



REFERENCE: 16/3/3/1/F1/11/2010/20
NEAS REFERENCE: WCP/EIA/0000761/2020
ENQUIRIES: RONDINE ISAACS
DATE OF ISSUE: 02/11/2020

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): PROPOSED ESTABLISHMENT OF NEW EGG LAYING FACILITIES AND ASSOCIATED INFRASTRUCTURE ON PORTION 3 OF THE FARM KLEIGAT NO. 83, PIKETBERG.

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

DECISION

By virtue of the powers conferred on it by the NEMA and the EIA Regulations, 2014 (as amended), the competent authority herewith grants Environmental Authorisation to the applicant to undertake the list of activities specified in Section B below with respect to the preferred alternative as included in the Basic Assessment Report ("BAR") dated 22 May 2020.

The granting of this Environmental Authorisation (hereinafter referred to as the "Environmental Authorisation") is subject to compliance with the conditions set out in Section E below.

A. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION

Typicool 326 (Pty) Ltd
c/o Mr. Roderick Smit
14 Sceptre Crescent
BLOUBERG
7441
Cell: 084 442 1502
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The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "the holder".

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B. LIST OF ACTIVITIES AUTHORISED

Listed Activity	Activity/Project Description
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 5: <i>"The development and related operation of facilities or infrastructure for the concentration of –</i></p> <p><i>(i) more than 1 000 poultry per facility situated within an urban area, excluding chicks younger than 20 days;</i></p> <p><i>(ii) more than 5 000 poultry per facility situated outside an urban area, excluding chicks younger than 20 days;</i></p> <p><i>(iii) more than 5 000 chicks younger than 20 days per facility situated within an urban area; or</i></p> <p><i>(iv) more than 25 000 chicks younger than 20 days per facility situated outside an urban area".</i></p>	<p>An egg laying facility housing approximately 20 000 hens will be constructed outside an urban area.</p>
<p>Activity 19: <i>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i></p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving -</i></p> <p><i>(a) will occur behind a development setback;</i></p> <p><i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i></p> <p><i>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</i></p> <p><i>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i></p> <p><i>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies".</i></p>	<p>More than 10m³ of material will be removed/deposited in a stream located for the installation of the culvert and the widening of the road.</p>
<p>Activity 48: <i>"The expansion of –</i></p> <p><i>(i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or</i></p> <p><i>(ii) dams or weirs, where the dam or weir, including infrastructure and water surface area, is expanded by 100 square metres or more;</i></p>	<p>The stream crossing will be formalised by installing a culvert.</p>



<p>where such expansion occurs –</p> <ul style="list-style-type: none"> (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; <p>excluding -</p> <ul style="list-style-type: none"> (aa) the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) where such expansion activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies; (dd) where such expansion occurs within an urban area; or (ee) where such expansion occurs within existing roads, road reserves or railway line reserves". 	
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The abovementioned list is hereinafter referred to as "the listed activities".

The holder is herein authorised to undertake the following related to the listed activities:

The proposed project entails the establishment of new egg laying facilities and associated infrastructure on Portion 3 of the Farm Kleigat No. 83, Piketberg. Approximately ten houses, which will house approximately 20 000 lay hens, will be established. The proposed egg laying facility will have a footprint of approximately 5ha.

The associated infrastructure will include egg-collection and packing, feed and water storage and supply systems, storm water drains, sewer treatment and conservancy tanks, a biohazard facility, ablutions, offices and a fence around the facility.

Sewage will be collected in a sub-catchment basin and drain via a separate waterborne sewerage system to a sewage package plant located at the lowest point of the development. The treated sewage from the package plant will drain into a reed bed. Sewerage will be collected in a septic tank from where it will be pumped into a Scarab (or similar) sewer purification package plant. The treated sewage from the package plant will drain into the reed bed for further maturation.

The main access road, which crosses a stream will be widened by 2m and will thus be upgraded to a 6m wide, two lane surfaced road. The stream crossing will be formalised by installing a culvert (five cement pipes) with a diameter of 600mm under the road crossing. The culvert will have concrete head walls and a gravel

surface. The culvert will be approximately 128m² in size and more than 10m³ of material will be filled into the stream. A River Maintenance Management Plan (included in the Environmental Management Programme ("EMPr")) has been compiled for the future maintenance of the low water crossing.

The track to the chicken manure stockpile area will remain as a two-track and will not be widened or hardened.

A manure stockpiling area of approximately 200m² in size will also be constructed which will be accessed via an existing farm track. The manure stockpiling area will have a concrete foundation and may be roofed. The manure will be temporarily stockpiled and be used as fertilizer in the farm's orchards.

Electricity will be sourced from Eskom and water will be obtained from a borehole on the farm.

C. LOCATION AND SITE DESCRIPTION

The listed activities will take place on Portion 3 of the Farm Kleigat No. 83, Piketberg.

The Farm Kleigat is located approximately 62km north-west of Piketberg via the R366, past Het Kruis. The proposed development will be located directly south of a small tributary of the Hol River. The site is bordered by cultivated lands on the neighbouring property towards the east. Patches of previously cultivated areas and indigenous vegetation occur towards the south. Olive orchards are located to the west.

The SG 21-digit code is: C05800000000008300003

Co-ordinates:

Chicken houses:

Latitude: 32° 41' 44.45" S

Longitude: 18° 35' 47.87" E

Low water crossing (culvert):

Latitude: 32° 41' 40.41" S

Longitude: 18° 35' 43.33" E

Manure stockpiling area:

Latitude: 32° 41' 58.55" S

Longitude: 18° 35' 28.63" E

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

hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”)

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c/o Mr. Pieter de Villiers
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Die Boord
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E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred alternative, described in the BAR dated 22 July 2020 on the site as described in Section C above.
2. Authorisation of the activities is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
3. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for–

- (a) A period of five (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and
 - (b) A period of ten (**10**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activities for the construction phase, must be concluded.
4. The activities that have been authorised may only be carried out at the site described in Section C above in terms of the approved EMPr.
 5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information to evaluate the significance and impacts of such changes or deviations, and it may be



necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Notification of authorisation and right to appeal

6. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision –
 - 6.1 notify all registered Interested and Affected Parties of –
 - 6.1.1 the outcome of the application;
 - 6.1.2 the reasons for the decision;
 - 6.1.3 the date of the decision; and
 - 6.1.4 the date of issue of the decision;
 - 6.2 draw the attention of all registered Interested and Affected Parties to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended);
 - 6.3 draw the attention of all registered Interested and Affected Parties to the manner in which they may access the decision; and
 - 6.4 provide the registered Interested and Affected Parties with:
 - 6.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 6.4.2 name of the responsible person for this Environmental Authorisation,
 - 6.4.3 postal address of the holder,
 - 6.4.4 telephonic and fax details of the holder,
 - 6.4.5 e-mail address, if any;
 - 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered Interested and Affected Parties in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

Commencement

7. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered Interested and Affected Parties of this decision.
8. In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged the holder may not commence with the activity, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.

Written notice to the competent authority

9. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities. Commencement for the purpose of this condition includes site preparation.



- 9.1 The notice must make clear reference to the site details and EIA Reference number given above.
- 9.2 The notice must also include proof of compliance with the following conditions described herein:
Conditions: 6, 7, 14, 22, 23, 25 and 34.

Management of activity

10. The draft EMPr dated 20 April 2020 compiled by Cornerstone Environmental Consultants (Pty) Ltd.; the River Maintenance Management Plan dated April 2019 compiled by EverWater Freshwater Consulting; and the Integrated Water and Waste Management Plan including a Water Quality Management Plan dated 10 February 2020 compiled by BioConsulting, which have been submitted as part of the application for Environmental Authorisation are hereby approved and must be implemented.
11. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
12. The EMPr must be included in all contract documentation for all phases of implementation.
13. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activities will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The Environmental Authorisation and EMPr must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

Monitoring

14. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction phase to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.

The ECO must–

- 14.1 be appointed prior to commencement of any construction activities commencing;
- 14.2 ensure compliance with the EMPr and the conditions contained herein;
- 14.3 keep record of all activities on site; problems identified; transgressions noted and a task schedule of tasks undertaken by the ECO;
- 14.4 remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed; and



- 14.5 provide the competent authority with copies of the ECO reports within 30 days of the project being finalised.

Environmental audit reports

15. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid -
 - 15.1 ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
 - 15.2 submit an environmental audit report three months after commencement of the construction phase to the relevant competent authority; and
 - 15.3 thereafter submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.
16. The environmental audit reports must be prepared by an independent person and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended).

In addition to the above, the environmental audit report, must -

- 16.1 provide verifiable findings, in a structured and systematic manner, on-
 - (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and
 - (b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not;
 - 16.2 identify and assess any new impacts and risks as a result of undertaking the activity;
 - 16.3 evaluate the effectiveness of the EMPr;
 - 16.4 identify shortcomings in the EMPr;
 - 16.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
 - 16.6 indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
 - 16.7 include a photographic record of the site applicable to the audit; and
 - 16.8 be informed by the ECO reports.
17. The holder must, within 7 days of the submission of the environmental audit report to the competent authority, notify all potential and registered Interested and Affected Parties of the submission and make the report available to anyone on request and, where the holder has such a facility, be placed on a publicly accessible website.

Specific conditions

18. Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.

19. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.
20. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

21. The holder of the Environmental Authorisation must, at all times, ensure that the activities comply with the Noise Regulations in terms of the relevant legislation.
22. Lay-down areas for building material and equipment must be established before commencement of construction activities.
23. Indigenous vegetation areas adjacent to the two-track access to the manure storage area, must be demarcated as no-go areas during the construction phase.
24. A 50m buffer must be established and maintained between the manure stockpiling area and the adjacent natural Swartland Shale Renosterveld vegetation.
25. A 32m buffer must be established along the wetland before commencement of construction activities.
26. Construction activities must be kept outside of the 32m buffer zone along the wetland area.
27. Chicken carcasses may not be burned or buried on site.
28. Waste or building material may not be discarded within the 32m buffer zone during the construction or operational phases.
29. Construction activities associated with the road upgrade and new road crossing must take place on the existing road footprint and be kept within a 6m corridor crossing the stream and wetland areas.

30. All areas upstream and downstream of the new road crossing must strictly be treated as no-go areas.
31. All disturbed areas around the road crossing must be rehabilitated and revegetated after construction activities have been completed.
32. Construction of the new road crossing must take place during the drier months to prevent erosion and sedimentation of the downstream freshwater features.
33. A fence must be established around the poultry facility footprint only and the fenced area may not contain any Swartland Shale Renosterveld patches.
34. All buffer areas must be established before commencement of construction activities.
35. The access track must be brush-cut during maintenance activities and vegetation may not be cleared. No new tracks may be established within the indigenous Swartland Shale Renosterveld vegetation.
36. The requirements of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), must be adhered to.

General matters

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. If the holder does not commence with the listed activities within the period referred to in Condition 3, this Environmental Authorisation shall lapse for the activity, and a new application for Environmental Authorisation must be submitted to the competent authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the competent authority prior to the expiry date of the Environmental Authorisation.
3. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.
Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the competent authority must only be notified of such changes.
4. The manner and frequency for updating the EMP is as follows:



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

5. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

F. APPEALS

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date notification of the decision was sent to the holder by the competent authority -
 - 1.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 1.2 Submit a copy of the appeal to any registered Interested and Affected Parties, any Organ of State with interest in the matter and the decision-maker i.e. the competent authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered Interested and Affected Parties -
 - 2.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 2.2 Submit a copy of the appeal to the holder of the decision, any registered Interested and Affected Party, any Organ of State with interest in the matter and the decision-maker i.e. the competent authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered Interested and Affected Party and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

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



By facsimile: (021) 483 4174; or

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

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

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

G. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully



MR. ELDON VAN BOOM
ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 01 NOVEMBER 2020

CC: (1) Mr. Pieter de Villiers (Cornerstone Environmental Consultants)
(2) Mr. Werner Wagener (Bergvliet Municipality)

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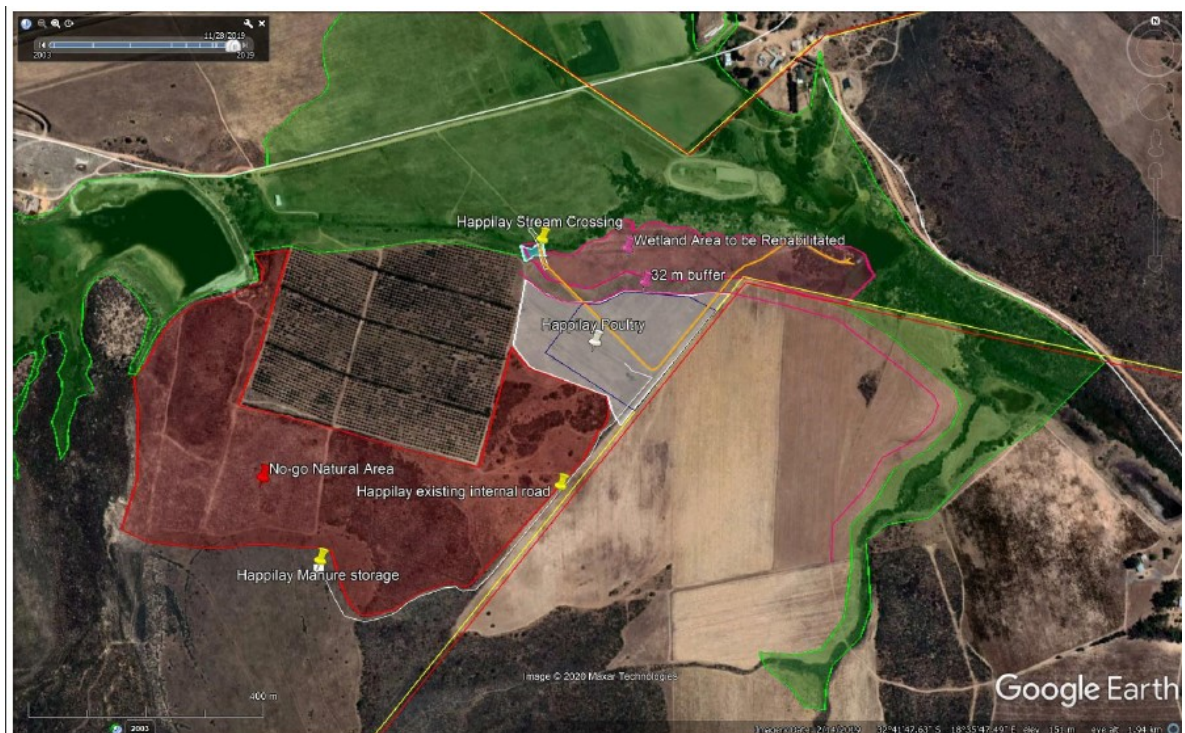
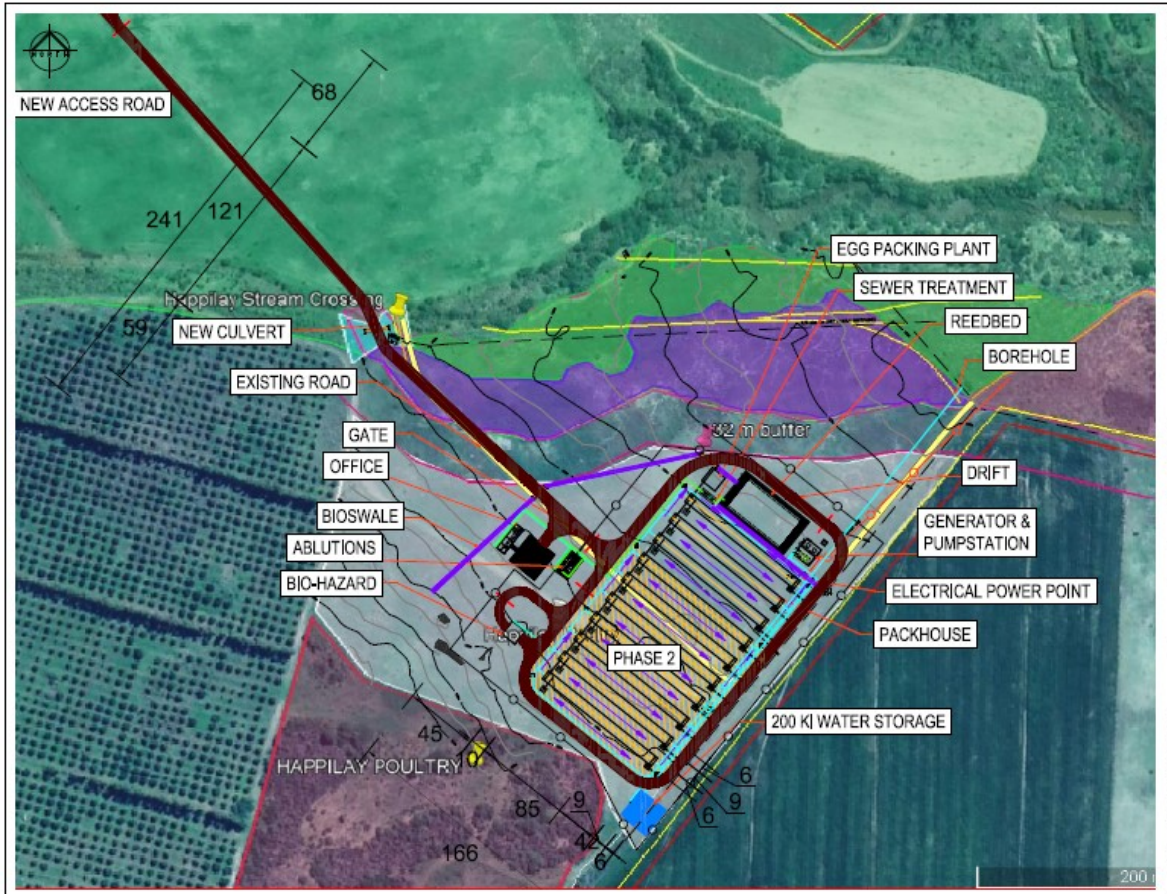
ANNEXURE 1: LOCALITY PLAN

The approximate location of The Farm Kleigat No. 83, Piketberg.





ANNEXURE 2: SITE PLAN



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The information contained in the Application Form dated and received by the competent authority on 02 March 2020; and the BAR dated 22 July 2020 and the EMPr submitted together with the BAR;
- b) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- c) The comments received from Interested and Affected Parties and the responses provided thereon, as included in the BAR dated 22 July 2020 and addendum to the BAR;
- d) No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

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

1. Public Participation

The Public Participation Process comprised of the following:

- A notice board was placed at the main road opposite the entrance road to the farm;
- An advertisement was placed in the "Weslander" newspaper on 23 May 2019;
- E-mails were sent on 24 May 2019 to announce the availability of the pre-application BAR;
- A copy of the pre-application BAR was placed at the Piketberg Public Library on 24 May 2019;
- The pre-application BAR was made available for download on the EAP's website;
- Hard copies of the pre-application BAR were made available to relevant State Departments/organs of state on 24 May 2019;
- The pre-application BAR was made available from 27 May 2019 until 27 June 2019;
- E-mails were sent on 02 March 2020 to advise registered interested and affected parties ("I&APs") about the availability of the post-application draft BAR;
- A copy of the post-application draft BAR was placed at the Piketberg Public Library;
- E-mails were sent on 23 June 2020 to registered I&APs to indicate that the Public Participation Process has been extended by a further 21 days;
- The draft BAR was made available for download on the EAP's website;
- The extended commenting period for the post-application draft BAR commenced on 24 June 2020 and concluded on 21 July 2020;
- The post-application draft BAR was made available from 03 March 2020 until 21 July 2020.

Authorities consulted

The authorities consulted included the following:

- West Coast District Municipality;
- Bergrivier Municipality;

- Directorate: Pollution & Chemicals Management of the Department of Environmental Affairs and Development Planning (“DEA&DP”);
- Directorate: Waste Management of the DEA&DP;
- Western Cape Department of Agriculture;
- National Department of Agriculture, Forestry and Fisheries;
- CapeNature;
- Western Cape Department of Transport and Public Works;
- Eskom;
- Department of Water and Sanitation; and
- Heritage Western Cape.

The competent authority is satisfied that the Public Participation Process that was followed met the minimum legal requirements. All the comments and responses that were raised were included in the BAR.

2. Alternatives

An area of 11ha was identified on which to establish the proposed 5ha egg laying facility. It was decided to establish the poultry facility as far away from the watercourse and potential wetland areas, and to avoid all natural Swartland Shale Renosterveld remnants.

The sites for the proposed egg laying facility and manure stockpiling area were selected due to the disturbed nature of the area. The sites are also in close proximity to the farm's orchards, which will receive the chicken manure as fertilizer. Furthermore, the holder is leasing the sites from the land owner and therefore do not have access to the remainder of the property.

Preferred alternative – herewith authorised:

The preferred alternative entails the establishment of new egg laying facilities and associated infrastructure on Portion 3 of the Farm Kleigat No. 83, Piketberg. Approximately ten houses, which will house approximately 20 000 lay hens, will be established. The proposed egg laying facility will have a footprint of approximately 5ha.

The associated infrastructure will include egg-collection and packing, feed and water storage and supply systems, storm water drains, sewer treatment and conservancy tanks, a biohazard facility, ablutions, offices and a fence around the facility.

Sewage will be collected in a sub-catchment basin and drain via a separate waterborne sewerage system to a sewage package plant located at the lowest point of the development. The treated sewage from the package plant will drain into a reed bed. Sewerage will be collected in a septic tank from where it will be pumped into a Scarab (or similar) sewage purification package plant. The treated sewerage from the package plant will drain into the reed bed for further maturation.

The main access road will be widened by 2m and will thus be upgraded to a 6m wide, two lane surfaced road. The stream crossing will be formalised by installing a culvert (five cement pipes) with a diameter of 600mm under the road crossing. The culvert will have concrete head walls and a gravel surface. The culvert will be approximately 128m² in size and more than 10m³ of material will be filled into the stream.

"No-Go" Alternative:

This alternative entails maintaining the *status quo* and as such, the proposed egg laying facility will not be established. This alternative was not deemed as preferred as the proposed development will augment the agricultural activities on the farm, and the benefits to the applicant and creation of additional jobs for local communities in the future would not be realized. The "no-go" alternative is therefore not warranted.

3. Impacts, assessment and mitigation measures

3.1 Activity Need and Desirability

According to the Bergrivier Municipality Spatial Development Framework ("SDF"), agricultural practices and expansions have to be balanced by conservation (including buffer areas). These practices include intensive and extensive agriculture. The Bergrivier Municipality SDF indicates that the proposed site is situated within Farming Area 16: Piketberg and Porterville grain growing area. The proposed project will therefore contribute to the agricultural production of the area.

Further, the establishment of an egg laying facility on the farm will benefit the broader community as it will enable the expansion of the agricultural activities on the farm and the creation of permanent job opportunities.

3.2 Biophysical Impacts

Impacts on vegetation

A Botanical Impact Assessment was undertaken to assess the potential botanical impacts associated with the proposed development. The area is mapped as a Critical Biodiversity Area ("CBA") of which the northern portion is an aquatic CBA. The manure stockpile area is located within a previously cultivated area, which is not recognised as a CBA or Ecological Support Area ("ESA").

Although mapped as a CBA, the site does not support indigenous vegetation. Development within the area will not result in any further degradation of natural habitat, which conforms to the management objectives of CBAs.

The site, which largely consists of old fields, forms a poor connection between the Hol River and indigenous Swartland Shale Renosterveld vegetation towards the south. The 11ha mainly consists of old fields with patches of natural and near-natural vegetation. The northern portion of the site (\pm 8ha) is dominated by weeds and grasses and was recently disc-ploughed. The southern portion (\pm 3ha) was mainly excluded from historical ploughing, but has been subjected to edge effects from surrounding cultivation activities and disturbances such as dumping of rocks retrieved from ploughed fields. This area comprises patches of intact indigenous vegetation and near-natural areas, the latter being physically disturbed more than 10 years ago.

The northern portion of the site is dominated by weeds and grasses and elements typically occurring within disturbed areas. This area cannot be regarded as natural or near-natural vegetation as it does not support the critically endangered ecosystem Swartland Shale Renosterveld. The most prominent weeds include cape weed, bloubossie, turkse naels, blou lupine and *Plantago lanceolata*. Grasses

include hawer, kweek and raagras amongst others. Scattered individuals of indigenous species, most of which typically establish within disturbed areas are found.

The southern portion of the site comprises patches of intact indigenous Swartland Shale Renosterveld vegetation. Although these patches are small, they are highly significant, given the extremely limited remaining extent of this critically endangered ecosystem (6.3%). All indigenous Swartland Shale Renosterveld patches will be excluded from the development footprint area.

The dominant plant species recorded within the indigenous Renosterveld areas include *Anthospermum* spp., *Cliffortia ruscifolia*, *Dodonaea viscosa*, *Elytropappus rhinocerotis* (renosterbos), *Eriocephalus africanus* (kapokbos) and *Rhus glauca* (taaibos). Grasses, annuals and geophytes are also common. Near-natural areas, located amongst natural vegetation patches in the south, are dominated by weeds and grasses, within many annuals and scattered individuals of shrubs, particularly *Galena africana* (kraalbos) and *Rhus glauca* (taaibos).

The manure stockpile area is located within a previously cultivated area south-east of the proposed egg laying facility. This old field comprises an open grassy area with many weeds and sparsely scattered shrubs of which *Stoebe* is most prominent. A few individual renosterbos, kapokbos and taaibos plants are also evident. The site does not resemble intact renosterveld vegetation. The stockpile area will be accessed via an existing farm track, which crosses through natural Swartland Shale Renosterveld vegetation.

Due to the sensitivity of Swartland Shale Renosterveld vegetation, CapeNature recommended that the access road to the manure storage area remain as a two-track and should not be widened or hardened and that the indigenous vegetation must be clearly demarcated as no-go areas. As such, this has been incorporated into the project layout and a 50m buffer will be maintained between the manure storage area and the adjacent Swartland Shale Renosterveld vegetation.

Impacts on freshwater features

A Freshwater Impact Assessment was undertaken to assess the potential freshwater impacts associated with the proposed development. The freshwater features found on site include an unnamed tributary of the Hol River together with a broad associated channeled valley-bottom wetland. The largest part of the wetland has been transformed through farming. The vegetation has been completely transformed, with pioneer wetland vegetation only found along the remaining wetland area and the riparian zone along the unnamed stream still being intact. A few drainage channels draining the wetland, was also observed.

The present ecological state of the channeled valley-bottom wetland is in a largely modified state where a large loss and change of natural habitat, biota and basic ecosystem functions has occurred. Only the instream and riparian integrity of the tributary remains in a near natural state. A moderate Ecological Importance and Sensitivity was found for the wetland area and would largely apply to the remaining wetland section and the unnamed stream. A buffer of 32m will be established around the wetland area.

Summary of biophysical impacts

The most significant constraints associated with the proposed development include the presence of watercourses and associated wetland areas north of the site; areas mapped as CBAs; a Critically Endangered ecosystem (Swartland Shale Renosterveld) and the habitat of threatened plant species. The proposed development will be located within previously disturbed areas with low biodiversity significance. The development will not result in any further degradation of natural habitat and will avoid threatened plant species identified on the site. All watercourses and wetland areas will be avoided.

The impacts on biodiversity will be low. The most significant impact relates to the indirect impact or disturbances to adjacent indigenous vegetation remnants. These impacts will be avoided by implementing the recommendations and mitigation included as conditions in this authorisation and the implementation of the EMPr.

3.3 Waste impacts

A waterborne sewerage system will be designed for the proposed development. Sewage will be collected in the sub catchment basin and drain via a separate waterborne sewerage system to a sewage package plant located at the lowest point of the development. The treated sewage from the package plant will drain into the reed bed.

The reed bed will be used to capture the channelised storm water as well as the treated sewage from the package plant. The design capacity of the reed bed is sufficient to accommodate the 1:10 year storm water runoff as well as the effluent from the package plant. The retention time will be more than five days.

The manure stockpile area will be approximately 200m² in size and will have a concrete foundation and must be roofed. The chicken manure will be removed from the egg laying houses on a daily basis. It is estimated that approximately 1.5m³ of manure will be collected in steel bins and taken to the manure stockpiling area. The sawdust in the chicken houses and the chicken manure will be dried for further use on the orchards as compost. Dead chickens will be stored in 1m³ steel bins in a closed biohazard building and will be removed on a weekly basis to an appropriately licensed waste disposal facility where it will be incinerated.

The cleaning of the layer houses will take place at least once a year. The soap and chemicals used for cleaning will be biodegradable. The wash water will be collected in 2.5kl conservancy tanks for purification and will drain to the reed bed for further maturation.

The waste will be sorted into recyclable and non-recyclable waste. The recyclable waste will be taken to the municipal materials recovery facility on a two-daily basis by an approved appointed contractor. The non-recyclable domestic waste will be taken to the manure storage facility.

3.4 Storm water Impacts

All the roads and open space envelopes will be drained through mitre banks and open channel networks towards the reed bed. The storm water master plan consists of a major and minor system.



The major system is the Hol River which drains in an easterly direction on the northern boundary of the development. Both the upstream and downstream structures will be designed in such a way as to minimise erosion.

The minor system consists of surface drainage, including v-drains and a reed bed system. All the storm water runoff from the site will be intercepted by the v-drains and channeled into the reed bed. The v-drain to the northwest will cross below both the new access road and the service ring road to ensure that no contaminated storm water enters the major system.

The northwestern v-drain will intercept all other storm water runoff and channelize it to the reed bed. The capacity of the reed bed is designed to accommodate a 1:10 year flood return period and the reeds will be sustained during the drier months of the year from the water supply. The treated outflow will be pumped to the orchards for irrigation.

3.5 Dust, Noise, Nuisance and Visual Impacts:

No significant dust, noise and visual impacts are anticipated during the construction phase. Potential dust, noise and visual impacts associated with the proposed development will be mitigated by the implementation of the mitigation measures included in the EMPr. Potential noise impacts during the operational phase will be mitigated by the implementation of the mitigation measures included in the EMPr.

The development will result in both negative and positive impacts.

Negative Impacts include:

- Impacts on watercourses;
- Potential odour impacts; and
- Potential dust, noise and visual impacts.

Positive impacts include:

- The contribution towards food security in the Western Cape;
- Contribution to the local economy;
- Benefits for the applicant; and
- Some employment opportunities.

National Environmental Management Act Principles

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

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;

- the resolving of actual or potential conflicts of interest between Organs of State through conflict resolution procedures; and
- the selection of the best practicable environmental option.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the competent authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

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