

**REFERENCE:** 16/3/3/1/B3/28/1040/20  
**NEAS REFERENCE:** WCP/EIA/0000790/2020  
**ENQUIRIES:** Samornay Smidt  
**DATE OF ISSUE:** 09 March 2021

## 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 (AS AMENDED): PROPOSED EXPANSION OF THE DC MEAT PROCESSING AND PACKAGING FACILITY ON PORTION 1 OF FARM NO. 1351, PAARL

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 (as amended), 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"), dated November 2020.

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

DC Meat Wholesalers cc  
c/o Mr. D.C De Goveia  
PO Box 3161  
**PAARL**  
7220

Tel: (021) 862 0042  
Email: roberto@dcmeat.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	Activity/Project Description
<b>Listing Notice 1-</b>  <b>Activity Number: 43</b> The expansion and related operation of hatcheries or agri-industrial facilities outside industrial complexes, where the development footprint will be increased by 2000 m <sup>2</sup> or more.	DC Meat Wholesalers proposes to expand their existing agri-industrial facility by 14 103 m <sup>2</sup> .

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

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

The proposed development entails the expansion of the existing DC Meat processing and packaging facility by an additional 14 103m<sup>2</sup>. The proposed expansion will increase the processing and packaging facility's throughput capacity and will include the following additions:

- Offices (500 m<sup>2</sup>);
- A covered loading area (204 m<sup>2</sup>);
- An additional factory area for the processing and packaging of meats (no- slaughtering will occur at the facility – carcasses are delivered from various abattoirs) (9 930 m<sup>2</sup>).
- An additional freezer storage area (2 977 m<sup>2</sup>);
- A second loading canopy (696 m<sup>2</sup>); and
- A total of 272 parking bays (new and existing) will be provided, in line with the applicable parking ratios.

## C. SITE DESCRIPTION AND LOCATION

The listed activity will be undertaken on Portion 1 of Farm No. 1351, Paarl

The SG21 digit code is: C05500000000135100001

Co-ordinates of the properties:

Latitude	Longitude
33° 44' 16.60" South	19° 01' 41.63" East

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

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

## D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Guillaume Nel Environmental Consultants (Pty) Ltd  
c/o Mr C Williams/Ms E Visagie  
PO Box 2632  
**PAARL**  
7646

Tel: (021) 870 1873

Email: cahlan@gnec.co.za/eg@gnec.co.za

## 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, as described in the BAR dated November 2020 on the site as described in Section C above.
2. The Environmental Authorisation is valid for a period of **five years** from the date of issue, within which commencement must occur.
3. The development must be concluded within **ten years** from the date of commencement of the listed activity.
4. 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.
5. 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

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

Conditions: 7, 8, 9 and 11.

### 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 Appeals 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 name of the responsible person for this Environmental Authorisation,
  - 7.4.3 postal address of the holder,
  - 7.4.4 telephonic and fax details of the holder,
  - 7.4.5 e-mail address, if any, of the holder, and
  - 7.4.6 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 (as amended).
8. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified 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 activity, including site preparation, must not commence until the appeal is decided.

### **Management of activity**

9. The draft Environmental Management Programme ("EMPr") 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") before commencement of any land clearing or construction activity 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 of the authorised activity, and must be made available to anyone on request, including a publicly accessible website.
13. Access to the site referred to in Section C 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**

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, the EMPr and submit Environmental Audit Reports to the Competent Authority. The

Environmental Audit Report must be prepared by an **independent person** (not the ECO appointed in terms of condition 12 above) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

The holder must undertake an environmental audit every year for the duration of the construction phase and submit Environmental Audit Reports annually to the Competent Authority during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within three months after completion of the construction phase of the development.

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**

15. 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.

16. 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.
17. The relevant requirements with respect to occupational health and safety must be adhered to at all times.

### **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 the 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 (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 (if the holder of the decision) must, within 20 (twenty) calendar days from the date on which 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 on which 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 Organs 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 Organs 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 2659)  
Room 809  
8<sup>th</sup> 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

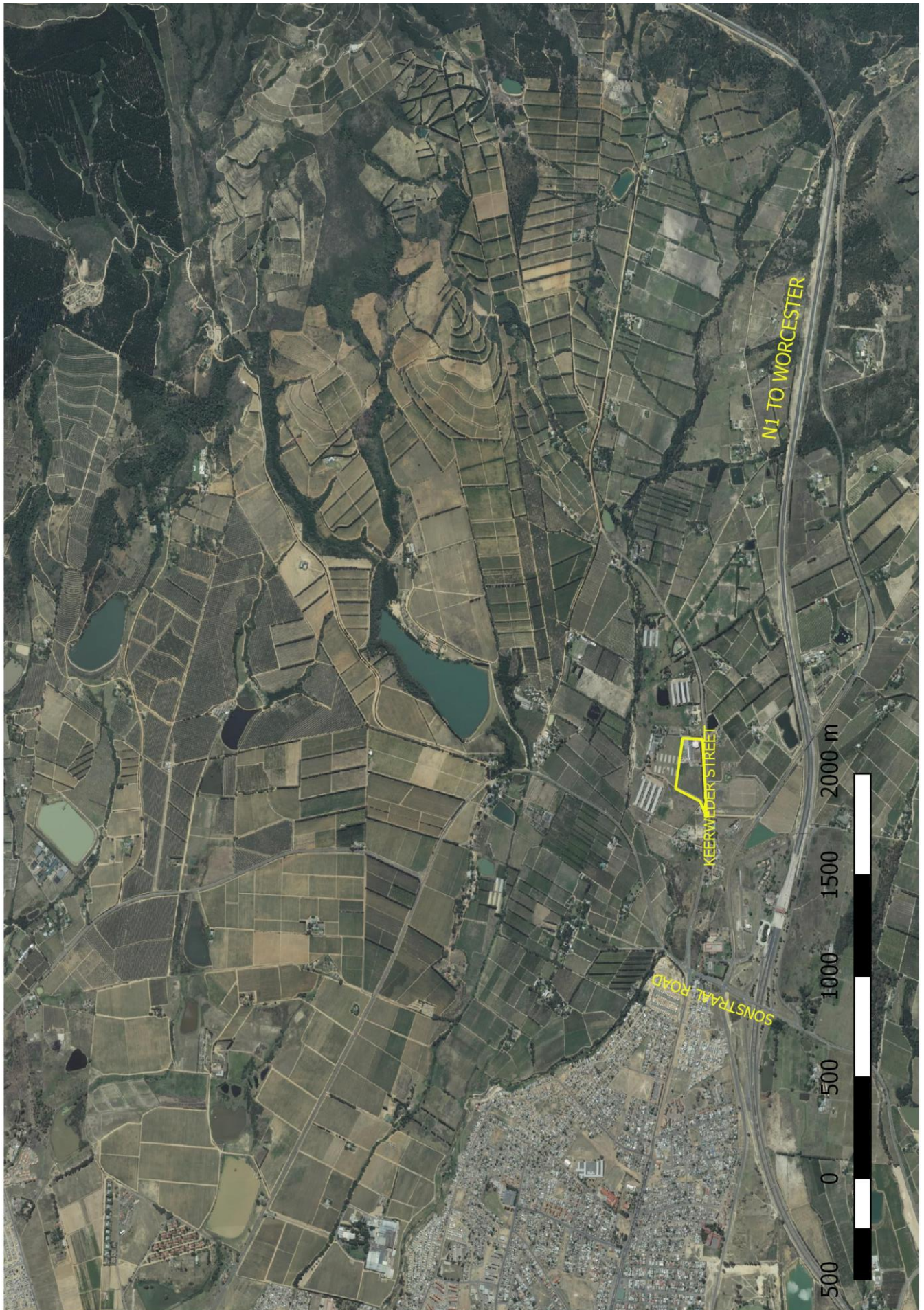
**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

**DATE OF DECISION: 09 MARCH 2021**

Cc: (1) C Williams (Guillaume Nel Environmental Consultants)  
(2) C Winter (Drakenstein Municipality)

Email: [cahlan@gnec.co.za](mailto:cahlan@gnec.co.za)  
Email: [Cindy.Winter@drakenstein.gov.za](mailto:Cindy.Winter@drakenstein.gov.za)

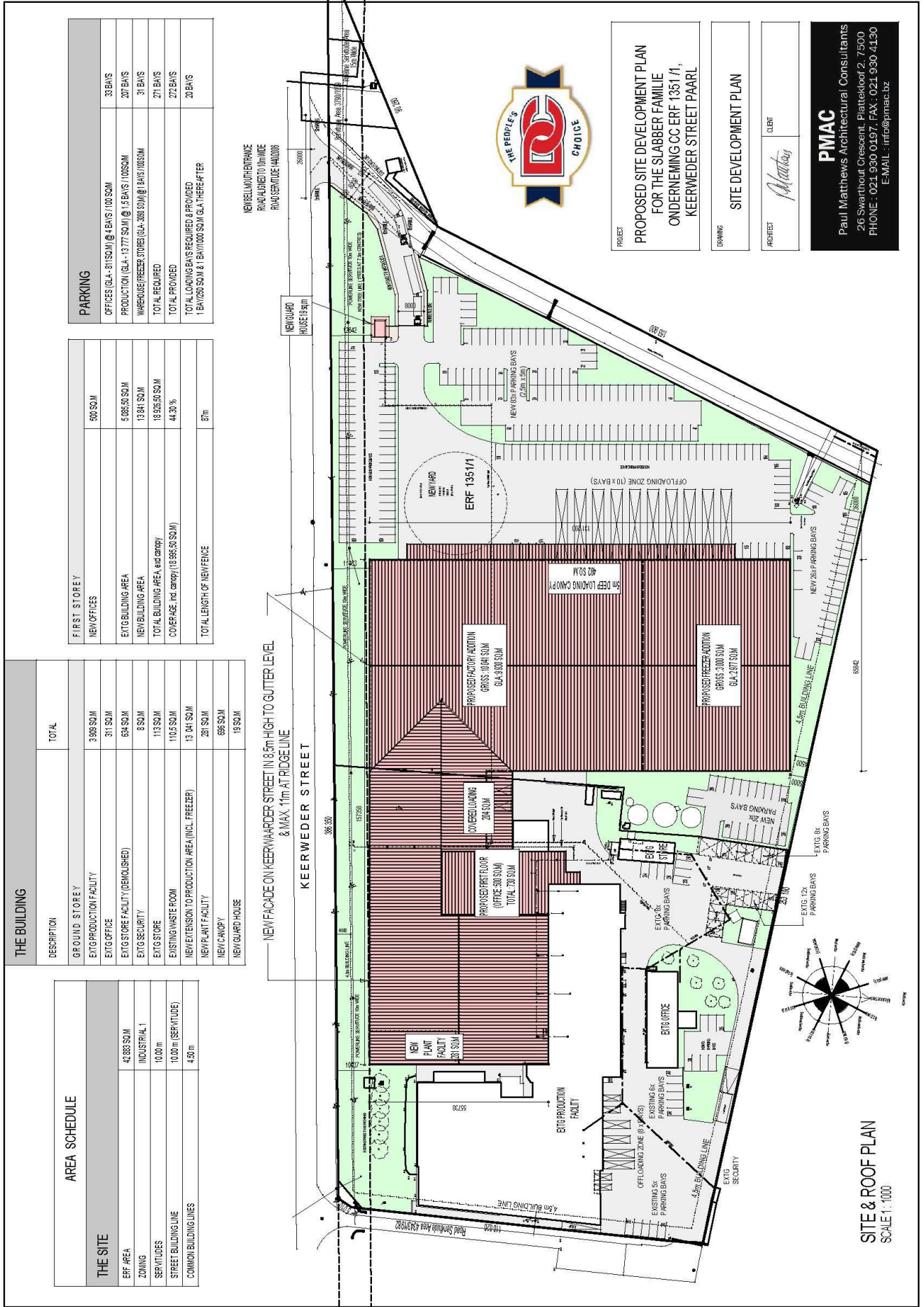
# ANNEXURE 1: LOCALITY MAP







# ANNEXURE 2: SITE PLAN



PARKING	
OFFICES (GLA - 815 SQM) @ 4 BAYS / 100 SQM	33 BAYS
PRODUCTION (GLA - 13 777 SQM) @ 13 BAYS / 1000 SQM	207 BAYS
WAREHOUSE FREEZER STORES (GLA - 308 SQM) @ 1 BAY / 100 SQM	31 BAYS
TOTAL REQUIRED	271 BAYS
TOTAL PROVIDED	273 BAYS
TOTAL LOADING BAYS REQUIRED & PROVIDED	20 BAYS
1 BAY / 250 SQM & 1 BAY / 1000 SQM GLA THEREAFTER	

FIRST STOREY	
NEW OFFICES	500 SQM
EXT'G BUILDING AREA	5 085 SQM
NEW BUILDING AREA	13 841 SQM
TOTAL BUILDING AREA, incl canopy	18 926 SQM
COVERAGE, incl canopy (18 995,55 SQM)	41,30 %
TOTAL LENGTH OF NEW FACILITY	87m

THE BUILDING		TOTAL
GROUND STOREY		3 999 SQM
EXT'G PRODUCTION FACILITY		311 SQM
EXT'G OFFICE		684 SQM
EXT'G STORE FACILITY (REVOLISHED)		8 SQM
EXT'G SECURITY		113 SQM
EXT'G STORE		100 SQM
EXISTING WASTE ROOM		13 041 SQM
NEW EXTENSION TO PRODUCTION AREA (INCL. FREEZER)		281 SQM
NEW PLANT FACILITY		696 SQM
NEW CANOPY		19 SQM
NEW GUARD-HOUSE		

AREA SCHEDULE	
<b>THE SITE</b>	
ERF AREA	42 885 SQM
ZONING	INDUSTRIAL 1
SERVICES	10,00 m
STREET BUILDING LINE	10,00 m (SERVITUDE)
COMMON BUILDING LINES	4,50 m

NEW FACADE ON KEERWEDER STREET IN 8,5m HIGH TO GUTTER LEVEL & MAX. 11m AT RIDGE LINE

NEW GUARD-HOUSE

NEW PLANT FACILITY

EXT'G PRODUCTION FACILITY

EXT'G OFFICE

EXT'G STORE FACILITY

EXT'G WASTE ROOM

EXT'G SECURITY

EXT'G CANOPY

EXT'G PRODUCTION FACILITY

EXT'G OFFICE

EXT'G STORE FACILITY

EXT'G WASTE ROOM

EXT'G SECURITY

EXT'G CANOPY

EXT'G PRODUCTION FACILITY

EXT'G OFFICE

EXT'G STORE FACILITY

EXT'G WASTE ROOM

EXT'G SECURITY

EXT'G CANOPY

## 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 21 August 2020, the EMPr submitted together with final BAR dated November 2020;
- 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 BAR dated November 2020; 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 considered to be 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 notice boards at the site where the listed activity is to be undertaken on 3 October 2019;
- 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 3 October 2019;
- the placing of a newspaper advertisement in the 'Paarl Post' on 3 October 2019;
- circulating the pre-application draft BAR to I&APs from 3 October 2019; and
- circulating the in-process draft BAR to I&APs from 21 August 2020.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report.

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

### 2. Alternatives

#### Alternative 1

This alternative entails the expansion of the existing facility by 5439 m<sup>2</sup> by extending the office space, processing and packaging facility. This alternative was not preferred for the following reasons:

- It does not incorporate any landscaping to minimise the potential visual impact of the expanded facility.
- This alternative will not ensure the optimum use of the vacant western portion of the site.
- The limited expansion will not allow for the inclusion of the entire production line or provide adequate space to accommodate all the additional machinery required for the increased throughput capacity, thereby creating an unsafe working environment for current and future employees.

#### Preferred Alternative 2 (Herewith authorised)

The proposed development entails the expansion of the existing processing and packaging facility by an additional 14 103m<sup>2</sup>. The proposed expansion will increase of the processing and packaging facility's throughput capacity and will include the following additions:

- Offices (500 m<sup>2</sup>);
- A covered loading area (204 m<sup>2</sup>);
- An additional factory area for the processing and packaging of meats (no- slaughtering will occur at the facility – carcasses are delivered from various abattoirs) (9 930 m<sup>2</sup>).
- An additional freezer storage area (2 977 m<sup>2</sup>);
- A second loading canopy (696 m<sup>2</sup>); and
- A total of 272 parking areas (new and existing) will be provided, in line with the applicable parking ratios.

This is the preferred alternative since it will effectively utilise the available vacant area on the property. The layout and design incorporate the specialist, authority and I&AP input received during the basic assessment process to limit the potential impacts associated with proposed expansion.

#### "No-Go" Alternative

The no-go alternative was considered. However, it was not preferred since the opportunity to increase the financial viability of the existing facility will be lost. In addition, there will be no provision of temporary and new permanent employment opportunities or additional economic benefits for the municipal area.

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

#### 3.1 Activity need and desirability

The proposed expansion is located on a property that falls within an area that has been earmarked for "Industrial Core" in the 2020 draft municipal Spatial Development Framework ("SDF"). The site currently borders the existing municipal urban edge and is being investigated for inclusion within the urban edge due to its location and the agri-industrial activities practised on the site. The proposed expansion will be onto a transformed and underutilised area with no environmental sensitivities, which is in close proximity to existing buildings, services and parking. Expanding the DC Meat processing and packaging facility will enable it to continue to operate in a financially sustainable manner, especially with respect to the long-term interests of existing employees, creating employment stability, as well as creating new employment opportunities. The proposed expansion will stimulate growth in the local agri-industrial sector, which would lead to additional positive economic benefits for the area.

#### 3.2 Biophysical Impacts

Historically, the site would have supported Boland Granite Fynbos and Alluvium Swartland Fynbos vegetation, both of which are classified as Endangered. However, the site has been completely transformed from its natural state by historical activities, resulting in the clearance of the indigenous vegetation that was present on the site. No natural freshwater ecosystems are mapped on or within 32m of the site. This was supported by the findings of the Wetland Verification Report dated 24

February 2020 compiled by DDK Consulting, which confirmed that the artificial “wet area” visible on the western portion of the property is created by the stormwater drainage line carrying waste and/or process water from the existing facility in a western direction. No significant environmental impacts are expected on the biophysical environment, since the property is already disturbed, and no sensitive environmental features are present on the site.

In summary, the proposed development will result in both negative and positive impacts.

**Negative Impacts:**

- The proposed construction works will result in elevated noise and dust levels during the construction phase and an increased visual and traffic impact during the operational phase. The construction phase impacts will be of temporary duration and mitigation measures have been incorporated into the EMPr for implementation during the construction phase. The visual and traffic impacts will also be addressed by the specialist recommendations, which have also been included into the EMPr for implementation.

**Positive impacts:**

- The proposed expansion will increase the financial viability of the existing facility and stimulate growth in the local agri-industrial sector.
- The development will create employment opportunities during the construction and operational phase.

**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 activity (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.

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