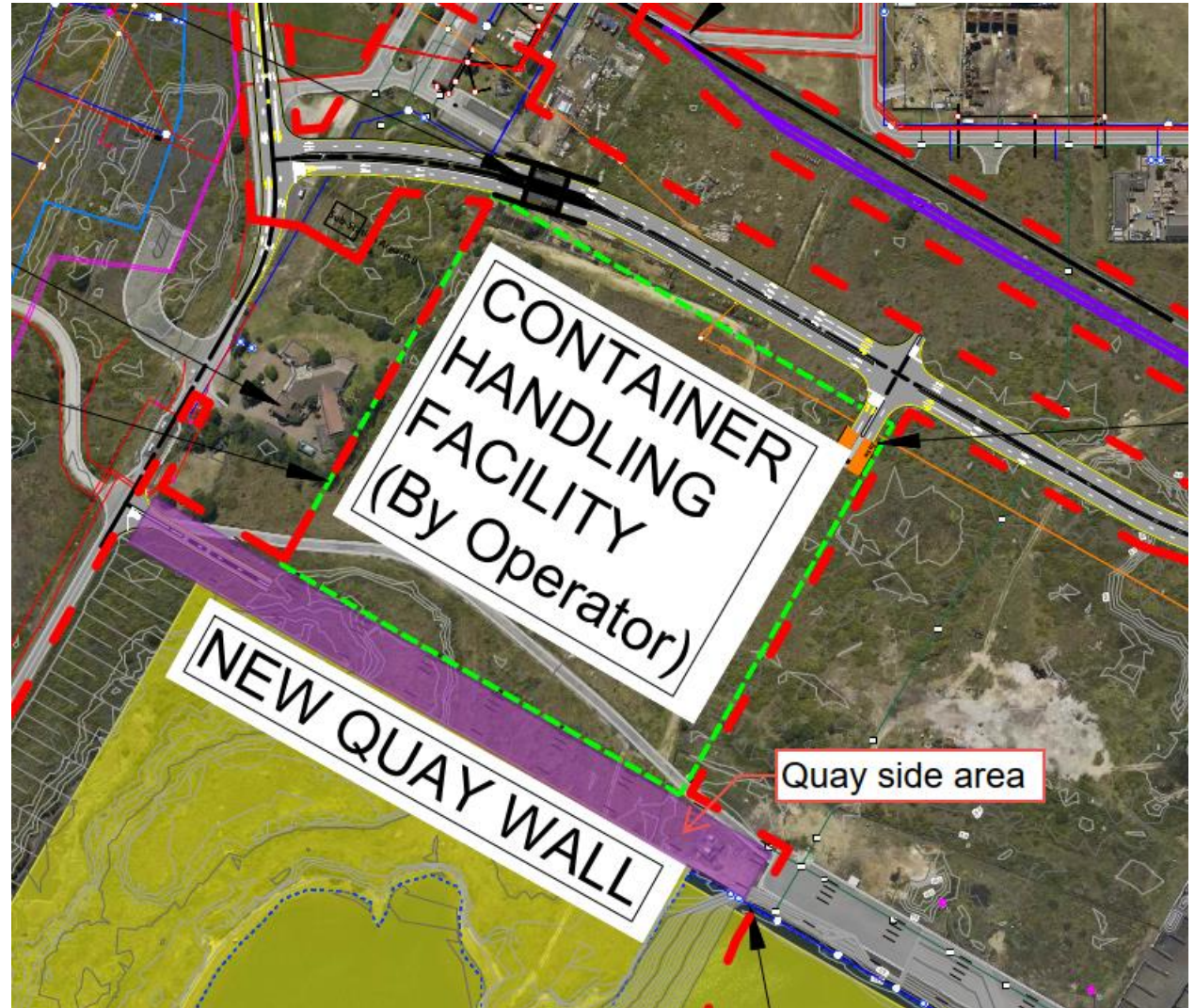
Dredging and dredge disposal

- Limit of dredging to enable a water depth of –14.5m CD at Berth 605 and in the extension to the existing series 600 basin opposite Berth 605. This is aligned to the current dredging depth of the existing series 600 basin. This is the full extent of the dredging.
- An estimated 2.5 million cubic metres of dredged material to be disposed of at an offshore disposal site. There is no sufficient capacity at existing offshore dredge disposal sites to meet the offshore dredge disposal requirements associated with implementing the projects which form part of the PoRB masterplan. Thus, additional offshore disposal site/s will need to be permitted to give effect to the Master Plan's implementation and become available before the Berth 605 project implementation commences.



Container handling facility -

The container handling facility will be built and operated by the container handling facility operator, 270 m along the berth by 250 m landward. The total area considered is 6.75 Ha for the container handling facility but excludes the apron area.



Electrical supply

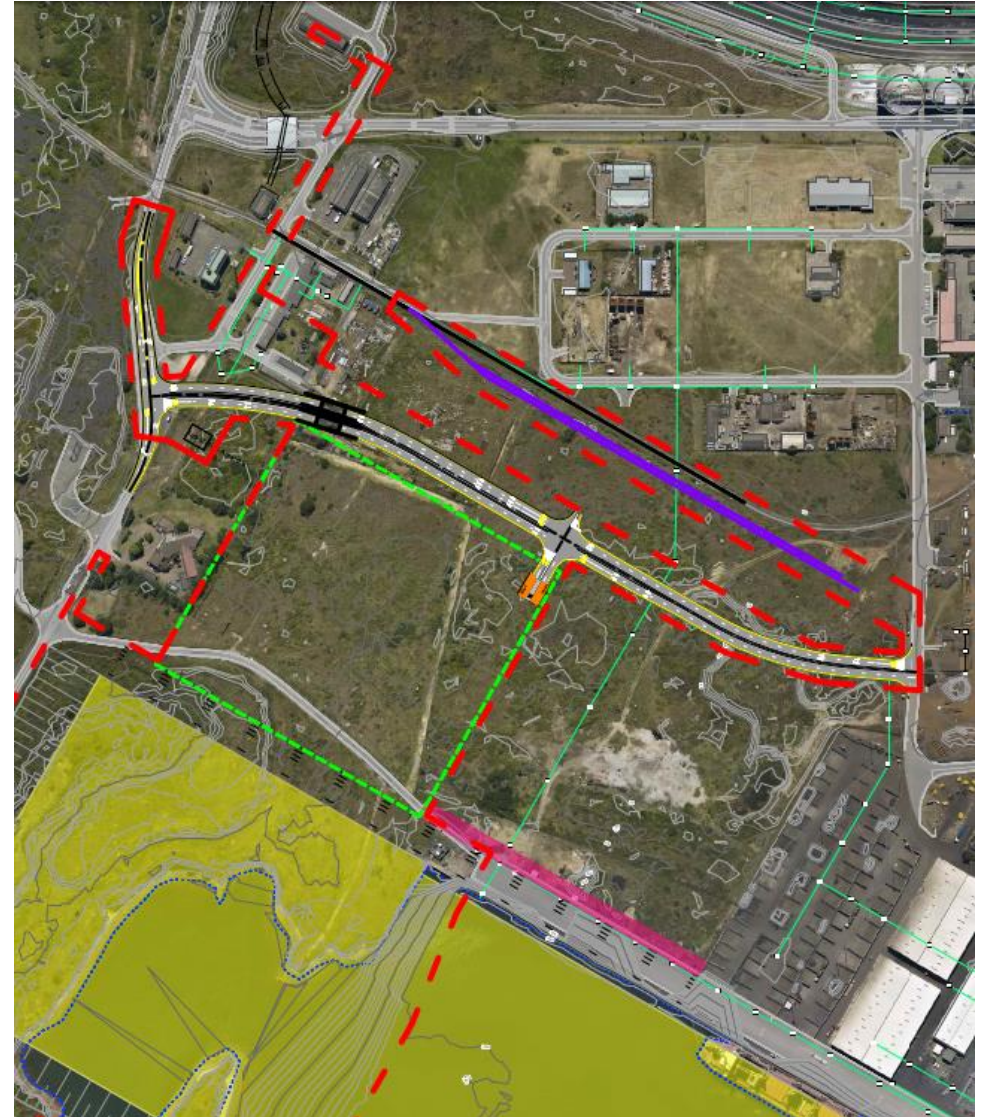
The project will make use of the existing Harbour West Substation to serve as the source of electrical supply. Currently, the Harbour West Substation has a 132kV incomer which steps down to 11kV for internal distribution. The berth will utilise the spare 11kV switches to serve the site. A new 11kV MV network will be installed to serve the berth with local substations to serve the site.

Proposed site for the new sub-station if required



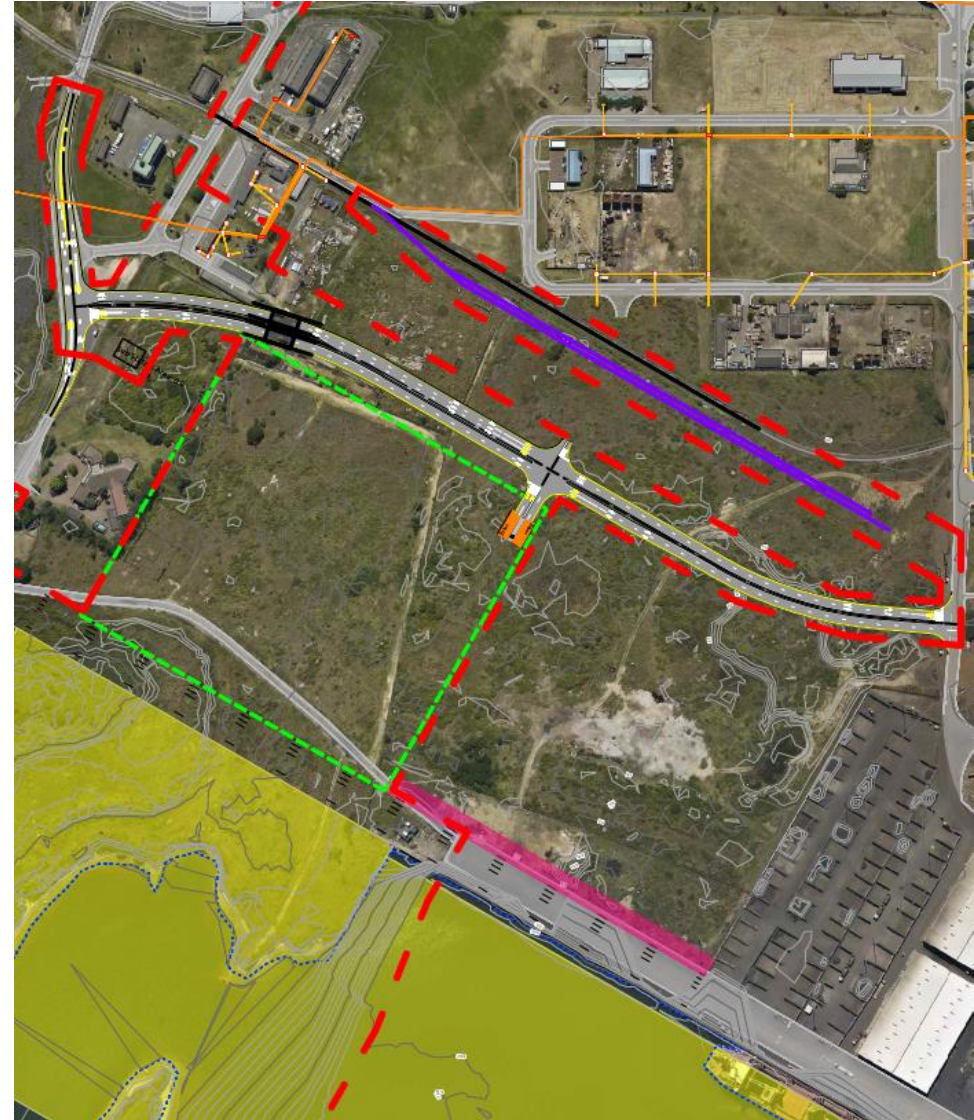
Stormwater

- Existing network in green on the diagram
- Stormwater pipes will be installed to collect stormwater runoff from the container handling facility to the new quay wall.
- The pipeline will be about 360m along the quay line and 400m on the other side with a 900mm pipe diameter. it will have a velocity of 0.6 m/s for self-cleaning, to prevent sand settling inside the pipe and blocking.
- There will also be cross drainage at the new rail siding which will be 400m in length and 600mm diameter.
- The network discharges into the bay through the existing quay wall.
- Image indicates existing stormwater design



Sewerage

- Existing network in orange.
- The proposed sewer will be designed to tie into the closest existing pipe network or an existing pump station closest to the proposed container handling facility.
- Sewerage inside the green block to accommodate for approximately 160 people.
- The new sewerage pipeline will have a connection point at the NW boundary of the container handling facility. It will be 100m in length and 160mm pipe diameter.



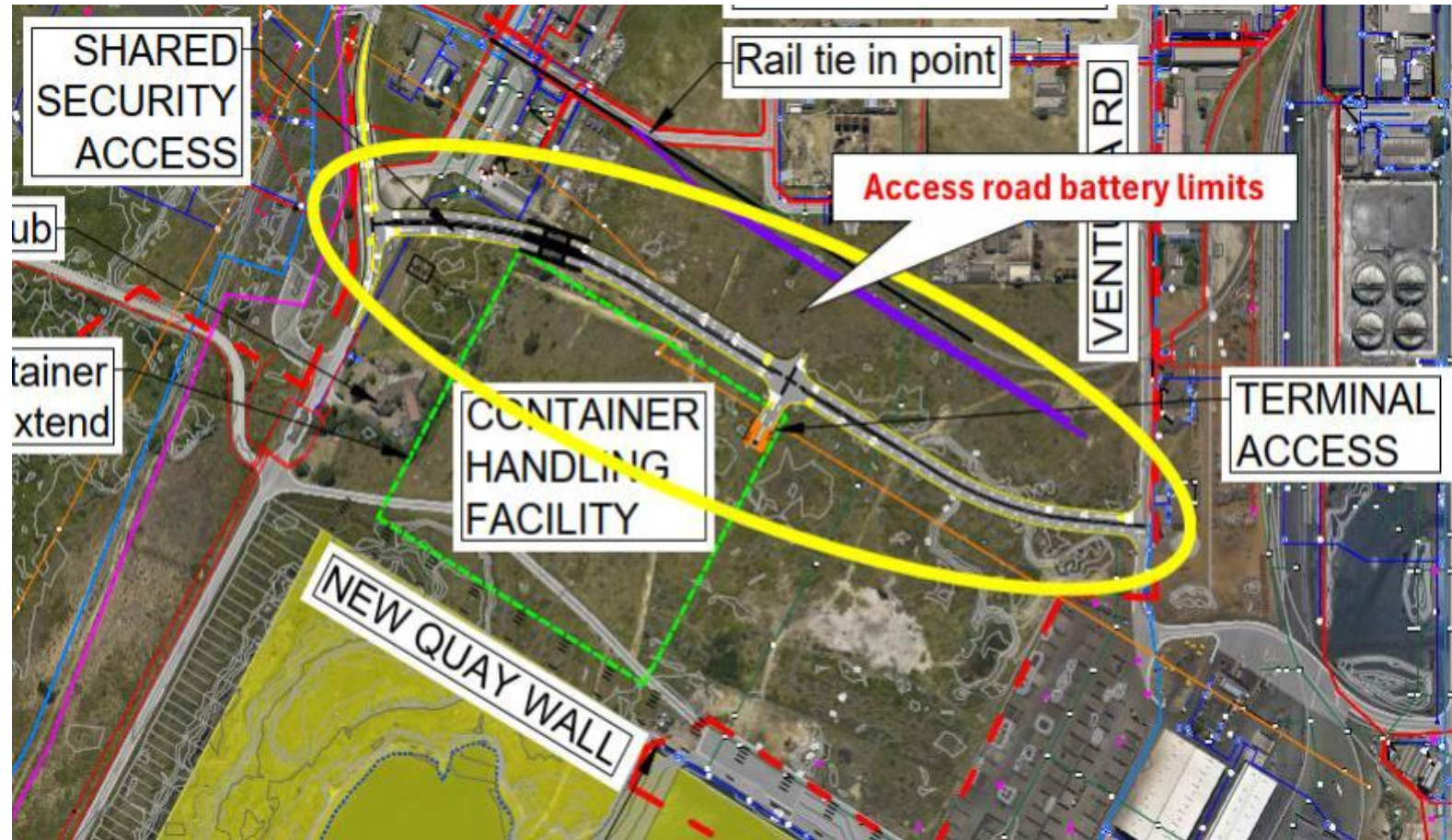
Water Supply

- Existing network in blue.
- Connections to new buildings will be off-takes from either the existing network directly, or via extensions to the existing network brought to the boundary of the proposed container handling facility.
- A tie in point will be provided. Max length of 500m of pipework. Inside the quay wall, water will be provided to landing valves for ships and firefighting.
- Water provided to a point for which the operator will tie in.
- 160mm diameter pipeline



Roads

- new road – 735m length, width 30m.
- 2 lanes each direction.
- 3 intersections: at Urania, at Newark and one to the container handling facility.



Rail

- New rail siding to be estimated 280 m long and will tie into the existing railway. Width of the rail reserve – approximately 15m at maximum and 30m including the hard standing for loading.
- The existing shunting yard will be used.



NEMA EIA Regulations, 2014 as amended: Listed Activities

Listed Notice 1:

Activity 12 – Development within 32m of a watercourse. Wetland studies conducted for the Karpower project indicated wetlands within the Berth 605 project area.

Activity 17 - development in respect of fixed/floating jetties and slipways, embankments, rock revetments or stabilising structures, infrastructure or structures with a development footprint of 50 square metres or more that is within 100m from the high-water mark of the sea or estuary.

Activity 19a – Dredging within 100m from the high-water mark of the sea or estuary.

Activity 24 - development of road/s with a reserve wider than 13.5m or where no reserve exists where the road is wider than 8m.

Activity 27 - clearance of 1 - 20 hectares of indigenous vegetation.

Activity 30 - NEMBA activities.

NEMA EIA Regulations, 2014 as amended: Listed Activities

Listed Notice 2:

Activity 14 - development of an anchored platform or any structure or infrastructure on, below or along the seabed.

Activity 15 - clearance of an area of 20 hectares or more of indigenous vegetation.

Activity 26 - development in the sea, estuary in respect of facilities associated with the arrival and departure of vessels and handling of cargo, piers, breakwater structures.

Activity 27 - development of a road catering for more than one lane of traffic in both directions.

NEMA EIA Regulations, 2014 as amended: Listed Activities

Listed Notice 3:

Activity 4 – development of a road in sensitive areas, CBA and within an EFZ.

Activity 12 – Clearance of vegetation in CBAs and within an EFZ.

Activity 14- Development of structures within a CBA and EFZ.

Scoping and EIR Process to be undertaken

DFFE Screening Results

Identified Sensitivities

Theme	Very High Sensitivity	High Sensitivity	Medium Sensitivity	Low Sensitivity	Specialist Studies Requirements
Agriculture Theme		X			No requirements
Animal Species Theme		X			Animal Species Assessment
Aquatic Biodiversity Theme	X				Aquatic Biodiversity Assessment
Archaeological and Cultural Heritage Theme				X	Site Verification required but HIA will be conducted due to NHA Requirements
Civil Aviation Theme			X		No
Defence Theme				X	No
Palaeontology Theme			X		Site Verification required and desktop assessment will be conducted
Plant Species Theme			X		Plant Species Assessment
Terrestrial Biodiversity Theme	X				Terrestrial Biodiversity Assessment as site is within a CBA

DFFE Screening Results

Other Identified Sensitivities

Theme	Very High Sensitivity	High Sensitivity	Medium Sensitivity	Low Sensitivity	Specialist Studies Requirements
Visual					Site verification required
Marine Assessment					Marine Ecology Assessment to be undertaken
Socio economic					Socio economic assessment to be undertaken

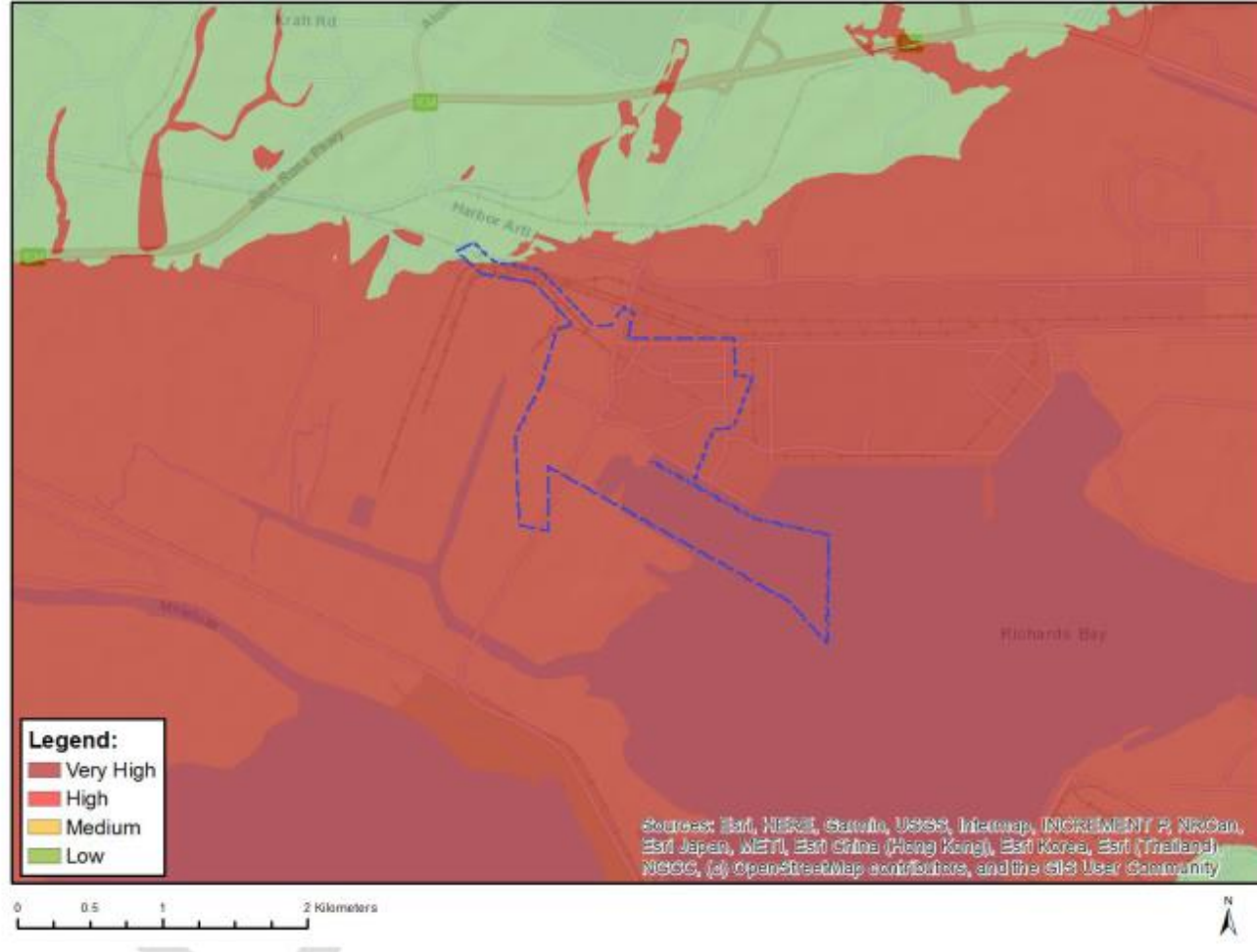
Additional Specialist Studies to be undertaken:

- Noise assessment
- Climate Change Assessment
- Underwater Noise Modelling
- Avifaunal Assessment

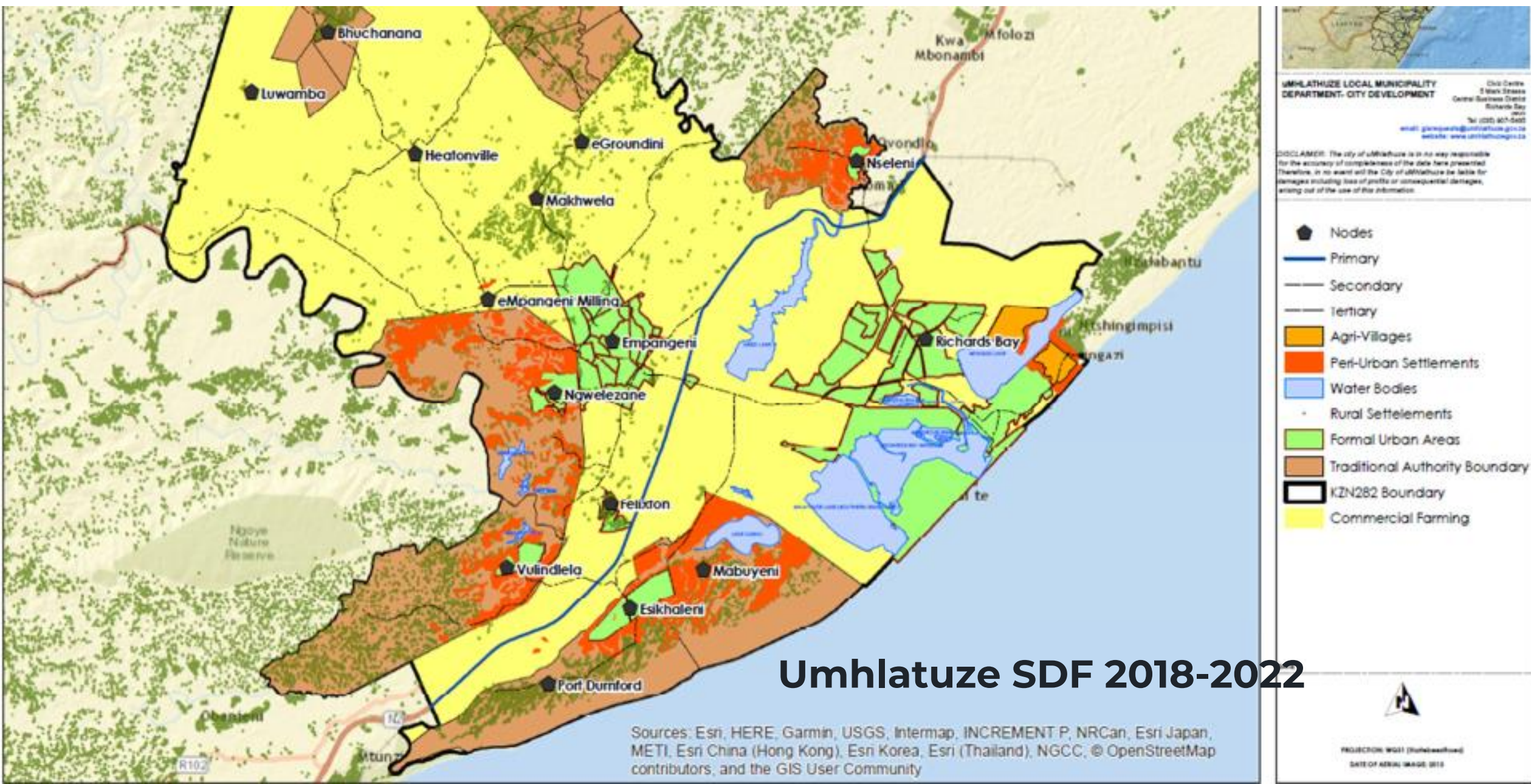


Historic imagery indicating the transformed nature of the site - 2006

EFZ Map



Sensitivity	Feature(s)
Low	Low sensitivity
Very High	Estuary_Richards Bay
Very High	Wetlands_(Estuary)
Very High	Wetlands_Indian Ocean Coastal Belt Bioregion (Floodplain)



Umhlathuze SDF 2018-2022

Scope of Environmental Services

Pre-Application Phase – **We are here**

- Project initiation
- Information gathering
- High level screening assessment
- Appointment of Specialists

Application and Scoping Phase

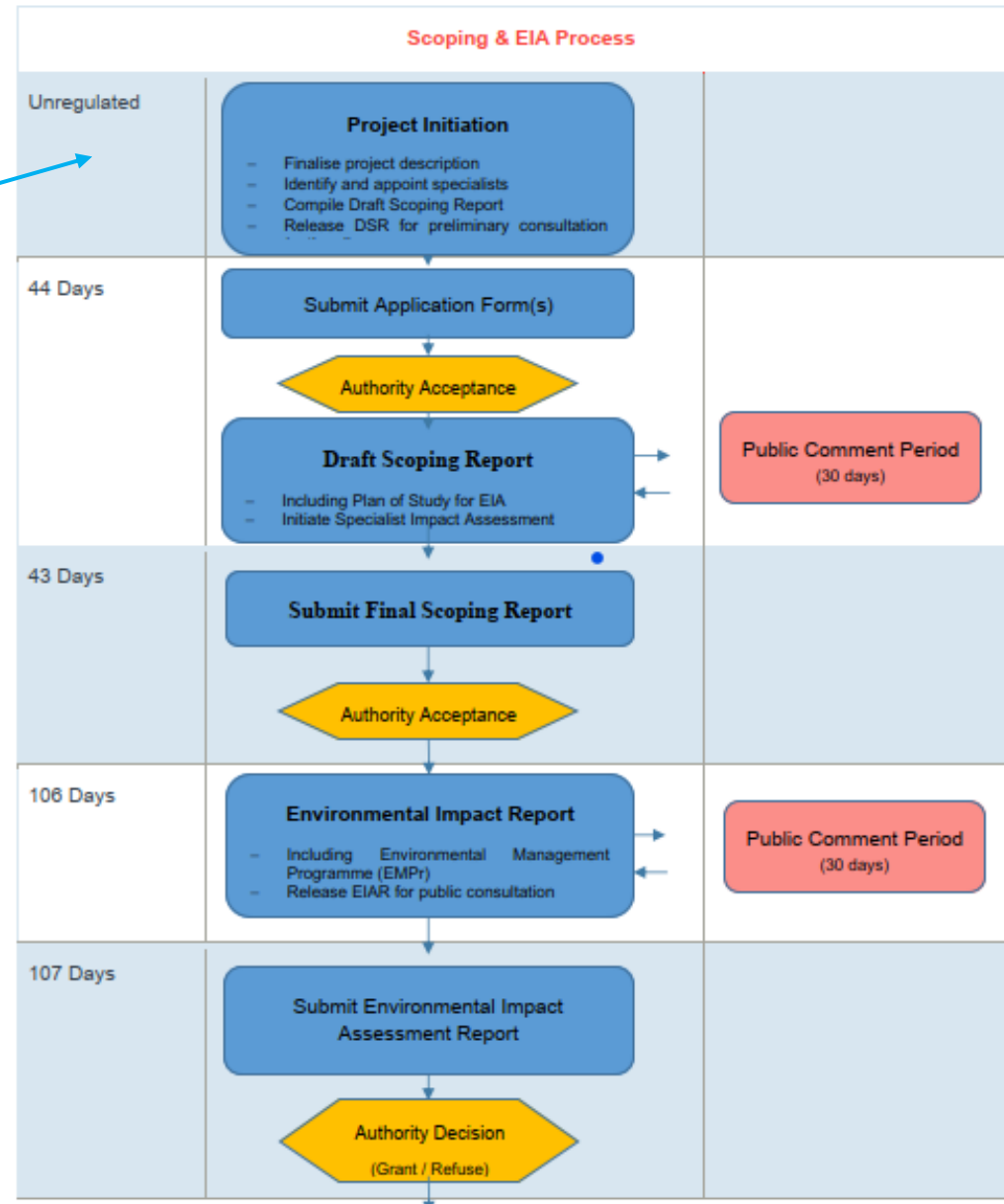
- Application for Environmental Authorisation
- Scoping Report and Plan of Study for the EIA
- Scoping Approval from the DFFE

EIA Phase

- Completion of specialist studies
- EIA Report
- Decision

Process Flow and Plan of Study for the EIA

Berth 605 is currently in the unregulated phase



Way Forward

- Outcome of the screening process concluded that a S&EIR process is required.
- Confirmation of specialist studies to be undertaken.
- Confirmation of urban area exclusions as per the uMhlatuze SDF.



MEETING NOTES

MEETING TITLE	TNPA – Berth 605 Pre-Application Meeting (DFFE Oceans and Coast)
PROJECT NUMBER	43102871
DATE	13 November 2024
TIME	14:00 – 15:00
VENUE	Online (Microsoft Teams)
SUBJECT	Berth 605 Pre-Application Meeting
CLIENT	Transnet National Ports Authority (TNPA)
PRESENT	Nokhuthala Hlongwana (TNPA) - NH Rajan Chetty (TNPA) – RC Brian Goulding (TNPA) – BG Nkhensani Khandlhela (TNPA) – NK Tsepo Ngema (TNPA) – TN Mazwi Mdletshe (TNPA)- MM Brent Baxter (WSP) - BB Jacqui Fincham (WSP) – JF Patricia Nathaniel (WSP) - PN Yolokazi Galada (DFFE) – YG Jessica Mans (DFFE) – JM Tabisile Mhlana (DFFE) – TM Yvonne Mokadi (DFFE) - YM
APOLOGIES	Wayne Peterson (WSP) James Melville (WSP)

MATTERS ARISING

ACTION

1.0 INTRODUCTIONS AND WELCOME	
<ul style="list-style-type: none">— PN welcomed everyone to the meeting, stated the purpose of the meeting, and shared the meeting agenda. This was followed by a round of introductions, including the role of all attendees in the project.— A presentation was made to all attendees to provide information on the proposed project. <p><i>*PN recorded the meeting for the purpose of taking minutes.</i></p> <p><i>** A copy of the PowerPoint presentation is included in Appendix A for reference.</i></p>	

1st Floor, Pharos House,
70 Buckingham Terrace,
Westville, 3629
South Africa

T: +27 31 240-8830
F: +27 31 240 8801
www.wsp.com

<p>2.0 PRESENTATION</p>	
<p>2.1 Project Background</p> <ul style="list-style-type: none"> — PN presented the project background. — The Berth 605 project area is located within the Port of Richards Bay (PoRB) and form part planned projects of the Masterplan for the Port. — She presented a locality and layout map associated with the project. — PN highlighted that the project layout is in its concept design stage and could be subject to minor changes therefore the information presented in the pre-application meeting could differ from the application form and Draft Scoping Report (DSR). <p>2.2 Project Details</p> <ul style="list-style-type: none"> — PN presented the following key details of the project: <ul style="list-style-type: none"> a. New Berth Pocket and Quay Wall b. Dredging and Dredge Disposal c. Container Handling Facility d. Utilities including electrical supply, stormwater, water and sewerage e. Roads and access f. New rail siding <p>2.3 Listed Activities</p> <ul style="list-style-type: none"> — PN presented the potential listed activities under the National Environmental Management Act (Act 107 of 1998) (NEMA) Environmental Impact Assessment Regulations, 2014 as amended (EIA Regulations) that are likely to be applicable to the project. — The project triggers a combination of Listing Notice 1, 2 and 3 activities therefore an application for Environmental Authorisation (EA) subject to a Scoping and Environmental Impact Reporting (S&EIR) process is applicable. <p>2.4 DFFE screening results and specialist studies</p> <ul style="list-style-type: none"> — PN explained the DFFE Screening Tool Sensitivities and the associated protocols for each theme. — PN explained that the site varies in sensitivity. — To note, the site is Very High in sensitivity for the aquatic and terrestrial biodiversity themes due to the site being located entirely within a Critical Biodiversity Area (CBA) and an Estuarine Functional Zone (EFZ). — The following specialist studies will be undertaken as part of the Environmental Impact Assessment (EIA) Phase of the project: <ul style="list-style-type: none"> a. Heritage Impact Assessment (underwater and terrestrial) b. Terrestrial Biodiversity (including plant and animal species) c. Aquatic Biodiversity Assessment d. Estuarine Baseline and Marine Ecology Assessment e. Visual Impact Assessment f. Socio-economic Assessment g. Climate Change Impact Assessment h. Avifaunal Assessment i. Noise and underwater noise Assessment (due to the existing noise of the PoRB, these studies may not be required). <p>2.5 Scope of the S&EIR Process</p> <ul style="list-style-type: none"> — PN presented a summary of the process flow and plan of study for the EIA which will be in accordance with the EIA Regulations. <p>2.6 Way forward</p> <ul style="list-style-type: none"> — PN requested confirmation on the following: <ul style="list-style-type: none"> • Requirements for the Water Use License Application (WULA) • The adequacy of the mitigation hierarchy • The updated Estuarine Management Plan (EsMP) • Interpretation of the Coastal Public Property in the listed activities • Requirements for the Coastal Water Discharge Permit (CWDP) 	
<p>3.0 DISCUSSION</p>	
<p>3.1 Questions and Comments</p>	

MEETING NOTES

<ul style="list-style-type: none"> — PN requested guidance from the DFFE on the requirements for a WULA for the project. Response: YG stated that estuaries under the National Water Act (No 36 of 1998) are categorised as water resources and the assumption is that the WUL is applicable. However, TG added that this must be discussed further with the Department of Water and Sanitation. — TM responded to the adequacy of the mitigation hierarchy. She requested clarify if an estuarine and marine ecology assessment will be undertaken. PN responded stated that an estuarine and marine assessment will be undertaken. — TM also added that the current EsMP must be considered valid until such time that the revised version is released. YG added that the recommendations in the current Estuarine Management Plan still apply under there is a new version of the plan. — TM clarified that according to the Integrated Coastal Management Act (No 24 of 2008) any infrastructure located within the port or harbour which is constructed by an Organ of State is not considered coastal public property. — TM confirmed that a CWDP will not be required if there is no discharge of effluent. However, if the design changes and if there will be discharge of effluent then a permit will be required. — YG requested clarify on the sensitivity of the marine environment and noted the sensitivity of seagrass identified as part of other studies at the PoRB. She also requested clarity on whether other projects have been considered like the Karpowership project which are located within the Berth 605 project area. — PN responded that the area is considered high sensitivity from an aquatic and marine perspective however we are still awaiting the specialist studies which will confirm the sensitivity. PN added that the specialist confirmed that seagrass was not identified in the project during the site visit. — MM responded on the Karpowership project stating that the project is currently on hold, and it is awaiting a resolution on the way forward. He added that it will be considered during the planning of this project. — JM added that there is still a requirement for the Dumping at Sea Permit Application even though dredged material will go to an existing site and the sediment analysis must not be older than 2 years. — YG enquired if there is any study being undertaken flood risks for the project. PN confirmed that the concept design will consider the flood risks. MM added that flooding has not occurred in the vicinity of the project area. NH added that there will be a Climate Change Assessment which will also consider the impacts relating to the rising of the sea water and other parameters relating to flooding. — TM enquired about the proposed new substation and if the existing network cannot supply the required electricity required for the project. PN responded stating that there is sufficient capacity to supply the project however the substation is being proposed for future provision, but it is being authorised as part of the Berth 605 project. — YM commented that the WUL is regulated by the Department of Water and Sanitation (DWS) and if abstraction and pollution is going to be part of the project, then an application must be submitted to the DWS. PN responded stating that there will be no abstraction or pollution, and only Section 21c and i water uses may be applicable. — NH clarified that the substation is a small 11kV substation and will not cover a large area. — NK requested clarity on the discharge of stormwater. PN responded stating that TM confirmed that if it is not effluent then it will not require a CWDP. — RC stated that there is the extension of the eight series jetty and the seven series jetties project that is being proposed by TNPA. He added that the DFFE must understand that there are other projects underway. — TM responded stating that based on the comment above, the cumulative impacts must be considered and presented in the specialist and environmental impact assessment reports. — YG added that the National Biodiversity Offset Guidelines, 2023 are only applicable to the terrestrial and freshwater environments and not applicable to marine and estuarine environments. <p>PN expressed gratitude to the DFFE team for their availability.</p>	
4.0 WAY FORWARD	
<ul style="list-style-type: none"> — WSP to draft minutes and forward to DFFE to endorsement. 	WSP

MEETING NOTES

Patricia Nathaniel	Wayne Hector
EAP	DFFE Representative
Signature	Signature

MEETING NOTES

APPENDIX A: MEETING ATTENDANCE

DFFE - Oceans and Coast - Berth 605 Pre-Application Meeting

Join 6

Wednesday, 13 November 2024 13:51 - 15:01

Download

13
Attended

13:51 - 15:01
Start and end time

1h 10m 5s
Meeting duration

1h 1m 10s
Average attendance time

Participants

Name	First join	Last leave	In-meeting duration	Role
 Nathaniel, Patricia Patricia.Nathaniel@wsp.com	13:51	15:01	1h 9m 59s	Organizer
 Nokhuthala Hlongwana [Transnet NPA HQ] Nokhuthala.Hlongwana@transnet.net	13:52	15:01	1h 7m 59s	Presenter
 Rajan Chetty [Transnet NPA HQ] Rajan.Chetty@transnet.net	13:53	15:01	1h 8m 3s	Presenter

Name	First join	Last leave	In-meeting duration	Role
 Jacqui Fincham Jacqui.Fincham@wsp.com	13:54	15:01	1h 3m 4s	Presenter
 Yolokazi Galada YGalada@dfpe.gov.za	13:57	15:01	1h 4m 31s	Presenter
 Mazwi Mdletshe [Transnet NPA HQ] Mazwi.Mdletshe@transnet.net	13:57	15:01	1h 4m	Presenter
 Jessica Mans JeMans@dfpe.gov.za	13:58	15:01	1h 3m 4s	Presenter
 Baxter, Brent brent.baxter@wsp.com	13:59	15:01	1h 1m 59s	Presenter
 Tsepo Ngema [Transnet NPA HQ] Tsepo.Ngema@transnet.net	13:59	15:01	1h 1m 52s	Presenter
 Nkhensani Khandlhela Nkhensani.Khandlhela@transnet.net	14:00	15:01	1h 1m 9s	Presenter
 Tabisile Mhlana tmhlana@dfpe.gov.za	14:01	15:01	59m 46s	Presenter
 Brian Goulding Brian.Goulding@transnet.net	14:02	14:35	32m 40s	Presenter
 Yvonne Mokadi ymokadi@dfpe.gov.za	14:04	15:01	57m 10s	Presenter

MEETING NOTES

APPENDIX B: PRESENTATION

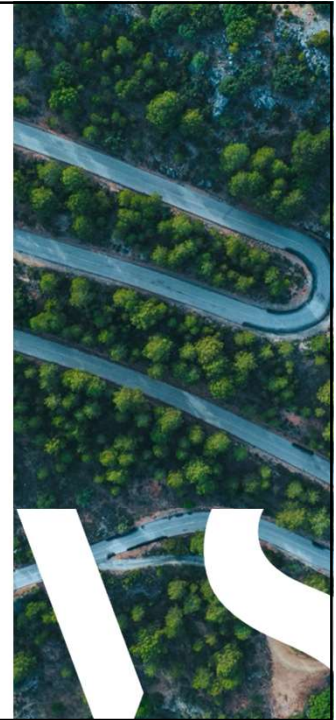


Development of Berth 605 and associated infrastructure in support of the Container Handling Facility at the Port of Richards Bay

Transnet National Ports Authority

Pre Application Meeting– 13 November 2024

XRB.E.0030-T001-PRS-0003



1



Agenda

1. Introductions –TNPA, WSP and DFFE Environmental Teams
2. Background, Location and Layout
3. Project Components and associated infrastructure
4. Listed Activities under the NEMA EIA Regulations, 2014 as amended
5. DFFE Screening Tool and Specialist Requirements
6. Site Sensitivity
7. Proposed Plan of Study for the EIA
8. Requirements for a Water Use License Application
9. Dumping at Sea Permit
10. Q & A Session

2

2



Introductions

TNPA:

Nokhuthala Hlongwana	Mazwi Mdletshe
Rajan Chetty	Brian Goulding
Nkhensani Khandlhela	Tsepo Ngema

WSP (EAP Team):

Brent Baxter	Patricia Nathaniel
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WSP (Engineering and Project Management Team):

James Melville	Wayne Petersen
Ruan Gilau	Yasmin Kistner

Department of Forestry, Fisheries and the Environment (DFFE): Oceans and Coast

Tabisile Mhlana	Jessica Mans
Feroza Albertus	Yolokazi Galada
Yvonne Mokadi	Jabulile Nhleko
Thandeka Mbambo	Mawonga Mandleni
Sibusiso Mbethe	Mbulelo Dopolo

3

3



Berth 605 and associated Infrastructure

Project Background

- Berth 605 project falls within the PoRB Masterplan within the Bayvue Precinct.
- Other precincts that form part of the PoRB Masterplan are South Dunes and Newark Precincts.
- WSP has been commissioned to undertake the engineering and environmental tasks associated with the Berth 605 and associated infrastructure.

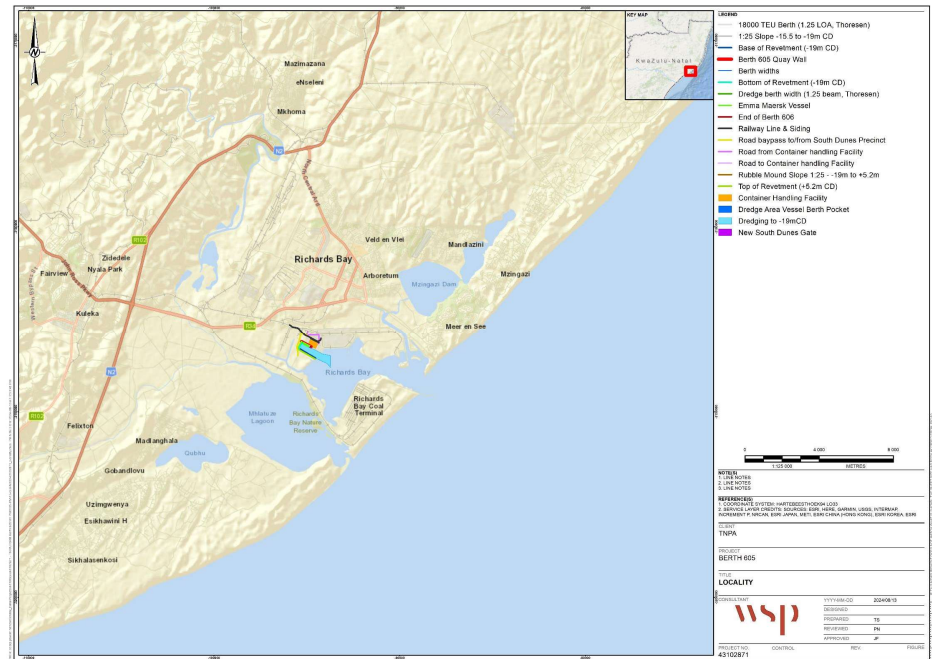
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Location:

The PoRB is situated on the north-eastern coast of KwaZulu Natal (KZN) and falls within the uMhlathuze Local Municipality (ULM) and King Cetshwayo District Municipality (KCDM).

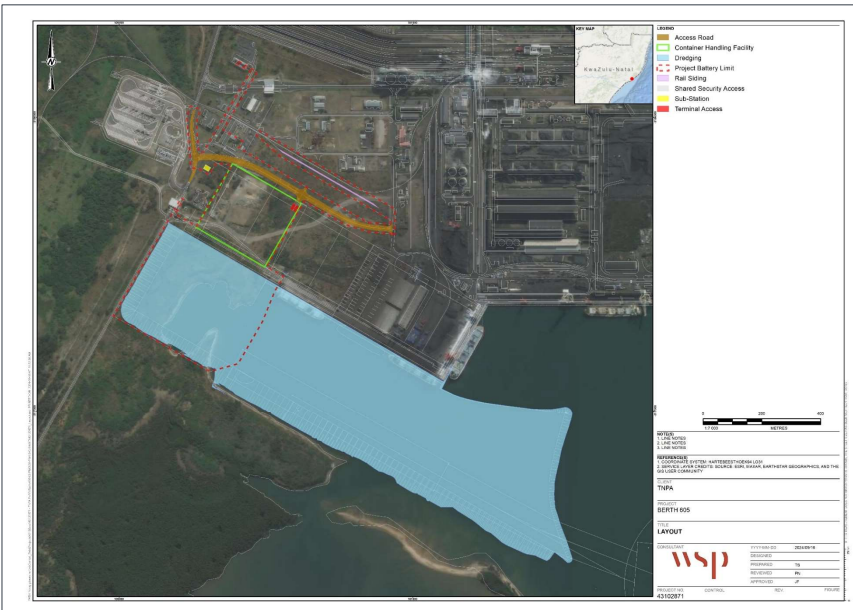
The GPS location of Berth 605 are: 28°47'25.71"S; 32° 1'37.70"E



5

5

Simplified Layout Plan



6

6

Preliminary Layout



7

7

Summary of Project Components

New Berth Pocket and Quay Wall –

A new berth pocket will be constructed. It will be approximately 338m in length, 33m wide.

The new quay wall will interface with the western end of the existing Berth 606 quay wall. The cope level is to match the existing cope level of 5.2m CD. The quay wall will be founded to facilitate a future design dredge level of -19m CD.



8

8

Dredging and dredge disposal

- Limit of dredging to enable a water depth of -14.5m CD at Berth 605 and in the extension to the existing series 600 basin opposite Berth 605. This is aligned to the current dredging depth of the existing series 600 basin. This is the full extent of the dredging.
- An estimated 2.7 million cubic metres of dredged material to be disposed of at an offshore disposal site.

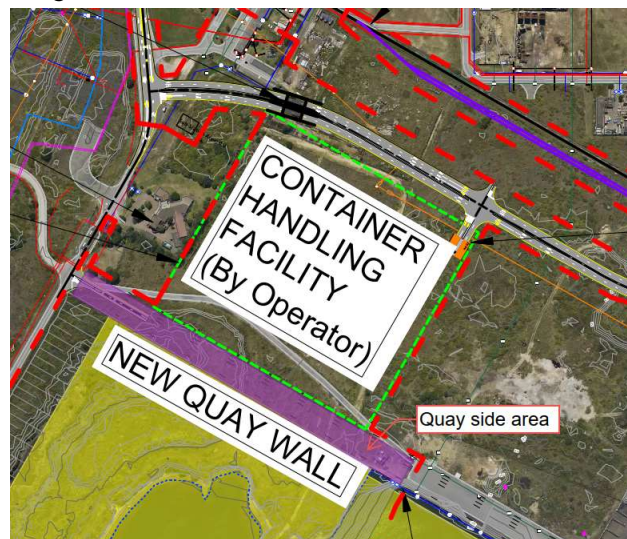
9

9

Container handling facility -

The container handling facility will be built and operated by the container handling facility operator, 270 m along the berth by 250 m landward. The total area considered is 6.75 Ha for the container handling facility but excludes the apron area.

NB: Only the disturbance footprint of the Container Handling Facility is included in the current S&EIR Process.



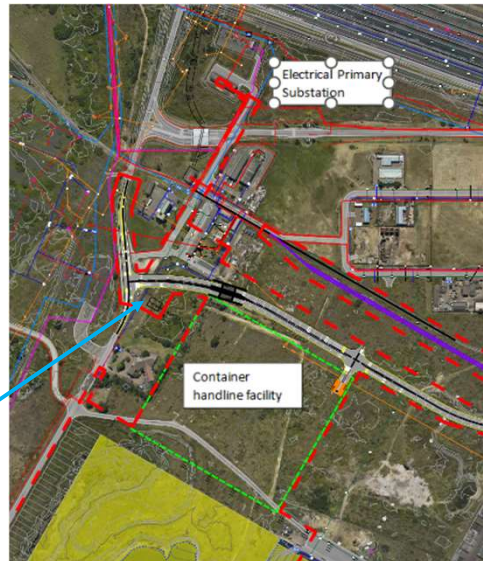
10

10

Electrical supply

The project will make use of the existing Harbour West Substation to serve as the source of electrical supply. Currently, the Harbour West Substation has a 132kV incomer which steps down to 11kV for internal distribution. The berth will utilise the spare 11kV switches to serve the site. A new 11kV MV network will be installed to serve the berth with local substations to serve the site.

Proposed site for the new sub-station if required

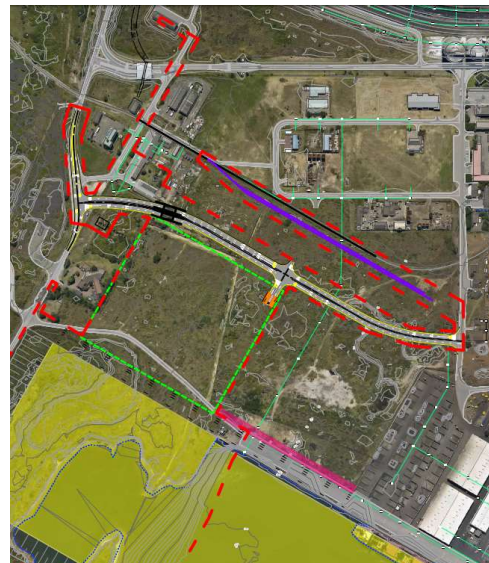


11

11

Stormwater

- Existing network in green on the diagram
- Stormwater pipes will be installed to collect stormwater runoff from the container handling facility to the new quay wall.
- The pipeline will be about 360m along the quay line and 400m on the other side with a 900mm pipe diameter. It will have a velocity of 0.6 m/s for self-cleaning, to prevent sand settling inside the pipe and blocking.
- There will also be cross drainage at the new rail siding which will be 400m in length and 600mm diameter.
- The network discharges into the bay through the existing quay wall.
- Image indicates existing stormwater design

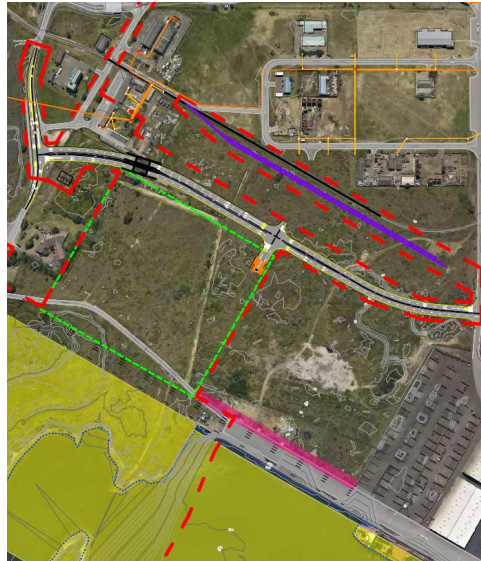


12

12

Sewerage

- Existing network in orange.
- The proposed sewer will be designed to tie into the closest existing pipe network or an existing pump station closest to the proposed container handling facility.
- Sewerage inside the green block to accommodate for approximately 160 people.
- The new sewerage pipeline will have a connection point at the NW boundary of the container handling facility. It will be 100m in length and 160mm pipe diameter.



13

13

Water Supply

- Existing network in blue.
- Connections to new buildings will be off-takes from either the existing network directly, or via extensions to the existing network brought to the boundary of the proposed container handling facility.
- A tie in point will be provided. Max length of 500m of pipework. Inside the quay wall, water will be provided to landing valves for ships and firefighting.
- Water provided to a point for which the operator will tie in.
- 160mm diameter pipeline



14

14

Roads

- new road – 735m length, width 30m.
- 2 lanes each direction.
- 3 intersections: at Urania, at Newark and one to the container handling facility.



15

15

Rail

- The rail siding will consist of two rail lines that are 370m each in length, each servicing 2 rakes of 25-wagons each. The existing Mhlataze Yard will be used for shunting and staging purposes to service the new proposed rail siding. The existing shunting yard will be used.



16

16



NEMA EIA Regulations, 2014 as amended: Listed Activities

Listed Notice 1:

Activity 12 – Development within 32m of a watercourse. Wetland studies conducted for other projects in the vicinity of Berth 605 indicated wetlands within the Berth 605 project area. This is currently being investigated by a specialist.

Activity 15 - Development within the coastal public property.

Activity 19 - Constitutes dredging and infilling of more than 10 cubic metres from or into watercourses.

Activity 19a – Dredging within 100m from the high-water mark of the sea or estuary.

Activity 27 - clearance of 1 - 20 hectares of indigenous vegetation.

Activity 30 - NEMBA activities.



NEMA EIA Regulations, 2014 as amended: Listed Activities

Listed Notice 2:

Activity 12 - Development of the new railway siding.

Activity 26 - development in the sea, estuary in respect of facilities associated with the arrival and departure of vessels and handling of cargo, piers, breakwater structures.



NEMA EIA Regulations, 2014 as amended: Listed Activities

Listed Notice 3:

Activity 4 – development of a road in sensitive areas, CBA and within an EFZ.

Activity 12 – Clearance of vegetation in CBAs and within an EFZ.

Activity 14 Development of structures within a CBA and EFZ.

Scoping and EIR Process to be undertaken

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DFFE Screening Results

Identified Sensitivities

Theme	Very High Sensitivity	High Sensitivity	Medium Sensitivity	Low Sensitivity	Specialist Studies Requirements
Agriculture Theme		X			No requirements
Animal Species Theme		X			Animal Species Assessment
Aquatic Biodiversity Theme	X				Aquatic Biodiversity Assessment
Archaeological and Cultural Heritage Theme				X	Site Verification required but HIA will be conducted due to NHA Requirements
Civil Aviation Theme			X		No
Defence Theme				X	No
Palaeontology Theme			X		Site Verification required and desktop assessment will be conducted
Plant Species Theme			X		Plant Species Assessment
Terrestrial Biodiversity Theme	X				Terrestrial Biodiversity Assessment as site is within a CBA

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DFFE Screening Results

Other Identified Sensitivities

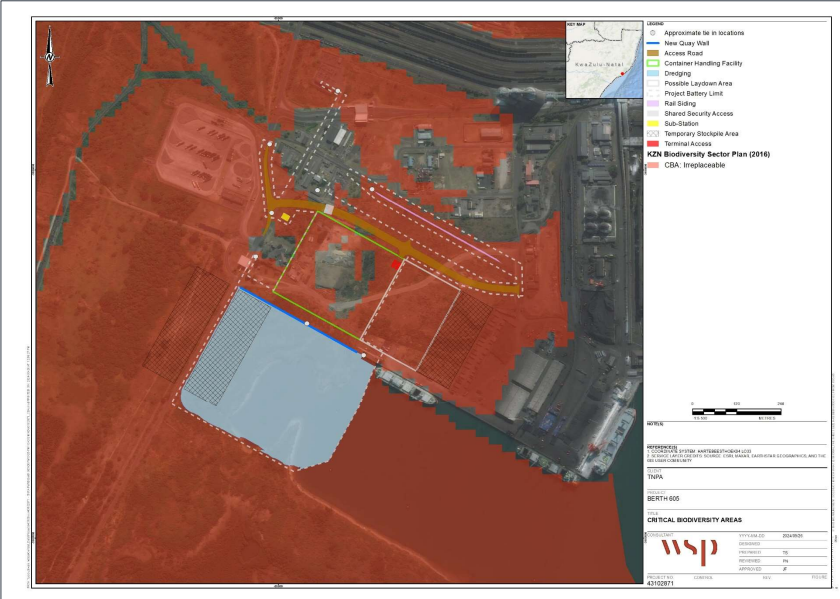
Theme	Very High Sensitivity	High Sensitivity	Medium Sensitivity	Low Sensitivity	Specialist Studies Requirements
Visual					Site verification required
Marine Assessment					Marine Ecology Assessment to be undertaken
Socio economic					Socio economic assessment to be undertaken

Additional Specialist Studies to be undertaken:

- Noise Baseline
- Climate Change Assessment
- Avifaunal Assessment



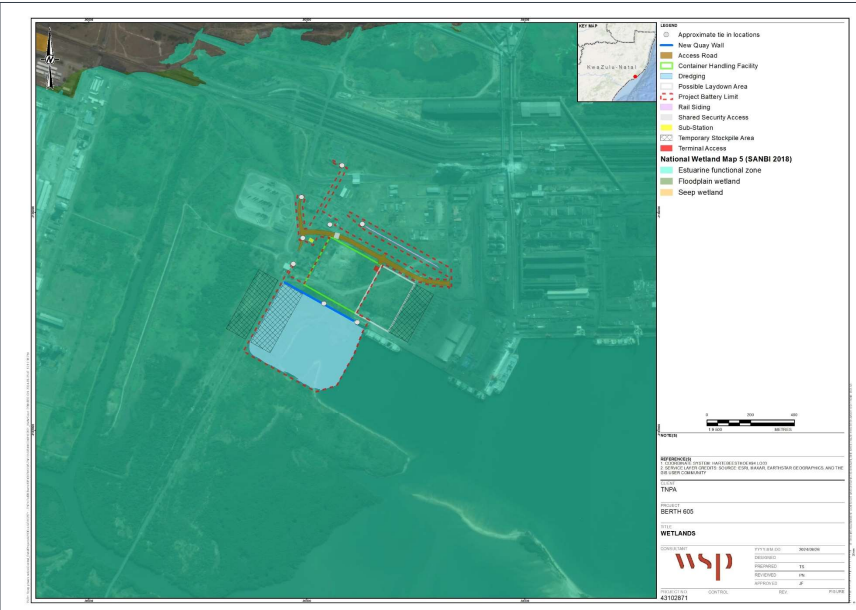
CBA Map



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EFZ Map



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Scope of Environmental Services

Pre-Application Phase – **We are here**

- Project initiation
- Information gathering
- High level screening assessment
- Appointment of Specialists

Application and Scoping Phase

- Application for Environmental Authorisation
- Scoping Report and Plan of Study for the EIA
- Scoping Approval from the DFFE

EIA Phase

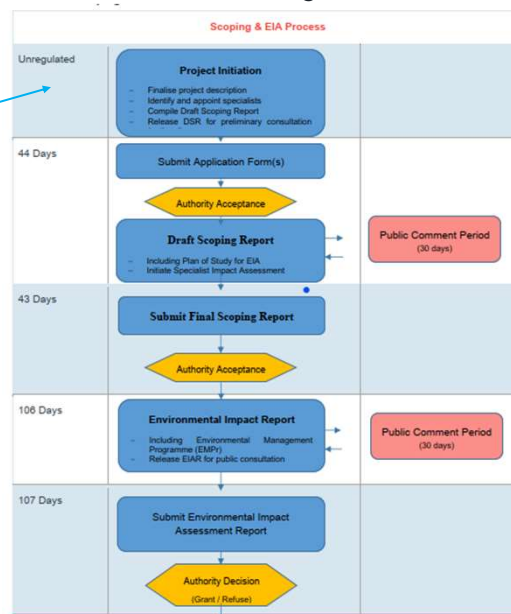
- Completion of specialist studies
- EIA Report
- Decision

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Process Flow and Plan of Study for the EIA

Berth 605 is currently in the unregulated phase



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Activities within the Coastal Public Property

- According to Regulation 7 of the Integrated Coastal Management Act, the coastal public property includes (h) any natural resources on or in:
 - (iii) any harbour, work or other installation on or in any coastal public property of a category mentioned in paragraphs (a) to (h) that is owned by an organ of state.
- Based on the definition of coastal public property, Listed Activities associated with the Coastal Public Property will be applied for.

Requirement for a Water Use License Application

- The Integrated Coastal Management Act defines coastal wetlands as any wetland in the coastal zone and includes:
 - Land adjacent to coastal waters that is regularly or periodically inundated by water.
 - Salt marshes, mangrove areas, inter tidal sand and mud flats.
 - Marshes and minor coastal streams regardless of whether they are of a saline, freshwater or brakish nature.
 - The water, the subsoil and the substrata beneath and bed and banks of any such wetland.
- The Integrated Coastal Management Act also includes estuaries in the definition of coastal waters.
- Based on the above, it was a general understanding that projects that fall within the ambit of the Integrated Coastal Management Act (within an estuary), do not require a Water Use License Application.
- At present, there is no discharge of effluent into coastal waters, however the design is still subject to change. This may trigger additional water uses and the need for a Coastal Waters Discharge Permit (CWDP).



Feedback from the DWS on the WULA Requirements

- The Berth 605 project area is located within the existing PoRB and the entire area is located within an EFZ.
- DWS confirmed that a WULA/GA will be required if the wetlands identified within the regulated area, indicates wetland characteristics and if the project will have any impact on the project (located within an EFZ doesn't automatically exempt the project from a WULA).
- If the specialist can confirm that there will be no impact from project related activities, then no WULA/GA will be required.

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Dumping at Sea Permit

- The dredged material will be disposed of at an existing offshore dump site.

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Mitigation Measures

- The mitigation hierarchy will be used to recommend adequate mitigation measures associated with impacts that are identified for the Berth 605 project.
- The Umhlathuze/Richards Bay Estuarine Management Plan developed in 2019 is valid for a 5-year period.
- Anticipated date for the revised Estuarine Management Plan as referencing an outdated document could prove problematic.

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Discussion

- The DFFE: Oceans and Coast Department's stance on the WULA requirement for project (considering it is located within the PoRB and the EFZ).
- Confirmation that the mitigation hierarchy is adequate to address project related impacts.
- The anticipated date for the updated Estuarine Management Plan.
- Confirmation of the interpretation of the Coastal Public Property.
- Requirements for a CWDP.

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