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NEAS REFERENCE: WCP/EIA/0000969/2021
DATE OF ISSUE: 25 March 2022

The Board of Directors
Astral Operations Ltd. t/a County Fair
P.O. Box 94
EPPING INDUSTRIA
7475

Attention: Mr. R. James Berry

E-mail: James.Berry@astralfoods.com

Dear Sir

APPLICATION 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 EXPANSION OF THE EXISTING ABATTOIR AND RENDERING FACILITY ON PORTION 16 OF FARM JUMBO NO. 724, JOOSTENBERGVLAKTE, KRAAIFONTEIN.

1. With reference to the above application, the competent authority hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties are provided with access to and reasons for the decision, and that all registered interested and affected parties are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014 (as amended), which prescribes the procedure to be followed in the event of appeals being lodged. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

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

CC: (1) Mr. Nicolaas Hanekom (Enviro-EAP (Pty) Ltd.)
(2) Mr. Morné Theron (City of Cape Town)

E-mail: nicolaas@enviro-eap.co.za

E-mail: morne.theron@capetown.gov.za

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 EXPANSION OF THE EXISTING ABATTOIR AND RENDERING FACILITY ON PORTION 16 OF FARM JUMBO NO. 724, JOOSTENBERGVLAKTE, KRAAIFONTEIN.

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 30 November 2021.

In terms of the NEMA and the EIA Regulations, 2014 (as amended), the competent authority hereby adopts the Maintenance Management Plan (“MMP”) dated 30 November 2021 for the proposed upgrade of a storm water dam and maintenance or management works to be undertaken in the non-perennial river and Mosselbank River.

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

Astral Operations Ltd. t/a County Fair
c/o Mr. R. James Berry
P.O. Box 94
EPPING INDUSTRIA
7475

Tel.: (021) 884 3013
Fax: (021) 884 4027
E-mail: James.Berry@astralfoods.com

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activity	Activity/Project Description
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended):</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> <ul style="list-style-type: none"> <i>(a) will occur behind a development setback;</i> <i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i> <i>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</i> <i>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i> <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>The development proposal entails the removing or moving, dredging, excavation, infilling or depositing of material of more than 10m³ from the watercourse.</p>
<p>Activity 34: <i>"The expansion of existing facilities or infrastructure for any process or activity where such expansion will result in the need for a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the release of emissions, effluent or pollution, excluding -</i></p> <ul style="list-style-type: none"> <i>(i) where the facility, infrastructure, process or activity is included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies;</i> <i>(ii) the expansion of existing facilities or infrastructure for the treatment of effluent, wastewater, polluted water or sewage where the capacity will be increased by less than 15 000 cubic metres per day; or</i> <i>(iii) the expansion is directly related to aquaculture facilities or infrastructure where the wastewater discharge capacity will be increased by 50 cubic meters or less per day".</i> 	<p>A variation of the existing Air Emissions License and an amendment of the Water Use License are required.</p>

<p>Activity 38: <i>"The expansion and related operation of facilities for the slaughter of animals where the daily product throughput will be increased by more than -</i> <i>(i) 50 poultry;</i> <i>(ii) 6 units of reptiles, red meat and game; or</i> <i>(iii) 20 000 kg wet weight per annum of fish, crustaceans or amphibians".</i></p>	<p>The abattoir will be expanded to accommodate an increase in the number of chickens to be slaughtered per day.</p>
<p>Activity 40: <i>"The expansion and related operation of facilities for the concentration of poultry, excluding chicks younger than 20 days, where the capacity of the facility will be increased by -</i> <i>(i) more than 1 000 poultry where the facility is situated within an urban area; or</i> <i>(ii) more than 5 000 poultry per facility situated outside an urban area".</i></p>	<p>The capacity of the facility will be increased by more than 5000 poultry outside the urban area.</p>
<p>Activity 48: <i>"The expansion of –</i> <i>(i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or</i> <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><i>where such expansion occurs -</i> <i>(a) within a watercourse;</i> <i>(b) in front of a development setback; or</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p> <p><i>excluding -</i> <i>(aa) the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</i> <i>(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;</i> <i>(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;</i> <i>(dd) where such expansion occurs within an urban area; or</i> <i>(ee) where such expansion occurs within existing roads, road reserves or railway line reserves".</i></p>	<p>The storm water system will be expanded by more than 100m².</p>

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 development entails the expansion of the existing abattoir and rendering facility on Portion 16 of the Farm Jumbo No. 724, Joostenbergvlakte, Kraaifontein.

The number of chickens to be slaughtered will increase to 367 000 chickens per day (2.2 million per week at a 6 days per week operation). The existing infrastructure will be expanded and new facilities be constructed, comprising the following:

- A new turning area/bus parking;
- A section of the existing concrete sludge dams will be decommissioned and demolished. A new sewerage treatment plant will be established and the waste water generated from the ablution facilities will be treated in a 300kl per day aboveground steel tank Waste Water Treatment Plant;
- A new weighbridge and weighbridge house;
- A new training facility and covered walkway;
- The change room will be extended;
- A new truck driveway;
- A new truck holding area;
- Extension of the fresh packing facility;
- The existing holding room will be supplied with a new floor and roof;
- A new holding room with freezer panels;
- Two new 3-ton gyros with a new floor;
- A new position for the existing stores, offices and ablution facilities;
- A new air compressor plant (clean feet project);
- A new IQF security entrance;
- A new bus route and turning circle;
- A new 4-ton gyro freezer;
- A new dispatch and crate washing area;
- A new dispatch concrete apron;
- Upgrade of the live bird receiving area;
- A new boiler room;
- A new effluent treatment plant;
- A new live bird receiving and turning area;
- Demolition of the existing entrance, change room and car ports;
- A new gravel road of 7.4m wide; and
- An additional oxidation and settling pond of 140m x 75m of approximately 11 300m³.

The development footprint will be expanded by approximately 2.1ha on the 12.12ha Agricultural Zone 2 area. The proposed expansions will take place next to the existing abattoir and rendering facility.

The existing Waste Water Treatment Works ("WWTW") will be upgraded as follows:

The existing WWTW will be upgraded and will not require the construction of major civil or earthworks. The aeration capacity will be increased from 180kWh to 340kWh to address the current and future ammonia levels in the final effluent.

Phosphate levels will be reduced to acceptable standard by implementing brine wastage reduction protocols inside the abattoir. *E. coli* will be reduced to acceptable standards by chlorinating the final treated effluent. The holder is implementing

substantial water reduction protocols, which results in lower water consumption per bird, and also increased the pollution concentration in the waste water.

The current aeration capacity is 180kWh which is sufficient to remove 440kg of nitrogen per day. The aeration capacity will, however, be increased to 340kWh to remove 1120kg nitrogen per day, to accommodate the slaughter of 2.2 million birds per week. The waste water flow will thus increase to an estimated 4400m³/day which is at the same pollution concentration as the current situation. The expected waste water flow of 4400m³/day will be treated by the WWTW which was designed to handle a hydraulic load of 5500m³/day.

The following will be done as part of the WWTW upgrade:

- An additional 55kWh aerator will be installed at the existing oxidation pond;
- The secondary anaerobic pond will be converted into a new additional oxidation pond with the installation of 2 x 55kWh aeration units; and
- An additional oxidation and settling pond of 140m x 75m with a capacity of 11 300m³ will be constructed. The new pond will be constructed northwest of the existing WWTW.

The storm water channel will be upgraded by installing erosion protection measures such as gabion weirs, where necessary in the stream to prevent future erosion of the stream.

A MMP has been compiled for maintenance or managements works to be undertaken in the watercourses in order to *inter alia*, maintain storm water infrastructure, prevent potential pollution and monitor potential erosion.

C. LOCATION AND SITE DESCRIPTION

The listed activities will be undertaken on Portion 16 of the Farm Jumbo No. 724, Joostenbergvlakte, Kraaifontein.

The Mosselbank River forms the western boundary and the Fisantekraal Airport is approximately 2.5km north of the site. The town of Fisantekraal is approximately 2.5km towards the northwest. Joostenberg Vlakte is situated approximately 3.5km towards the south. The residential areas of Kraaifontein and Uitzicht are situated approximately 5km south of the site.

The SG 21-digit code is: C05500000000072400016

Co-ordinates:

Portion 16 of the Farm Jumbo No. 724, Joostenbergvlakte, Kraaifontein:

Latitude: 33° 47' 38" S

Longitude: 18° 44' 42" E

New gravel road:

Starting point:

Latitude: 33° 47' 42.16" S

Longitude: 18° 44' 40.12" E

Middle point:

Latitude: 33° 47' 37.93" S

Longitude: 18° 44' 37.77" E

End point:

Latitude: 33° 47' 32.84" S

Longitude: 18° 44' 37.50" E

Additional treatment pond (northwest):

Latitude: 33° 47' 45.75" S

Longitude: 18° 44' 24.96" 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")

Enviro-EAP (Pty) Ltd.

c/o Mr. Nicolaas Hanekom

P.O. Box 205

AGULHAS

7307

E-mail: nicolaas@enviro-eap.co.za

Fax: (086) 435 4691

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 30 November 2021 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 ("I&APs") 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 I&APs 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 I&APs to the manner in which they may access the decision; and
 - 6.4 provide the registered I&APs 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 I&APs 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 I&APs 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 activities, 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 and 22.1.

Management of activity

10. The draft Environmental Management Programme ("EMPr") and River Maintenance Management Plan ("MMP") dated November 2021 (as compiled by Enviro-EAP (Pty) Ltd.) and 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 (as amended) 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, including the MMP, must be included in all contract documentation for all phases of implementation.
13. A copy of the Environmental Authorisation, EMPr and MMP 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, EMPr and MMP 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, EMPr and MMP 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 MMP 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 MMP 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;

- 14.5 provide the competent authority with copies of the ECO reports within 30 days of the project being finalised; and
- 14.6 conduct monthly site inspections during the construction phase.

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;
 - 15.3 submit an environmental audit report six months after completion of the construction phase to the relevant competent authority; and
 - 15.4 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 I&APs 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. As per the recommendations provided in the Freshwater Ecology Impact Assessment Report dated 28 February 2020 and compiled by Enviro-EAP (Pty) Ltd., as included in the EMPr, the following must be implemented:
- 22.1 The non-perennial river and wetland, its riparian zones and buffer areas must be clearly demarcated before commencement of construction.
 - 22.2 The non-perennial river and wetland, its riparian zones and buffer areas must be regarded as no-go areas during the construction phase.
 - 22.3 Contractor laydown areas and stockpiles must be established further than 100m from the watercourse and wetland.
 - 22.4 Construction activities must be limited to the drier summer months to avoid sedimentation and siltation of riparian features in the vicinity of the site.
 - 22.4 Invasive alien vegetation must be removed during construction and must be disposed of at a licensed waste disposal facility.
 - 22.5 Invasive alien vegetation may not be used for fire wood.
 - 22.6 All excess sediment that is removed from the watercourses must be utilised as part of the building activities or must be removed from the site.
 - 22.7 The excess sediment may not be dumped on site or within any of the freshwater features identified within the surrounding area.
 - 22.8 Soil surrounding the constructed infrastructure must be suitably backfilled and sloped (minimum 1:3 ratio) and concrete aprons as well as gabion mattresses must be installed up and downstream for energy dissipation and sediment trapping.
 - 22.9 A pump must be installed at the storm water dam to pump water to the on-site WWTW to prevent polluted untreated effluent from entering the Mosselbank River in the event of a spill or emergency.
23. Water saving mechanisms and/or water recycling systems must be installed in order to reduce water consumption that include *inter alia*, the following:
- 23.1 Dual-flush toilet systems.
 - 23.2 All taps must be fitted with water saving devices, that is, tap aerators, flow restrictors and low flow shower heads.
 - 23.3 Water-wise landscaping must be done.

24. The development must incorporate energy/electricity saving measures, which include *inter alia*, the following:
 - 24.1 Use of energy efficient lamps and light fittings. Low energy bulbs must be installed, and replacement bulbs must also be of the low energy consumption type.
 - 24.2 All geysers must be covered with geyser “blankets”.
 - 24.3 The installation of solar water heaters and solar panels must be considered for all buildings.

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

By post: Attention: Mr. 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. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 25 MARCH 2022

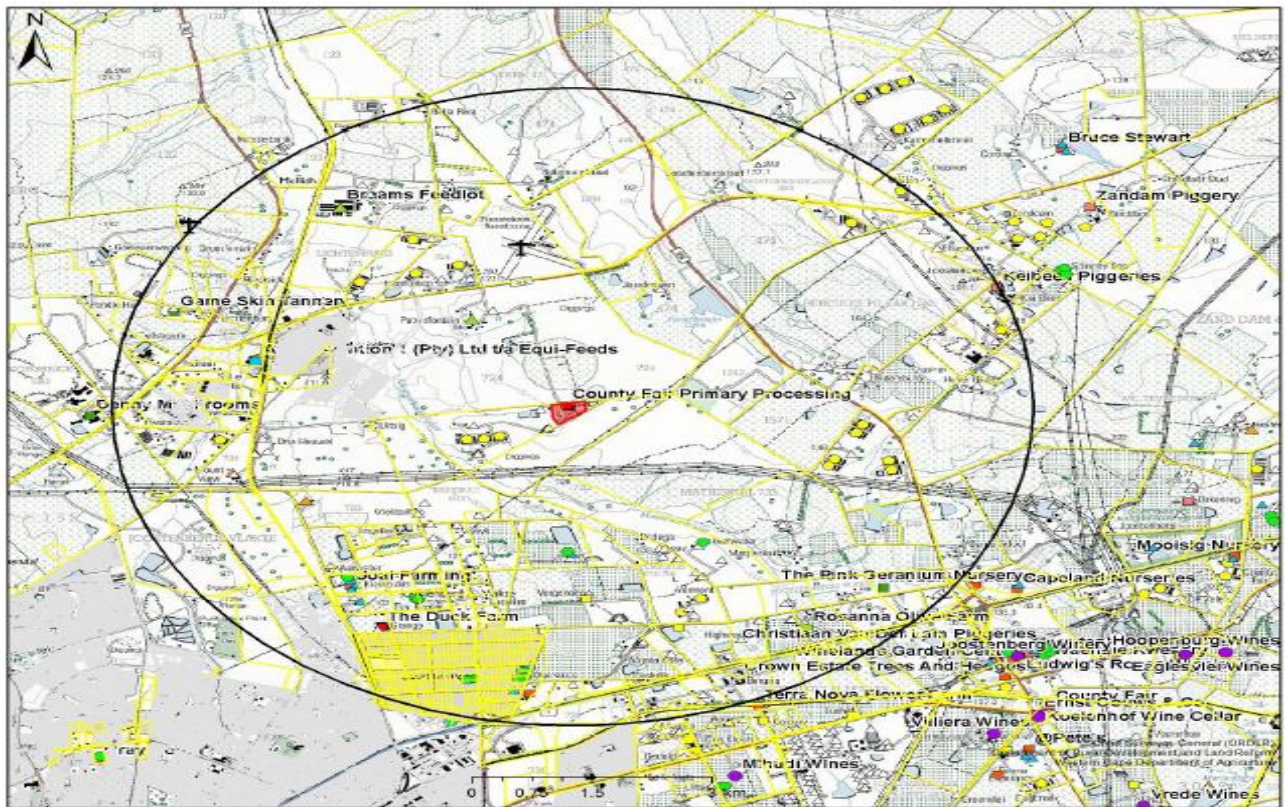
CC: (1) Mr. Nicolaas Hanekom (Enviro-EAP (Pty) Ltd.)
(2) Mr. Morné Theron (City of Cape Town)

E-mail: nicolaas@enviro-eap.co.za
E-mail: morne.theron@capetown.gov.za

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER: 16/3/3/1/A5/37/2045/21
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ANNEXURE 1: LOCALITY 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 as received by the competent authority via electronic mail correspondence on 01 September 2021; the BAR dated 30 November 2021; the EMPr submitted together with the BAR; the additional information received by the competent authority via electronic mail correspondence on 21 February 2022; and the electronic mail correspondence from Enviro-EAP (Pty) Ltd., sent to the City of Cape Town on 18 March 2022;
- b) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- c) The comments received from I&APs and the responses provided thereon, as included in the BAR dated 30 November 2021;
- d) The meeting held on 06 September 2021

Attended by: Mr. Nicolaas Hanekom of Enviro-EAP (Pty) Ltd., and Ms. Taryn Dreyer and Ms. Rondine Isaacs of the Department of Environmental Affairs and Development Planning ("DEA&DP").

- e) 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 on site on 13 September 2021;
- An advertisement was placed in the "Die Burger" newspaper on 30 September 2021 and the "Tygerburger" newspaper on 06 October 2021, respectively;
- E-mails were sent to adjacent landowners, the ward councillor, local municipality and the identified State Departments/Organs of State on 29 September 2021; and
- The draft BAR was made available from 29 September 2021 until 29 October 2021.

Authorities consulted

The authorities consulted included the following:

- City of Cape Town;
- Western Cape Department of Agriculture;
- Department of Health;
- DEA&DP Directorate: Pollution and Chemicals Management;
- DEA&DP Directorate: Waste Management;
- DEA&DP Directorate: Air Quality Management;
- CapeNature;
- 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 responded to and included in the BAR.

2. Alternatives

No site alternatives were assessed, since the site is owned by the applicant. Existing bulk service infrastructure is available and the proposed development will link to the existing abattoir and rendering facility. The layout and design of the abattoir is regulated by the Meat Safety Act, 2000 (Act No. 40 of 2000) and as such, no layout/design alternatives were investigated and or assessed.

The following alternatives were assessed for the upgrade of the storm water channel:

- Alternative 1 entails the formalisation of the storm water channel and upper reaches of the non-perennial river (just upstream of the dam) with a lined open channel. This alternative was discarded and will not be implemented as it will have significant freshwater ecological impacts on the already degraded ecosystem.
- The preferred alternative entails the installation of erosion protection measures such as gabion weirs, where necessary to prevent future erosion of the stream. This is the preferred alternative, as it will reduce the impacts of the existing dam on the already degraded non-perennial river.

Preferred alternative – herewith authorised:

The proposed development entails the expansion of the existing abattoir and rendering facility on Portion 16 of the Farm Jumbo No. 724, Joostenbergvlakte, Kraaifontein.

The number of chickens to be slaughtered will increase to 367 000 chickens per day (2.2 million per week at a 6 days per week operation). The existing infrastructure will be expanded and new facilities be constructed, comprising the following:

- A new turning area/bus parking;
- A section of the existing concrete sludge dams will be decommissioned and demolished. A new sewerage treatment plant will be established and the waste water generated from the ablution facilities will be treated in a 300kl per day aboveground steel tank Waste Water Treatment Plant;
- A new weighbridge and weighbridge house;
- A new training facility and covered walkway;
- The change room will be extended;
- A new truck driveway;
- A new truck holding area;
- Extension of the fresh packing facility;
- The existing holding room will be supplied with a new floor and roof;
- A new holding room with freezer panels;
- Two new 3-ton gyros with a new floor;
- A new position for the existing stores, offices and ablution facilities;
- A new air compressor plant (clean feet project);
- A new IQF security entrance;
- A new bus route and turning circle;
- A new 4-ton gyro freezer;
- A new dispatch and crate washing area;
- A new dispatch concrete apron;
- Upgrade of the live bird receiving area;
- A new boiler room;
- A new effluent treatment plant;
- A new live bird receiving and turning area;

- Demolition of the existing entrance, change room and car ports;
- A new gravel road of 7.4m wide; and
- An additional oxidation and settling pond of 140m x 75m of approximately 11 300m³.

The development footprint will be expanded by approximately 2.1ha on the 12.12ha Agricultural Zone 2 area. The proposed expansions will take place next to the existing abattoir and rendering facility.

The existing WWTW will be upgraded as follows:

Phosphate levels will be reduced to acceptable standard by implementing brine wastage reduction protocols inside the abattoir. *E. coli* will be reduced to acceptable standards by chlorinating the final treated effluent. The holder is implementing substantial water reduction protocols, which results in lower water consumption per bird, and also increased the pollution concentration in the waste water.

The current aeration capacity is 180kWh which is sufficient to remove 440kg of nitrogen per day. The aeration capacity will, however, be increased to 340kWh to remove 1120kg nitrogen per day, to accommodate the slaughter of 2.2 million birds per week. The waste water flow will thus increase to an estimated 4400m³/day which is at the same pollution concentration as the current situation. The expected waste water flow of 4400m³/day will be treated by the WWTW which was designed to handle a hydraulic load of 5500m³/day.

The following will be done as part of the WWTW upgrade:

- An additional 55kWh aerator will be installed at the existing oxidation pond;
- The secondary anaerobic pond will be converted into a new additional oxidation pond with the installation of 2 x 55kWh aeration units; and
- An additional oxidation and settling pond of 140m x 75m with a capacity of 11 300m³ will be constructed. The new pond will be constructed northwest of the existing WWTW.

The storm water channel will be upgraded by installing erosion protection measures such as gabion weirs, where necessary in the stream to prevent future erosion of the stream.

A MMP has been compiled for maintenance or management works to be undertaken in the watercourses in order to *inter alia*, maintain storm water infrastructure, prevent potential pollution and monitor potential erosion.

"No-Go" Alternative:

This alternative implies that the abattoir and rendering facility will not be expanded. This alternative was not deemed as preferred as the proposed development will augment the activities on the farm, and the benefits to the holder and creation of additional jobs for local communities in the future will not be realised. The "no-go" alternative is therefore not warranted.

3. Impacts, assessment and mitigation measures

3.1 Activity Need and Desirability

In 2008, a 12.1ha portion of Portion 16 of Farm No. 724 was rezoned from Agriculture Zone 1 to Agriculture Zone 2, to regularise the pre-existing uses on the site (including the abattoir) and to allow for an extension to and intensification of the land uses.

With the change to the City of Cape Town's Integrated Zoning Scheme, an Agriculture Zone 2 zoning was assigned to the site. The existing land uses on the portion for which the abovementioned approval was granted, therefore became lawful non-confirming

uses. The proposed expansion of the abattoir will occur on an area that is zoned for Agricultural Industrial (Agriculture Zone 2) purposes.

Tydstroom Poultry (Quantum Foods) closed their abattoir and rendering facilities due to financial constraints, as a result of chicken meat imports. This resulted in broiler farmers having to find another facility to slaughter their chickens. The increase in the number of chicken to be slaughtered will generate additional abattoir waste that must be treated. As such, the rendering facility will need be expanded.

The existing abattoir provides a significant number of jobs and the expanded facility will provide employment for approximately 2000 persons.

3.2 Freshwater impacts

A Freshwater Assessment Report dated November 2009 was prepared by Ms. Toni Belcher for the construction of a WWTW with the resultant treated waste water either being irrigated or discharged to the Mosselbank River.

A Freshwater Ecology Impact Assessment Report dated 28 February 2020 was compiled by Mr. Nicolaas Hanekom of Enviro-EAP (Pty) Ltd., and peer reviewed by Avhafarei Phamphe of Nemai Consulting.

The site is currently used for broiler houses, cattle grazing on irrigated kikuyu grass, the abattoir, rendering facility and the WWTW. There is no natural vegetation remaining on the site.

The main freshwater features comprise of a non-perennial river, which is a tributary of the Mosselbank River, and a channeled valley bottom wetland immediately upstream of the existing storm water pond.

The watercourses have been subjected to modification as a result of the surrounding agricultural activities. These impacts largely relate to the loss of indigenous vegetation within the riparian zones and the associated growth of invasive alien *Pennisetum clandestinum* grass.

The overall ecological and importance of the non-perennial river is deemed to be low. The habitat integrity of the wetland is largely to seriously modified. The most significant impacts on the wetland areas are direct habitat loss due to the surrounding land use activities.

The upgrade of the existing storm water pond wall will have a positive impact on the non-perennial river and especially the Mosselbank River's freshwater ecology as the pond will capture storm water. The storm water pond can also be used as emergency infrastructure in the case of a spill at the abattoir which may result in polluted effluent being released into the Mosselbank River.

The abattoir site has a formalised underground piped system which drains to an existing forebay and screen structure in the southern corner of the abattoir. From here it is conveyed underground through a 400mm PVC pipe traversing the main stream to just below the two northern waste water treatment ponds where it flows into the stream (storm water channel). The stream continues to an informal dam before discharging into the Mosselbank River (through the non-perennial river). A section of the storm water channel links up with the original non-perennial river just upstream of the dam that is proposed to be upgraded.

The proposed formalisation of the storm water channel and upper reaches of the non-perennial river (just upstream of the dam) with a lined open channel is not authorised and may not be implemented. This will have significant freshwater ecological impacts on the already degraded ecosystem. Erosion protection by means of gabion weirs must be implemented to prevent future erosion of the stream.

A MMP has been compiled for maintenance or managements works to be undertaken in the watercourses. The freshwater specialist's recommendations have been included in the EMPr.

With the implementation of mitigation measures, including the EMPr and the MMP, the condition of the non-perennial river and unchannelled valley bottom wetland can be maintained at the desired level of ecosystem functioning.

3.3 Air quality impacts:

An Air Quality Impact Assessment Report dated May 2019 was compiled by DDA Environmental Engineers to assess the potential odour and air quality impacts due to the proposed development.

During the construction phase, there will be elevated dust levels in close proximity to the site, which may affect the local air quality, primarily on the site. The dust quantities that are generated are generally affected by the type of construction activities, as well as the local meteorological conditions. With the utilisation of standard dust suppression mitigation measures and procedures, the impact on the local air quality is expected to be very low and only restricted to the site. The closest residential areas are highly unlikely to be affected.

Baseline monitoring was performed in June 2017 to determine the ambient air quality around the site. The ammonia levels were very low and did not pose a nuisance or health risk. The hydrogen sulphide levels were also low but exceeded the odour threshold at the southern and eastern boundaries and the odour (from hydrogen sulphide) could be noticed from time to time. However, the measured concentrations did not pose a health risk.

There are two types of emission sources at the site, *i.e.*, those emitted from a stack (point sources) and fugitive emissions, such as air pollutants released through evaporation at the WWTW (area sources). The stacks at the plant are tested and the emissions measured annually.

The main sources of emissions at the WWTW include the inlet works, aerobic pond, oxidation ponds and settling ponds. Several of the compounds contained in the waste water has a very distinct and 'offensive' odour. The most common odorants at a WWTW are hydrogen sulphide and ammonia. Hydrogen sulphide is the main odour pollutant due to its very low odour threshold.

The proposed site is located in a low to medium sensitivity area due to surrounding Fisantekraal and the Garden City residential developments. The odour criterion of 5 Odour Units was considered applicable. The odour of 5 Odour Units reaches approximately 1km north of the site and 600m to the south. Fisantekraal is situated well outside the 3 Odour Units contour and the new Garden City residential development just outside the above-mentioned contour. As such, the odour impact is considered very low to negligible for Fisantekraal and low for the new garden City residential development.

The modelled concentrations for the primary pollutants (carbon monoxide, nitrogen dioxide, particulate matter and sulphur dioxide) are very low and well within their respective guidelines. The majority of the odours are estimated to be released from the WWTW units. The odour impact due to hydrogen sulphide emissions from the scrubber stack and the drying vent at the rendering plant was found to be very low.

The air quality specialist's recommendations, include requirements that the scrubber must be operational at all times and maintained at appropriate intervals, as specified by the manufacturer and the holder must ensure that the raw materials reception area is enclosed and the building maintained under negative pressure, in order to minimise fugitive emissions. All recommendations provide by the specialist have been included in the EMPr.

3.4 Agricultural impacts

An Agricultural Compliance Statement dated June 2019 was compiled by Johann Lanz, to assess the potential agricultural impacts associated with the proposed development.

The County Fair Primary Processing Plant produces and treats approximately 3300m³ of effluent per day, some of which is irrigated onto approximately 70ha of kikuyu grass pastures on the site. The rest of the effluent is used for irrigation by Groenvlei Grass on the adjacent property as well as being discharged into the Mosselbank River.

The only parameter of concern is the salinity of the water and the related potential sodicity. All of the other parameters will have no impact on soil quality. The pH of the water will have little impact on soil pH or other soil parameters. Phosphorus and nitrogen will increase the nutrient status of the soil, but will have no significant negative impact.

The irrigation practices impact on the sodicity of the soil. However, course, sandy soils, such as those on the site, are not sensitive to the impacts. Furthermore, the surface cover of kikuyu grass also significantly reduces the risk of such impacts. No visual signs of impaired soil physical conditions, such as surface sealing, are evident in the investigated soils. Although the exchangeable sodium percentage of the soil has become elevated due to irrigation with effluent, this has no significant negative impact on the soil quality in terms of its agricultural suitability for kikuyu pastures.

The soils are sandy with drainage limitations and have a low agricultural suitability. The soils are not suitable for crop production but are suitable for kikuyu pastures. Although the sodicity has increased the exchangeable sodium percentage of the soil, it is highly unlikely to have any long-term impact on soil quality. Irrigation with effluent has not negatively impacted the soil quality, is not likely to in the long term, and can therefore continue without the need for any mitigation.

3.5 Storm water impacts:

A wet attenuation pond will be established just above the existing informal dam below the northern waste water treatment ponds. The entire catchment area of the abattoir and rendering facility will drain to the pond. The surface slope of the abattoir sub-catchments is 1.60% and 1.52% respectively. The expanded abattoir will connect to the existing storm water underground piped system which drains to the existing screen and forebay.

The piped system will accommodate at least the 1:5 year return interval peak flows and storm water overland escape routes will be provided to prevent storm water ponding

between buildings. A new additional forebay will be established downstream of the abattoir at the existing outfall manhole position, followed by a bio-retention pond with a weir wall discharging to the existing main stream.

Gabion weirs will be installed to prevent future erosion of the stream. Storm water will be conveyed along the stream/future channel to a forebay before entering the proposed wet attenuation pond. The attenuation pond will be provided with a controlled outlet structure and spillway to discharge storm water runoff to pre-development peak flows for storms up to the 1:100-year recurrence interval.

The outlet structures for the pond will be in the form of a spillway with a controlled outlet weir wall. A reno-mattress spreader will be installed at the bottom of the spillway to limit erosion before discharging into the natural stream leading to the Mosselbank River. The spillway will accommodate the 1:100-year peak flow.

The storm water from the rooftops of the broiler camp will be contained in the open areas between the broiler houses. The ground levels between the houses will be shaped to form enhanced dry swales with infiltration media and 160mm underdrains which drain to controlled outlet structures at the existing outfall pipes. Spreader gabion structures will be installed where the outlets exit the broiler camp to prevent erosion.

The anticipated peak runoff generated by the proposed development will be attenuated on site to pre-development conditions for a range of storms up to the 1:100-year recurrence interval.

The expanded abattoir will have an underground storm water piped system designed to convey at least the 1:5 year return interval peak runoff to a newly proposed forebay and bio-retention area. Runoff from the existing and expanded abattoir will be treated and attenuated in a forebay, bio-retention facility and a wet attenuation pond positioned in a series downstream of the abattoir. The attenuated runoff will discharge from the wet attenuation pond over a spillway to the existing natural stream draining to the Mosselbank River.

A Storm Water Management Plan has been compiled and will be implemented.

3.6 Dust and visual impacts

Potential dust and visual impacts are anticipated during the construction phase. However, no significant potential dust and visual impacts are anticipated as these impacts 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:

- Potential air quality impacts; an
- Potential aquatic impacts; and
- Construction phase impacts

Positive impacts:

- Improvement of the storm water management system;
- Employment opportunities will be created during the construction and operational phases of the development; and
- Contribution to the local economy.

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.

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

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