



**EIA REFERENCE:** 16/3/3/1/B2/32/1058/20  
**NEAS REFERENCE:** WCP/EIA/0000866/2021  
**DATE OF ISSUE:** 11 JUNE 2021

The Applicant  
Nardus Family Trust  
Private Bag X319  
**WORCESTER**  
6849

**Attention: Mr. F. Louw**

Tell: 023 342 8118  
E-mail: [Sunset@breede.co.za](mailto:Sunset@breede.co.za)

Dear sir

## **ENVIRONMENTAL AUTHORISATION**

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE PROPOSED EXPANSION OF THE EXISTING ABATTOIR AND ASSOCIATED INFRASTRUCTURE ON ERF 11926, WORCESTER.**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** the Environmental Authorisation ("EA") together with the reasons for the decision.
2. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached amended Environmental Authorisation.

Yours faithfully

**MS. MARE-LIEZ OOSTHUIZEN**  
**ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1). Mr. W. Marnewil (EAP)  
(2). Ms. K. Fouche (Breede Valley Municipality)

Email: [marnewilwayne@gmail.com](mailto:marnewilwayne@gmail.com)  
E-mail: [kfouche@bvm.gov.za](mailto:kfouche@bvm.gov.za)



**EIA REFERENCE:** 16/3/3/1/B2/32/1058/20  
**NEAS REFERENCE:** WCP/EIA/0000866/2021  
**DATE OF ISSUE:**

## ENVIRONMENTAL AUTHORISATION

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE PROPOSED EXPANSION OF THE EXISTING ABATTOIR AND ASSOCIATED INFRASTRUCTURE ON ERF 11926, WORCESTER.

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

#### DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to the Preferred alternative as described in the Basic Assessment Report ("BAR"), received on 26 March 2021.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

#### A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Nardus Family Trust  
c/o Frederik Louw  
Private Bag X319  
**WORCESTER**  
6849

Tel: (023) 342 8118  
E-mail: [Sunset@breede.co.za](mailto:Sunset@breede.co.za)

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

## B. LIST OF ACTIVITY AUTHORISED

Listed Activity	Project Description
<p><b>Listing Notice 1 –</b>  <b>Activity Number: 38</b>  <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></p> <p><b>(i) 50 poultry;</b></p> <p><i>(ii) 6 units of reptiles, red meat and game; or</i></p> <p><i>(iii) 20 000 kg wet weight per annum of fish, crustaceans or amphibians.</i></p>	<p>The existing abattoir will increase its throughput capacity from slaughtering 400 to 10 000 poultry per day.</p>

The abovementioned list is hereinafter referred to as “**the listed activity**”.

The holder is herein authorised to undertake the following alternative as it relates to the listed activity:

The proposed development will entail the expansion of the existing abattoir and associated infrastructure on Erf 11926, Worcester. The abattoir will increase its throughput capacity for the slaughtering of chickens from 400 to 10 000 chickens per day. The existing abattoir will be expanded by approximately 1945m<sup>2</sup> to accommodate the increased throughput capacity of the facility. Waste such as fat, stomach linings, blood and feathers will be placed in spill proof drums and will be disposed of at a licensed landfill site. Wastewater will be discharged into the municipal sewage system.

## C. SITE DESCRIPTION AND LOCATION

The authorised listed activity will be undertaken on and has the following co-ordinates:

Latitude (S)	33°	38'	41.97"
Longitude (E)	19°	28'	43.65"

The SG digit codes are: C08500040001192600000

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

The above is hereinafter referred to as “**the site**”.

## D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

c/o Wayne Marnewil  
14 Arthur Street  
**WORCESTER**  
6850

Tel: ( 023 ) 342 4192  
E-mail: [marnewilwayne@gmail.com](mailto:marnewilwayne@gmail.com)

## E. CONDITIONS OF AUTHORISATION

### Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the preferred Alternative described in the BAR received 26 March 2021 on the site as described in Section C above.
2. The holder must commence with the listed activity on the site within a period of **five years** from the date issue of this Environmental Authorisation.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
4. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

### Written notice to the Competent Authority

5. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.
  - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.
  - 5.2. The notice must also include proof of compliance with the following conditions described herein:  
Conditions: 6, 7 and 10.

## **Notification and administration of appeal**

6. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
  - 6.1. notify all registered Interested and Affected Parties (“I&APs”) of –
    - 6.1.1 the outcome of the application;
    - 6.1.2 the reasons for the decision as included in Annexure 3;
    - 6.1.3 the date of the decision; and
    - 6.1.4 the date when the decision was issued.
  - 6.2. draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 detailed in Section F below;
  - 6.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
  - 6.4. provide the registered I&APs with:
    - 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, of the holder,
    - 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 2014 National Appeals Regulations.
7. The listed activity, including site preparation, may not commence within 20 (twenty) calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

## **Management of activity**

8. The draft or Environmental Management Programme (“EMPr”) submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
9. The EMPr must be included in all contract documentation for all phases of implementation.

## **Monitoring**

10. The holder must appoint a suitably experienced environmental control officer (“ECO”), or site agent where appropriate, before commencement of the proposed development to ensure compliance with the provisions of the EMPr, and the conditions contained herein.
11. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activity, and must be made available to anyone on request, including a publicly accessible website.

12. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

### **Auditing**

13. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person, that is not the ECO and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.

A first audit report must be submitted to the Competent Authority within three (3) months of commencement of the proposed expansion.

A final audit report must be submitted to the competent authority within one (1) year of the proposed expansion;

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

### **Specific Conditions**

14. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

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

15. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
16. 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 landfill licensed in terms of the applicable legislation.

17. All noise and sounds generated during the proposed expansion must comply with the relevant SANS codes and standards and the relevant noise regulations.

## **F. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with a listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that 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.
4. 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 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.

5. The manner and frequency for updating the EMPr is as follows:  
Amendments to the EMPr, must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014 or any relevant legislation that may be applicable at the time.

## **G. APPEALS**

Appeals must comply with the provisions contained in the National Appeal Regulations 2014.

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
  - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 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 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:                   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](mailto: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](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.



## H. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully

---

**MS. MARE-LIEZ OOSTHUIZEN**

**ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

DATE OF DECISION: \_\_\_\_\_

CC: (1). Mr. W. Marnewil (EAP)

(2). Ms. K. Fouche (Breede Valley Municipality)

Email: [marnewilwayne@gmail.com](mailto:marnewilwayne@gmail.com)

E-mail: [kfouche@bvm.gov.za](mailto:kfouche@bvm.gov.za)

# ANNEXURE 1: LOCALITY MAP



Figure 1: Location of the proposed expansion of an abattoir development.

## ANNEXURE 2: SITE PLAN

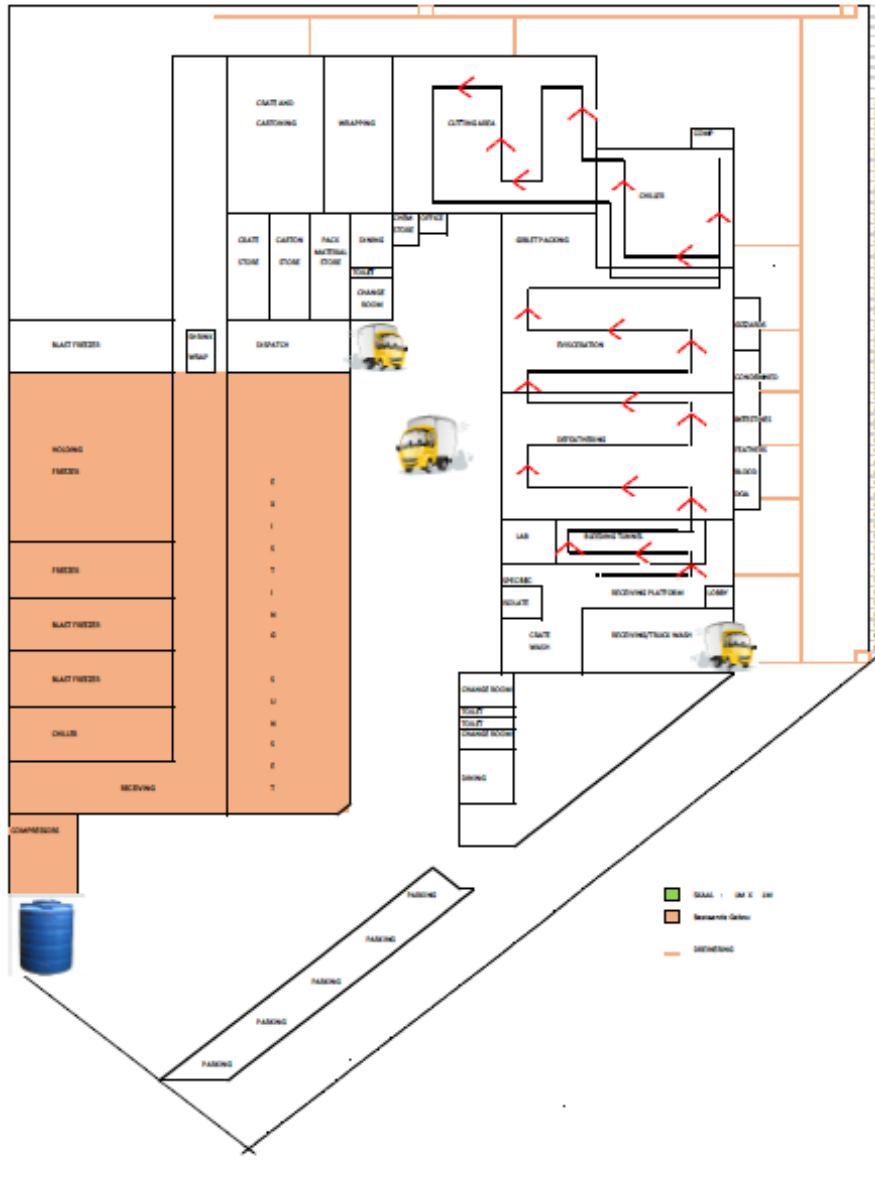


Figure 2: Proposed site plan

## ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, inter alia, the following:

- a) The information contained in the Application Form received by the Department on 26 October 2020, the EMPr submitted together with the Basic Assessment Report on 26 March 2021.
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the Basic Assessment Report received on 26 March 2021; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

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

### 1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing a notice board at the site where the listed activity is to be undertaken;
- the placing of a newspaper advertisement in the 'Worcester Standard' on 12 November 2020;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is to be undertaken, the municipality and ward councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activity, on 12 November 2020; and
- making the draft BAR available to I&APs for public review from 12 November 2020 to 11 December 2020 and the revised draft BAR from 23 February 2021 to 24 March 2021.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and that the comments raised and responses thereto were included in the comments and response report. None of the authorities consulted offered any objections to the proposed expansion.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

## **2. Alternatives**

### **Preferred alternative – (Herewith authorised)**

This alternative will entail the expansion of the abattoir and associated infrastructure on Erf 11926, Worcester. The abattoir will increase its throughput capacity for the slaughtering of chickens from 400 to 10 000 chickens per day. The existing abattoir will be expanded by approximately 1945m<sup>2</sup> to accommodate the increased throughput capacity of the facility. Waste such as fat, stomach linings, blood and feathers will be placed in spill proof drums and will be disposed of at a licensed landfill site. Wastewater will be discharged into the municipal sewage system.

### **The “No-Go” Alternative**

The “No-Go” option of not proceeding with the expansion of the abattoir was not preferred as it would not meet the increased demand for poultry.

## **3. Impact Assessment and Mitigation measures**

### **3.1. Activity needs and desirability.**

The existing abattoir is located on a site that is zoned Industrial II. The zoning of the property allows for the operation of the abattoir on the site. The local authority has confirmed that they have sufficient water and sewage capacity available to accommodate the proposed expansion of the abattoir. The applicant requires the expansion of the abattoir as there is an increased demand in the market for poultry.

### **3.2. Biophysical Impacts**

The proposed development will be located on a site that is transformed and devoid of indigenous vegetation. No watercourses are located on or in close proximity to the proposed site.

### **3.3. Groundwater contamination**

The proposed development may potentially have a negative impact on groundwater. However, wastewater or effluent produced is contained in a closed system and discharged into the municipal sewage system. With the implementation of effective management and mitigation measures prescribed in the EMPr and this environmental authorisation, the potential environmental impacts are expected to be managed to acceptable levels.

### **3.4. Emission of odours**

Odours as a result of the proposed development may have negative impacts on local air quality. With the implementation of effective management and mitigation measures prescribed in the EMPr and this environmental authorisation, the potential impacts are expected to be managed to acceptable levels.

### 3.5. Biosecurity risk

The transmission of diseases may have a negative impact on the environment and on the abattoir operation. It is therefore in the applicant's best interest to manage biosecurity risks effectively. With the implementation of effective management and mitigation measures prescribed in the EMP and this environmental authorisation, the potential environmental impacts are expected to be managed to acceptable levels.

The development will result in both negative and positive impacts.

#### **Negative Impacts:**

- Potential groundwater contamination;
- Potential odour emissions; and
- Potential biosecurity risks.

#### **Positive impacts:**

- The development will create employment opportunities during the construction and operational phase;
- Economic benefits;
- Contribution to the increased demand for poultry.

## 4. National Environmental Management Act Principles

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

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

## 5. Conclusion

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 activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

-----END-----