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NEAS REFERENCE: WCP/EIA/0000812/2020
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: 28 April 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: THE EXPANSION OF ZANDAM ABATTOIR ON PORTION 9 OF FARM NO. 479, 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, 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 Site Alternative 1 described in the Basic Assessment Report ("BAR"), dated 11 January 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

Zandam Property Holdings (Pty) Ltd
c/o Mr Mauro Della Donna
PO Box 94
DURBANVILLE
7551
Tel: (021) 976 7850
E-mail: Mauro@zandamcheese.co.za

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

B. ACTIVITY AUTHORISED

Listed Activity	Project Description
<p>Listing Notice 1 – Activity Number: 38 The expansion and related operation of facilities for the slaughter of animals where the daily product throughput will be increased by more than –</p> <p>(i) 50 poultry; (ii) 6 units of reptiles, red meat and game; or (iii) 20 000kg wet weight per annum of fish, crustaceans or amphibians.</p>	<p>Expansion of the existing Zandam abattoir will increase the daily throughput capacity from 75 pigs to 400 pigs per day.</p>
<p>Listing Notice 1 – Activity Number: 39 The expansion and related operation of facilities for the concentration of animals in densities that exceed-</p> <p>(i) 20 square metres per large stock unit, where the expansion will constitute more than 500 additional units; (ii) 8 square meter per small stock unit, where the expansion will constitute more than; (a) 1000 additional units per facility or more excluding pigs where (b) applies, or (b) 250 additional pigs, excluding piglets that are not yet weaned; (iii) 30 square meters per crocodile where the expansion will constitute an additional 20 crocodiles or more; (iv) 3 square meters per rabbit where the expansion will constitute more than 500 additional rabbits; or (v) 250 square meters per ostrich or emu where the expansion will constitute more than 50 additional ostriches or emus.</p>	<p>Expansion of the existing Zandam abattoir will include additional pig pens for more than 250 additional pigs.</p>

The abovementioned activities are hereinafter referred to as “**the listed activities**”.

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

- The expansion of the existing Zandam Abattoir on Portion 9 of Farm No. 479, Paarl from a daily slaughtering capacity of 75 pigs per day to 400 pigs per day.

- The abattoir will be expanded by approximately 280m² for additional cooling capacity and pig pens within its existing established footprint that is already covered with cement and paving.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Portion 9 of Farm No. 479, Paarl and has the following co-ordinates:

	Latitude (S)	Longitude (E)
Co-ordinates:	33° 46' 3.76" South	18° 47' 55.96" East

The SG digit code is: C05500000000047900009

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

GroenbergEnviro (Pty) Ltd
 c/o Ms Therina Oberholzer
 PO Box 1058
WELLINGTON
 7654
 Tel: (021) 873 7228
 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 preferred Site Alternative 1 described in the BAR dated 11 January 2021 on the site as described in Section C above.
2. The holder must commence with the listed activities on the site within a period of **five years** from the date issue of this Environmental Authorisation.
3. The development must be concluded within **ten years** from the date of commencement of the listed activities.

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 activities.
 - 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 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 detailed in Section F 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,
- 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 2014 National Appeals Regulations.

- 8. The listed activities, 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

- 9. The draft or 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”), or site agent where appropriate, before commencement of any land clearing or construction activities to ensure compliance with the provisions of 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 activities, and must be made available to anyone on request, including a publicly accessible website.
- 13. 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

- 14. 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 and the EMPr. The Environmental Audit Report must be prepared by an independent person and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.

The holder must undertake an environmental audit and submit Environmental Audit Reports to the Competent Authority once a year during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within three months after all the expansion activities have been completed.

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.

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 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 2659)
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>.

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: 28 APRIL 2021

Cc: (1) Ms Therina Oberholzer (Pieter Badenhorst Professional Service cc)
(2) Ms Cindy Winter (Drakenstein Municipality)

E-mail: therina@groenbergenviro.co.za
E-mail: Cindy.Winter@drakenstein.gov.za

ANNEXURE 1: LOCALITY MAP



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 September 2020, the draft Basic Assessment Report received by the Department on 22 September 2020, the EMPr submitted together with the final Basic Assessment Report dated and received on 11 January 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 11 January 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 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;
- notices were placed at the site, entrance to the site and at the nearby local pub;
- giving 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 councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 22 September 2020;
- the placing of a newspaper advertisement in the '*Paarl Post*' on 24 September 2020; and
- making the draft BAR available for comment from 25 September 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

Site Alternative 1 (Preferred and herewith authorised)

This site alternative is an expansion of the existing facility and therefore construction will be limited to the existing footprint. The abattoir will be expanded by approximately 280m² to accommodate the additional cooling capacity and pig pens within its established footprint that is already covered with cement and paving.

This is the Preferred Site Alternative for the following reasons:

- The expansion will occur within the existing abattoir's footprint and it will therefore have no additional biophysical impacts.
- The proposed expansion is more cost-effective than developing a completely new abattoir, as the expansion only requires the additional cooling capacity and pig pens.
- All the required services are available and ready for use at the existing facility. No new electricity connections, pipelines, etc., will be required.
- The property is owned by the applicant and the expansion will not result in additional property costs for the company.
- The expansion will increase the financial viability of the facility.

Site Alternative 2

This site alternative includes the construction of an additional stand-alone building to accommodate the extra slaughtering capacity and pig stalls that are necessary. This site is located next to the existing facilities on the fields which are currently irrigated and used for grazing by cattle. This is not the preferred alternative for the following reasons:

- All the required infrastructure is already available in the existing abattoir building.
- New services would need to be installed for a new abattoir.
- New freezers and equipment will also be required, including double the cleaning equipment.
- The grazing area (which is currently being used for cattle grazing) will be lost.
- Constructing a new abattoir is more expensive than expanding the existing abattoir.
- As the site is closer to the road, the new abattoir will have a higher visual impact.
- A new entrance road will be required for the new site.

No-go Option

This alternative entails the option of not expanding the abattoir on the property. Should the development not proceed, the site will remain as is and no additional slaughtering of animals will take place. This was not preferred since the farm will not be able to increase its financial viability and contribution to the local economy. There would be no temporary job creation during the construction phase and the opportunity to provide additional employment security to existing staff will be lost.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

The site is zoned for agricultural purposes and is located outside the urban area of Paarl. The expansion will remain within the existing footprint of the abattoir. The expansion will increase the farming unit's financial viability, will sustain existing employment and will create temporary employment opportunities during the construction phase.

3.2 Biophysical Impacts

The site has been extensively utilised for agricultural purposes and no indigenous vegetation remains on the site. No watercourses are present on the site or within 32m of the site. The expansion will be restricted to the established footprint of the existing abattoir facility and will therefore not result in a significant environmental impact.

The development will result in both negative and positive impacts.

Negative Impacts:

The potential negative impacts during the construction phase of the development, such as dust and noise impacts. These impacts will however be mitigated to a satisfactory level with the implementation of the recommended mitigation measures, the preferred alternative and adherence to the EMPr.

Positive impacts:

The expansion will increase the farming unit's financial viability, will sustain existing employment and will create temporary employment opportunities during the construction 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 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.

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