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NEAS REFERENCE NUMBER: WCP/EIA/0000975/2021
ENQUIRIES: Bernard Kgosana
DATE OF ISSUE: 25 April 2022

The Applicant
No.1 Kenilworth Avenue
Milnerton Ridge
MILNERTON
7441

Attention: Mr. M. G. Tshabalala

Cell: 073 445 2269

Email: mgtshabalala9@gmail.com

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED EXPANSION OF AN EXISTING CHICKEN HOUSE FACILITY AND ASSOCIATED INFRASTRUCTURE ON ERF 1726, HOPEFIELD.

1. With reference to the above application, this Department hereby notifies you of its decision to **grant** the Environmental Authorisation, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the decision on the application, that all registered Interested and Affected Parties ("I&APs") are provided with access to the decision and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation below.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

Copies to: (1) Ms. T. Oberholzer (Groenberg Enviro (Pty) Ltd)
(2) Ms. N. Duarte (Saldanha Bay Municipality)

Email: therina@groenbergenviro.co.za
Email: nazeema.duarte@sbm.gov.za

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED EXPANSION OF AN EXISTING CHICKEN HOUSE FACILITY AND ASSOCIATED INFRASTRUCTURE ON ERF 1726, HOPEFIELD.

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) and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred Alternative as described in the BAR dated January 2022.

The granting of this Environmental Authorisation is subject to compliance with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Applicant
Mr. Moroko George Tshabalala
No.1 Kenilworth Avenue
Milnerton Ridge
MILNERTON
7441

Tel: (021) 551 0436
Email: mgtshabalala9@gmail.com

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

B. ACTIVITY AUTHORISED

Listed Activity	Describe the portion of the proposed development to which the applicable listed activity relates.
<p>Listing Notice 1 of the EIA Regulations, 2014, (as amended):</p> <p>Activity Number: 27 Activity Description:</p> <p><i>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</i></p> <p><i>(i) the undertaking of a linear activity; or</i> <i>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p>Activity Number: 40 Activity Description:</p> <p><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></p> <p><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>Activity Number: 67 Activity Description:</p> <p><i>Phased activities for all activities—</i></p> <p><i>(i) listed in this Notice, which commenced on or after the effective date of this Notice or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices;</i></p> <p><i>excluding the following activities listed in this Notice-</i></p> <p><i>17(i)(a-d);</i> <i>17(ii)(a-d);</i> <i>17(iii)(a-d);</i> <i>17(iv)(a-d);</i> <i>17(v)(a-d);</i> <i>20;</i> <i>21;</i> <i>22;</i> <i>24(i);</i></p>	<p>The clearance of approximately 1.8 ha of indigenous vegetation for the proposed expansion of chicken houses.</p> <p>The proposed expansion and related operations will be increased by more than 5000 poultry outside an urban area.</p> <p>The existing chicken houses has a maximum capacity of approximately 4750 chickens, which commenced in 2017 and did not trigger a listed activity in terms of the NEMA EIA Regulations, 2014 (as amended) at the time.</p>

<p>29; 30; 31; 32; 34; 54(i)(a-d); 54(ii)(a-d); 54(iii)(a-d); 54(iv)(a-d); 54(v)(a-d); 55; 61; 64; and 65; or <i>(ii) listed as activities 5, 7, 8(ii), 11, 13, 16, 27(i) or 27(ii) in Listing Notice 2 of 2014 or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices; where any phase of the activity was below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold.</i></p>	
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The abovementioned is hereinafter referred to as “the listed activities”.

The holder is herein authorised to undertake the following alternative that includes the listed activities relating to the authorised development:

The authorised development entails the expansion of an existing chicken house facility for commercial egg production by constructing four additional chicken houses on Erf 1726, Hopefield. The existing chicken houses will be expanded to a maximum capacity of approximately 10 000 chickens. The four additional chicken houses will have a maximum capacity of approximately 10 000 chickens per house. All five chicken houses when complete will house a total of 50 000 chickens after the full expansion has been completed and will comprise of the following associated infrastructure:

- A carcass storage area;
- A manure conveyor belt;
- A 5m³ lined retention pond; and
- Associated infrastructure.

A minimum buffer of approximately 30m between each chicken house must be established for biosafety measures. All carcasses will be stored for 3 to 7 days in a lockable freezing facility and will be disposed of at a licenced waste disposal facility. Although the cleaning of the chicken houses will mostly be a dry method, a 5m³ lined retention pond will be developed for the storage of wash water emanating from the chicken houses (should wet cleaning methods be required) in the event of an emergency. Water from an existing borehole located on the property will be used for the proposed development. Electricity will be supplied by Eskom. An existing 3.5m wide road will be used to access to the proposed site.

The total development footprint will be approximately 2ha in extent.

C. PROPERTY DESCRIPTION AND LOCATION

The authorised listed activities will be undertaken on Erf 1726, Hopefield. Access to the proposed site will be through an existing 3.5m wide gravel road off the R45.

The 21-digit Surveyor General Code for the proposed site is:

Erf 1726	C04600040000172600000
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Site co-ordinates for the proposed site is as follows:

Latitude (S)	33°	0'	21.20" South
Longitude (E)	18°	16'	15.87" East

Refer to Annexure A: Preferred Alternative 1 and Annexure B: Proposed Site Development Plan ("SDP").

The said section of land is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

GroenbergEnviro (Pty) Ltd
 Ms. T. Oberholzer
 P.O. Box 1058
WELLINGTON
 7654

Cell: 072 089 5750
 Fax: 086 476 7134
 Email: therina@groenbergenviro.co.za

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 January 2022 on the site described in Section C above.
2. The holder must commence with the listed activities on the site within a period of **five (5) years** from the date of issue of this Environmental Authorisation.
3. The development/construction activities must be concluded within **ten (10) years** from the date the commencement of the listed activities.
4. 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.
5. Any changes to, or deviations from the scope of the description set out in Section B must be 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

6. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities. The notice must:
 - 6.1. make clear reference to the site details and EIA Reference number given above; and
 - 6.2. include proof of compliance with the following conditions described herein:

Conditions: 7, 8, 11 and 18.1.

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision –
 - 7.1. Notify all registered Interested and Affected Parties (“I&APs”) of –
 - 7.1.1. the outcome of the application;
 - 7.1.2. the reasons for the decision as included in Annexure 3;
 - 7.1.3. the date of the decision; and
 - 7.1.4. the date when the decision was issued.
 - 7.2. Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section G below;
 - 7.3. Draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 7.4. Provide the registered I&APs with:
 - 7.4.1. the name of the holder (entity) of this Environmental Authorisation;
 - 7.4.2. the name of the responsible person for this Environmental Authorisation;
 - 7.4.3. the postal address of the holder;
 - 7.4.4. the telephonic and fax details of the holder;
 - 7.4.5. the e-mail address if any, of the holder; and
 - 7.4.6. 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).
8. The listed activities, including site preparation, must not be commenced with within 20 (twenty) calendar days from the date the holder notifies the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided, i.e., the listed activities, including site preparation, must not be commenced with until the appeal is decided.

Management of activity

9. The Environmental Management Programme (“EMPr”) (compiled by GroenbergEnviro (Pty) Ltd and dated January 2022) submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced environmental control officer (“ECO”), or site agent where appropriate, before commencement of any land clearing or construction activities to ensure compliance with the EMPr and the conditions contained herein.
12. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site where the listed activities will be undertaken and must be made available to any authorised official on request.
13. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorized official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Reports must be prepared by an independent person, with the relevant environmental auditing expertise, and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).
 - 14.1. The holder must undertake an environmental audit within three (3) months of the commencement of the development activities and submit the Environmental Audit Report to the Competent Authority one (1) month after the completion of the undertaking of the environmental audit.
 - 14.2. Thereafter, the holder must undertake an environmental audit every two (2) years during the construction period and submit the Environmental Audit Reports to the Competent Authority one (1) month after the completion of undertaking each of the environmental audits.
 - 14.3. An Environmental Audit Report must be submitted to the Competent Authority every five (5) years after the commencement of the operational phase.
 - 14.4. The holder must, within seven (7) days of the submission of an Environmental Audit Report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to any authorised person on request.

Specific conditions

15. Should any heritage resources be discovered during the execution of the activities above, all works must be stopped immediately and the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape must be notified without delay. 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 bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; 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.
16. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate. Uncontaminated building rubble generated on the premises can be used as back-filling material on site.
17. A minimum buffer of approximately 30m must be established between each chicken house during all phases of the proposed development to ensure that biosafety measures are met.
18. In accordance with the Botanical Impact Assessment (dated September 2019), and as included in the EMPR, the following mitigation measures must be implemented:
 - 18.1. The development footprint must be clearly demarcated prior to the commencement of construction activities.

- 18.2. Areas outside the development footprint must not be used for construction related activities including, *inter alia*, building rubble storage, the laydown area and debris at any given time.
19. Locally occurring indigenous plant species must be planted within the buffer areas between the chicken houses to reduce potential dust and erosion impacts during the construction phase. The buffer areas must be maintained throughout the life-cycle of the proposed development.
20. Surface, storm 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.
21. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
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 the listed activities within the period specified in Condition 2, this Environmental Authorisation shall lapse for those 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.
4. An application for amendment of the Environmental Authorisation must be submitted 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.

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 (as amended) 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 (as amended).

1. An appellant must –
 - 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 form/s must be submitted by means of one of the following methods:

By post: Attention: Mr. M. 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. M. Venter (Tel: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001
5. The prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority/ at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the holder, 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 greatly appreciated.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 25 APRIL 2022

Copied to: (1) Ms. T. Oberholzer (Groenberg Enviro (Pty) Ltd)
(2) Ms. N. Duarte (Saldanha Bay Municipality)

Email: therina@groenbergenviro.co.za
Email: nazeema.duarte@sbm.gov.za

ANNEXURE 1: LOCALITY MAP:

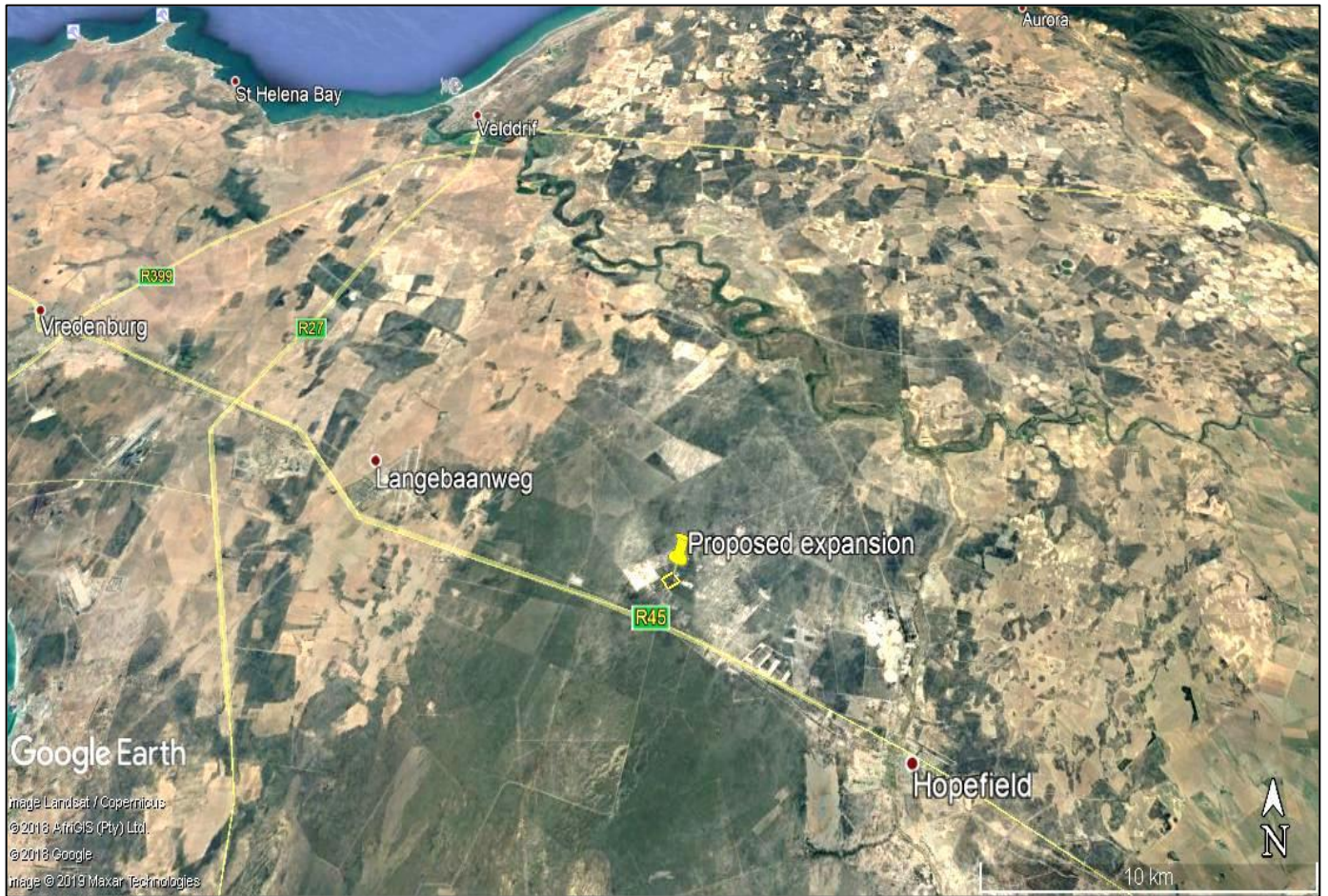


Figure 1: Locality map depicting the location of proposed expansion on Erven 1726, Hopefield.

ANNEXURE 2: SITE DEVELOPMENT PLAN



Figure 2: Site Development Plan ("SDP") depicting the location of proposed expansion on Erven 1726, Hopefield.

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 dated 9 September 2021 and received by the Competent Authority on 17 September 2021, the final BAR and EMPr (dated January 2022) received by the Competent Authority on 05 January 2022;
- 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 NEMA;
- d) The comments received from I&APs and responses to these, included in the BAR dated January 2022; 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 during the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Public Participation

The public participation process ("PPP") was undertaken in accordance with a Public Participation Plan approved on 10 March 2021:

- Identification of and engagement with Interested and Affected Parties ("I&APs");
- Fixing a notice board on the site where the listed activities are to be undertaken on 28 September 2021;
- Written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 29 September 2021;
- The placing of a newspaper advertisement in the "Weslander" on 23 September 2021;
- Draft BARs were circulated from 16 January 2020 to 16 February 2020 and 20 March 2020 to 22 April 2020, in terms of a previous EIA application undertaken, which lapsed.
- Making the draft BAR available to I&APs for comment from 01 October 2021 to 05 November 2021; and
- All reports were made available electronically via a Google Drive link and on the EAP's website (www.groenbergenviro.co.za).

Concerns raised by I&APs during the first EIA application related to potential impacts such as noise, visual/sense of place, traffic, human health and vectors. Mitigation measures with respect to all aforementioned potential impacts have been included in the EMPr to reduce the significance of the potential impacts and are further discussed below.

All of the concerns raised by I&APs were responded to and adequately addressed during the public participation process. This Department is satisfied that the PPP that was followed met the minimum legal requirements and all the comments and responses report thereto were included in the comments and responses report. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address the concerns raised.

2. Alternatives

No site alternatives were considered since the proposed site is owned by the applicant and the proposed site is located outside the urban area of Hopefield. No design and technology alternatives were investigated since service infrastructure is readily available. The Preferred Alternative and the “no-go” alternative were therefore identified and assessed as follows:

The Preferred Alternative - herewith authorised

The authorised development entails the expansion of an existing chicken house facility for commercial egg production by constructing four additional chicken houses on Erf 1726, Hopefield. The existing chicken houses will be expanded to a maximum capacity of approximately 10 000 chickens. The four additional chicken houses will have a maximum capacity of approximately 10 000 chickens per house. All five chicken houses when complete will house a total of 50 000 chickens after the full expansion has been completed and will comprise of the following associated infrastructure:

- A carcass storage area;
- A manure conveyor belt;
- A 5m³ lined retention pond; and
- Associated infrastructure.

A minimum buffer of approximately 30m between each chicken house must be established for biosafety measures. All carcasses will be stored for 3 to 7 days in a lockable freezing facility and will be disposed of at a licenced waste disposal facility. Although the cleaning of the chicken houses will mostly be a dry method, a 5m³ lined retention pond will be developed for the storage of wash water emanating from the chicken houses (should wet cleaning methods be required) in the event of an emergency. Water from an existing borehole located on the property will be used for the proposed development. Electricity will be supplied by Eskom. An existing 3.5m wide road will be used to access to the proposed site.

The total development footprint will be approximately 2ha in extent.

The Preferred Alternative takes cognisance of the spatial limitations of the proposed site in terms of applicable buildings lines and biosafety measures required. The Preferred Alternative design includes a minimum buffer area of approximately 30m between each house to ensure that biosafety measures are implemented. In addition, the additional chicken houses will be located on an area that is less sensitive than the remainder of the property. The proposed site is therefore preferred from a botanical perspective.

“No-Go” Alternative

The “No-Go” alternative will result in the *status quo* being maintained. Since the proposed development will not result in unacceptable environmental impacts, the “no-go” alternative was not preferred.

3. Impacts, assessment and mitigation measures

3.1. Activity Need and Desirability

The proposed site is zoned agriculture and the proposed expansion to the existing chicken houses will be in line with the relevant planning policies applicable to the area. The proposed expansion will contribute to boost agricultural activity in the surrounding area and will contribute towards food security in the Western Cape. Further, some employment opportunities will become available as a result of the proposed expansion.

3.2. Botanical Impacts

A Botanical Impact Assessment (compiled by Johlene Krige and dated September 2019) was compiled to determine the potential botanical impacts associated with the proposed development.

The proposed site contains Hopefield Sand Fynbos, which is classified as Vulnerable in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004) – National List of Ecosystems that are Threatened and in Need of Protection (2011). In terms of the Western Cape Biodiversity Spatial Plan, the proposed site is mapped as an Aquatic and Terrestrial Ecological Support. The specialist indicated that three individual *Leucospermum rodolentum* plant species, which is a red data species, is located within the proposed development footprint and will be lost as a result of the proposed development. The specialist confirmed that there are no watercourses present on the proposed site.

The botanical specialist indicated that although the three individual plants will be lost, numerous individuals occur within the western portion of the property, which will remain intact. The specialist therefore concluded that the proposed development will have a low negative impact post mitigation. The recommendations of the specialist have been included as conditions set in this Environmental Authorisation and in the EMPr.

CapeNature has provided comments on the previous EIA application and in this EIA application (dated 16 October 2021) and has confirmed the status of the indigenous vegetation on the proposed site. Although CapeNature has indicated that a biodiversity offset should be considered, the botanical specialist has not indicated that a biodiversity will be required due to the fact that the proposed development will result in a limited loss of indigenous vegetation and that the remainder of the property will remain unchanged.

3.3. Faunal Impacts

According to the Screening Report (generated from the Screening Tool developed by the National Department of Environmental Affairs and dated 17 February 2021) the proposed site was mapped to be located in a high sensitivity area from a terrestrial animal species perspective.

CapeNature (in their comment dated 26 October 2021) that a faunal compliance statement should be provided that includes the fauna identified as per the DFFE screening tool on animal sensitivity. The final BAR (dated January 2022) indicates that a Faunal Compliance Statement is deemed not necessary since the proposed development will not inhibit the movements of animals.

3.4. Groundwater Impacts

According to the Screening Report (generated from the Screening Tool developed by the National Department of Environmental Affairs and dated 17 February 2021) the proposed site was mapped to be located in a very high sensitivity area from an aquatic biodiversity perspective.

Although the proposed site is mapped to be located in an Aquatic Ecological Support Area, no freshwater features are located within the proposed site or within 32m from the proposed site (as confirmed by the botanical specialist). Although a retention pond will be developed for the storage of wash water, the retention pond will be lined and will only be used in emergencies as the cleaning process of the chicken houses will mainly use a dry-cleaning method.

3.5. Services

An existing borehole will be used to supply the proposed development with water (when required to wash the chicken houses), a Borehole Yield and Quality Testing Study (conducted by GEOSS South Africa and dated 07 August 2020) was undertaken to determine the borehole yield and the quality of the water emanating from the borehole. The specialist indicated that the limiting yield factor of the borehole was due to its current depth. The specialist therefore recommended that if more than 5kL per day of water is to be abstracted, that the borehole should be deepened or an alternative borehole should be drilled. The requirements of the National Water Act, 1998 (Act No. 36 of 1998) will be met.

A comment from the Department on Water and Sanitation has been obtained and no objections were raised. A Water Use Licence application has been submitted to the Department of Water and Sanitation in this regard.

No additional electricity services or sewage services are required as a result of the proposed development. Carcasses will be disposed of at a licensed waste disposal facility. Chicken manure will be collected and disposed of at a licensed waste disposal facility if no other use can be obtained.

3.6. Heritage/Archaeological Impacts

A Notice of Intent to Develop was submitted to Heritage Western Cape ("HWC"). HWC indicated (in their comment dated 13 December 2019) that since there is no reason to believe that the proposed crop spraying airstrip on the proposed site will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) will be required.

3.7. Traffic Impacts

Construction related traffic impacts are anticipated during the construction phase. Mitigation measures have been included in the EMPr and it is anticipated that traffic impacts during the construction phase will be of low negative significance post mitigation.

In addition, some traffic impacts are anticipated during the operational phase. The potential traffic impacts will be limited to the delivery of the chicks, the loading of eggs and the loading of the chickens (once the cycle has been completed). It is anticipated that one (1) truck will be required to collect eggs daily. The potential traffic impacts are therefore anticipated to be negligible in this regard.

3.8. Health Impacts

The proposed development will meet the requirements of the South African Poultry Association's Code of Practice in terms of the applicable biosecurity measures. Biosecurity measures to be implemented include, *inter alia*, restricted access, disinfection of vehicles and persons entering and exiting the facility and showering facilities.

Concerns regarding human health and the surrounding community were highlighted by I&APs. However, the proposed chicken houses will be enclosed and strict biosafety measures will be in place.

The Western Cape Government Department of Agriculture indicated in their comment dated (17 December 2021) that they have no objection to the proposed development.

3.9. Dust and Visual Impact

No significant dust and visual impacts are anticipated during the operational phase of the proposed. Mitigation measures have been included in the EMPr to reduce the potential impacts associated with the construction phase.

Potential dust and visual impacts may occur during the operational phase. With respect to potential dust impacts, indigenous plant species will be planted in the buffer areas between the chicken houses to reduce the possibility of wind-blown dust. In addition, since an existing chicken house is located on the proposed site, the additional four chicken houses will be in-keeping with the activity on the site.

3.10. Noise Impact

Potential noise impacts are anticipated during the construction and operational phase. Potential noise impacts associated with the proposed development 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:

- Potential groundwater impacts;
- Potential traffic impacts during the operational phase;
- Potential dust, visual and noise impacts during the development phase; and

Positive impacts include:

- Optimal use of the land;
- Improve food security;
- Some employment opportunities; and
- Economic gain for the applicant.

4. 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.

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

You are reminded of the 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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