



REFERENCE: 16/3/3/2/F5/16/2039/19
ENQUIRIES: RONDINE ISAACS
DATE OF ISSUE: 12 JUNE 2020

The Board of Directors
Winelands Pork (Pty) Ltd
PO Box 121
BELLVILLE
7535

Attention: Mr Henry Shaw

Tel.: (021) 948 1821
Fax: (021) 946 4275
E-mail: henry@wlpork.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014:

PROPOSED ESTABLISHMENT OF A NEW ABATTOIR ON ERF NO. 12485 (REMAINDER OF FARM NO. 771), MALMESBURY

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

ENVIRONMENTAL AUTHORISATION

DECISION

By virtue of the powers conferred on it by the NEMA and the EIA Regulations, 2014, the competent authority herewith grants Environmental Authorisation to the applicant to undertake the list of activities specified in Section B below as included in the EIA Report dated 14 February 2020.

The granting of this Environmental Authorisation (hereinafter referred to as the "Environmental Authorisation") is subject to compliance with the conditions set out in Section E below.

A. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION

Winelands Pork (Pty) Ltd
c/o Mr Henry Shaw
PO Box 121
BELLVILLE
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E-mail: henry@wlpork.co.za

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

B. LIST OF ACTIVITIES AUTHORISED

Government Notice No. R. 983 of 4 December 2014 –

Listed Activity	Activity/Project Description
<p>Activity 3: <i>"The development and related operation of facilities or infrastructure for the slaughter of animals with a -</i></p> <ul style="list-style-type: none"><i>(i) product throughput of poultry exceeding 50 poultry per day;</i><i>(ii) product throughput of reptiles, game and red meat exceeding 6 units per day; or</i><i>(iii) wet weight product throughput of fish, crustaceans or amphibians exceeding 20 000 kg per annum".</i>	<p>Approximately 3200 pigs will be slaughtered daily.</p>
<p>Activity 9: <i>"The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water -</i></p> <ul style="list-style-type: none"><i>(i) with an internal diameter of 0,36 metres or more; or</i><i>(ii) with a peak throughput of 120 litres per second or more;</i> <p><i>excluding where -</i></p> <ul style="list-style-type: none"><i>(a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or</i><i>(b) where such development will occur within an urban area".</i>	<p>Infrastructure exceeding 1000m in length for the bulk transportation of water will be established.</p>
<p>Activity 10: <i>"The development of infrastructure exceeding 1 000 metres in length for the bulk</i></p>	<p>Infrastructure exceeding 1000m in length for the bulk transportation of sewage, treated waste water</p>

<p>transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes-</p> <ul style="list-style-type: none"> (i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more; <p>excluding where -</p> <ul style="list-style-type: none"> (a) such infrastructure is for bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes inside a road reserve or railway line reserve; or (b) where such development will occur within an urban area 	<p>etc. will be established.</p>
<p>Activity 14: <i>"The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres".</i></p>	<p>The proposed abattoir requires ammonia and Liquid Petroleum Gas ("LPG") storage facilities, as well as diesel and petrol.</p>
<p>Activity 19: <i>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i></p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving -</i></p> <ul style="list-style-type: none"> (a) will occur behind a development setback; (b) is for maintenance purposes undertaken in accordance with a maintenance management plan; (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies; (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or (e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies". 	<p>The development proposal entails the removing or moving, dredging, excavation, infilling or depositing of material of more than 10m³ from the Diep River.</p>
<p>Activity 28: <i>"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game</i></p>	<p>The proposed site was zoned for agricultural use on or after 1 April 1998.</p>

<p>farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</p> <ul style="list-style-type: none"> (i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; <p>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes".</p>	
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Government Notice No. R. 984 of 4 December 2014 –

<p>Activity 6: <i>"The development of facilities or infrastructure for any process or activity which requires a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent, excluding -</i></p> <ul style="list-style-type: none"> <i>(i) activities which are identified and included in Listing Notice 1 of 2014;</i> <i>(ii) activities which are included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies;</i> <i>(iii) the development of facilities or infrastructure for the treatment of effluent, polluted water, wastewater or sewage where such facilities have a daily throughput capacity of 2 000 cubic metres or less; or</i> <i>(iv) where the development is directly related to aquaculture facilities or infrastructure where the wastewater discharge capacity will not exceed 50 cubic metres per day".</i> 	<p>The proposed pyrolysis waste treatment facility requires an Atmospheric Emissions License.</p>
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Government Notice No. R. 985 of 4 December 2014 –

<p>Activity 12: <i>"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a</i></p>	<p>More than 300m² of critically endangered vegetation will be cleared.</p>
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<p><i>maintenance management plan.</i></p> <p><i>i. Western Cape</i></p> <p><i>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans;</i></p> <p><i>iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</i></p> <p><i>iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</i></p> <p><i>v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister".</i></p>	
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The abovementioned list is hereinafter referred to as "the listed activities".

The holder is herein authorised to undertake the following related to the listed activities:

The proposed project entails the establishment of a new abattoir and associated infrastructure on Erf No. 12485 (Remainder of Farm No. 771), Malmesbury. The abattoir will slaughter a total of 3200 pigs per day.

The proposed abattoir will consist of the following elements:

- Truck wash bays;
- Lairages/offices/vet;
- Workshop area;
- Abattoir (clean);
- Abattoir (dirty);
- Holding coolers areas;
- Docking bay (whole carcass);
- De-boning area (including docking area);
- Docking bay (boxed products);
- Trolley bay;
- Security;

- Administration areas;
- Water plant area;
- Ammonia plant;
- LPG area (gas camp);
- Boiler and cold room;
- Parking bays; and
- Waste and waste water treatment facility.

The industrial process effluent will be treated by means of an aerated maturation pond system which will be designed, managed, operated and monitored in a similar manner to the aerated maturation pond system located at the Winelands Pork Stikland Premises.

The industrial process effluent from the abattoir will be partially treated on site using a maturation pond system to a discharge standard that complies with the municipal sewer discharge bylaws. The partially treated effluent will be finally treated at the Malmesbury WWTW. The proposed abattoir will receive a large return volume (40% of the volume of partially treated effluent and domestic sewage discharged to the sewerage treatment works) of treated effluent from the WWTW for use in the cleaning of lairages.

The proposed abattoir will discharge the domestic sewage and partially treated industrial effluent to the Malmesbury Waste Water Treatment Works ("WWTW"). Treated municipal waste water will also be returned to the abattoir to conserve and optimize potable water use. Civil works will be undertaken within the Diep River and its tributaries for the alignment of the pipelines.

The proposed service connections include:

- Bulk municipal water pipeline - 500mm diameter pipe;
- Foul sewer pipeline - 250mm diameter pipe;
- Bulk connection from WWTW - 250mm diameter pipe; and a
- Power line (11kV).

The foul sewer pipeline and the treated waste water pipeline connection from the Malmesbury WWTW back to the abattoir will follow the same route. The foul sewer pipeline will transport a combination of domestic sewer waste, as well as treated abattoir waste water, to the Malmesbury WWTW. The treated effluent will mostly be used outside of the facilities for cleaning/washing purposes.

The proposed development will be serviced by means of a new 11kV electricity power line which will extend from the Eskom substation. A 2Ml potable water supply holding tank/reservoir will be constructed to service the abattoir operations during peak water demand periods.

The abattoir waste will be treated by means of pyrolysis. The pyrolysis waste to energy facility could divert as much as 7000 tons per year of abattoir waste from the waste disposal facility and has the available capacity to take additional external general commercial waste streams (wood chips and paper pulp and other waste streams) from an outside source which would otherwise have been taken to a waste disposal facility. No wastes which could contribute towards bio-security risks have been considered. The proposed facility will reduce greenhouse

gas emissions from anaerobic decomposition and produce an expected 760kW of electricity.

C. LOCATION AND SITE DESCRIPTION

The listed activities will take place on Erf No. 12485 (Remainder of Farm No. 771), Malmesbury.

The farm is located on the outskirts of the Malmesbury industrial area. An airstrip for light aircraft aerial sprayers is located to the south west of the farm.

The Wesbank industrial area is approximately 500m north of the site with the closest residences approximately 1km to the north and on the northern side of the N7. To the east, the closest residential receptors include the Malmesbury Correctional Services approximately 1.3 km from the site. The town of Abbotsdale lies to the west with the closest residences approximately 1.7km from the boundary.

Erf No. 12485 is situated between Divisional Road ("DR") 1111 and Main Road ("MR") 174 (R302). An airstrip for light aircraft sprayers is situated on the south western border of the site. Nitrophoska Fertilizer Suppliers is situated approximately 700m to the north east of the site.

The SG 21-digit code is: C04600080001248500000

Co-ordinates of Erf No. 12485 (Remainder of Farm No. 771), Malmesbury:

Latitude: 33° 28' 99.12" S

Longitude: 18° 42' 40.48" E

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

hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

Resource Management Services

c/o Mr Larry Eichstadt

PO Box 4296

DURBANVILLE

7551

Tel.: (021) 975 7396

Fax: (021) 975 1373

E-mail: larry@rmsenviro.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 EIA Report dated 14 February 2020 on the site as described in Section C above.

2. The holder must ensure compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
3. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority. This Environmental Authorisation is granted for–
 - (a) A period of ten (**10**) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and
 - (b) A period of ten (**10**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activities for the construction phase, must be concluded.
4. The activities that have been authorised may only be carried out at the site described in Section C above in terms of the approved “Environmental Management Programme” (“EMPr”).
5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Notification of authorisation and right to appeal

6. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision –
 - 6.1 notify all registered Interested and Affected Parties of –
 - 6.1.1 the outcome of the application;
 - 6.1.2 the reasons for the decision;
 - 6.1.3 the date of the decision; and
 - 6.1.4 the date of issue of the decision;
 - 6.2 draw the attention of all registered Interested and Affected Parties to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulation, 2014;
 - 6.3 draw the attention of all registered Interested and Affected Parties to the manner in which they may access the decision; and
 - 6.4 provide the registered Interested and Affected Parties with:
 - 6.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 6.4.2 name of the responsible person for this Environmental Authorisation,
 - 6.4.3 postal address of the holder,

- 6.4.4 telephonic and fax details of the holder,
- 6.4.5 e-mail address, if any;
- 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered Interested and Affected Parties in the event that an appeal is lodged in terms of the National Appeals Regulations 2014.

Commencement

- 7. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered Interested and Affected Parties of this decision.
- 8. In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged the holder may not commence with the activities, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.

Written notice to the competent authority

- 9. Seven calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities. Commencement for the purpose of this condition includes site preparation.
 - 9.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 9.2 The notice must also include proof of compliance with the following conditions described herein:
Conditions: 6, 7, 14 and 28.

Management of activity

- 10. The Construction and Operational EMPr (submitted with the EIA Report to the competent authority on 14 February 2020), are hereby approved and must be implemented.
- 11. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
- 12. The EMPr must be included in all contract documentation for all phases of implementation.
- 13. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activities will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The

Environmental Authorisation and EMPr must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

Monitoring

14. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction and rehabilitation phases of implementation.

The ECO must–

- 14.1 be appointed prior to commencement of any land clearing or construction activities commencing;
- 14.2 ensure compliance with the EMPr and the conditions contained herein;
- 14.3 keep record of all activities on site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;
- 14.4 remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed; and
- 14.5 provide the competent authority with copies of the ECO reports within 30 days of the project being finalised.

Environmental audit reports

15. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid—
 - 15.1 ensure that compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
 - 15.2 submit an environmental audit report to the relevant competent authority during the construction phase. The holder must submit the first audit report six months after commencement of the construction phase and a second audit report twenty-four (24) months after the first audit report; and
 - 15.3 submit an environmental audit report every five (5) years thereafter while the Environmental Authorisation remains valid.
16. The environmental audit report must be prepared by an independent person and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014.

In addition to the above, the environmental audit report, must -

- 16.1 provide verifiable findings, in a structured and systematic manner, on—
 - (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and
 - (b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not;
- 16.2 identify and assess any new impacts and risks as a result of undertaking the activity;
- 16.3 evaluate the effectiveness of the EMPr;
- 16.4 identify shortcomings in the EMPr;

- 16.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
 - 16.6 indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
 - 16.7 include a photographic record of the site applicable to the audit; and
 - 16.8 be informed by the ECO reports.
17. The holder must, within 7 days of the submission of the environmental audit report to the competent authority, notify all potential and registered Interested and Affected Parties of the submission and make the report available to anyone on request and, where the holder has such a facility, be placed on a publicly accessible website.

Specific conditions

18. Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
19. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.
20. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the holder and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

21. The site must be classified as a Major Hazard Installation due to the presence of certain hazardous materials and their associated offsite effects.
22. The holder must conduct the construction phase activities as far as possible during the dry/summer season to minimize impacts on the Diep River.
23. The orientation of all proposed buildings, structures and parking areas must, as far as possible, be along the contours.

24. The main building must be articulated into smaller, visual units by stepping the building to reduce the extensive roof ridgeline.
25. Building materials and finishes must be visually recessive and non-reflective.
26. A landscape architect must be appointed to draw up a landscape plan to reduce the visual impact of the building from the highly sensitive receptors.
27. An Operation Management Plan for buildings, infrastructure and landscaping must be compiled and must prescribe maintenance requirements to retain buildings and infrastructure in good condition and provide for the ongoing establishment of the landscape.
28. The Operation Management Plan must be approved by the Swartland Municipality before the commencement of construction activities.
29. The tanker driver must be present at all times during product off-loading.
30. Fire extinguishers, hose reels and hydrants must be available throughout the site.
31. All the conditions/recommendations/mitigation measures made by the various specialists involved in the EIA process, as contained in the approved EMPr, must be strictly implemented and adhered to.
32. Water saving mechanisms and/or water recycling systems must be installed in order to reduce water consumption that include *inter alia*, the following:
 - 32.1 A dual-flush toilet system.
 - 32.2 All taps must be fitted with water saving devices, that is, tap aerators, flow restrictors and low flow shower heads.
 - 32.3 Water-wise landscaping must be done.
33. The development must incorporate energy/electricity saving measures, which include *inter alia*, the following:
 - 33.1 Use of energy efficient lamps and light fittings. Low energy bulbs must be installed, and replacement bulbs must also be of the low energy consumption type.
 - 33.2 Street lighting must be kept to a minimum and down lighting must be used to minimize light impacts. Street lights must be switched off during the day.
 - 33.3 All geysers must be covered with geyser "blankets".
34. The holder of the Environmental Authorisation must, at all times, ensure that the activities comply with the Noise Regulations in terms of the relevant legislation.

General matters

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.

2. If the holder does not commence with the listed activities within the period referred to in Condition 3, this Environmental Authorisation shall lapse for the activities, and a new application for Environmental Authorisation must be submitted to the competent authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the competent authority prior to the expiry date of the Environmental Authorisation.
3. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for amendment in terms of Part 1 of the EIA Regulations, 2014 must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the competent authority must only be notified of such changes.

4. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr, other than those mentioned above, must be done in accordance with Regulations 35 to 37 of GN No. R. 982 of 4 December 2014 or any relevant legislation that may be applicable at the time.
5. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

F. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date notification of the decision was sent to the holder by the competent authority -
 - 1.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2 Submit a copy of the appeal to any registered Interested and Affected Parties, 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 Interested and Affected Parties -
 - 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 Interested and Affected Party, 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 Interested and Affected Party and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Attention: Marius Venter
 Western Cape Ministry of Local Government, Environmental
 Affairs and Development Planning
 Private Bag X9186
 CAPE TOWN
 8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr M. 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 the Appeal Authority at: Tel. (021) 483 2659, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

G. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully



MR ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 12/06/2020

CC: (1) Mr Larry Eichstadt (Resource Management Services)

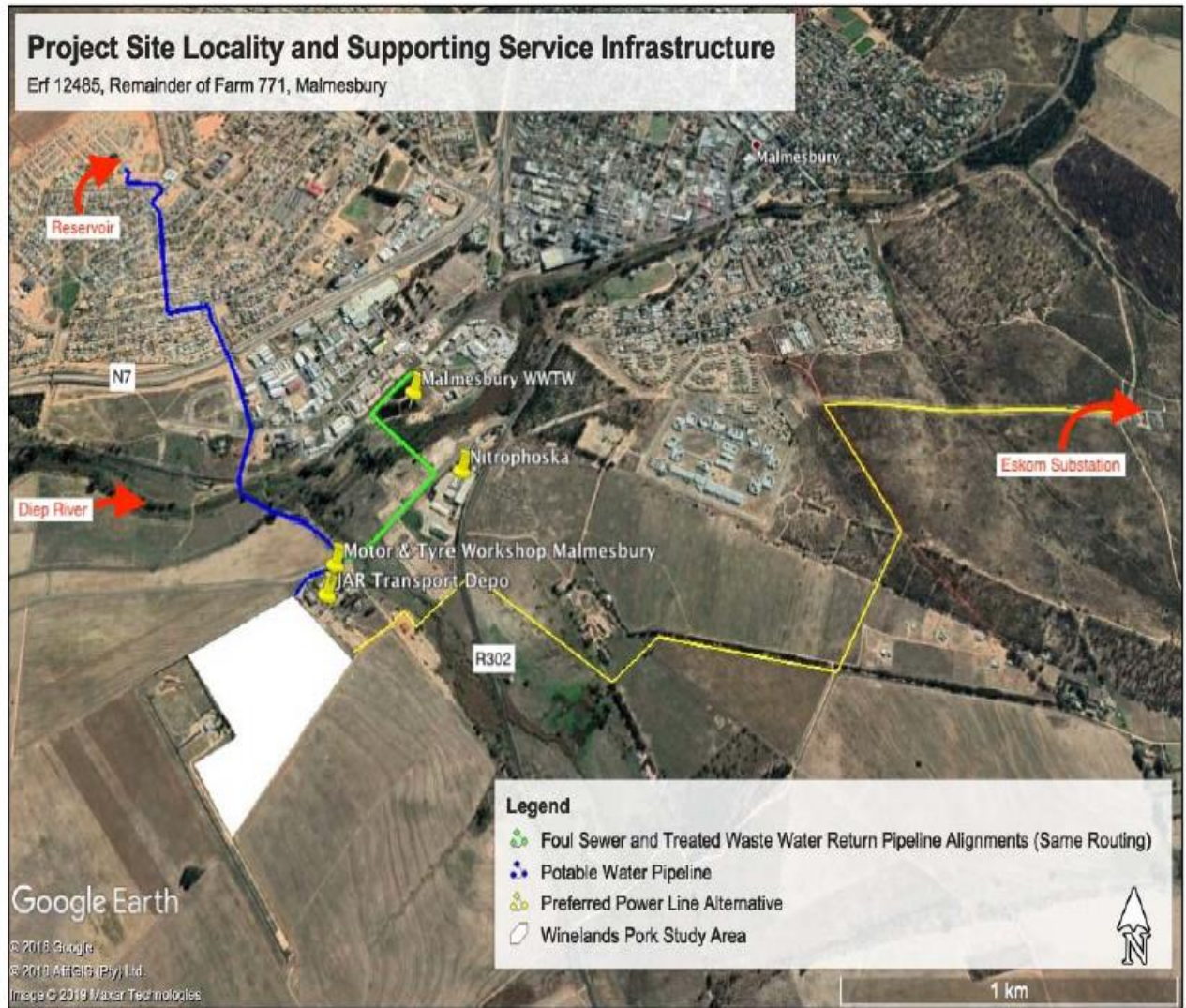
Fax: (021) 975 1373

FOR OFFICIAL USE ONLY:

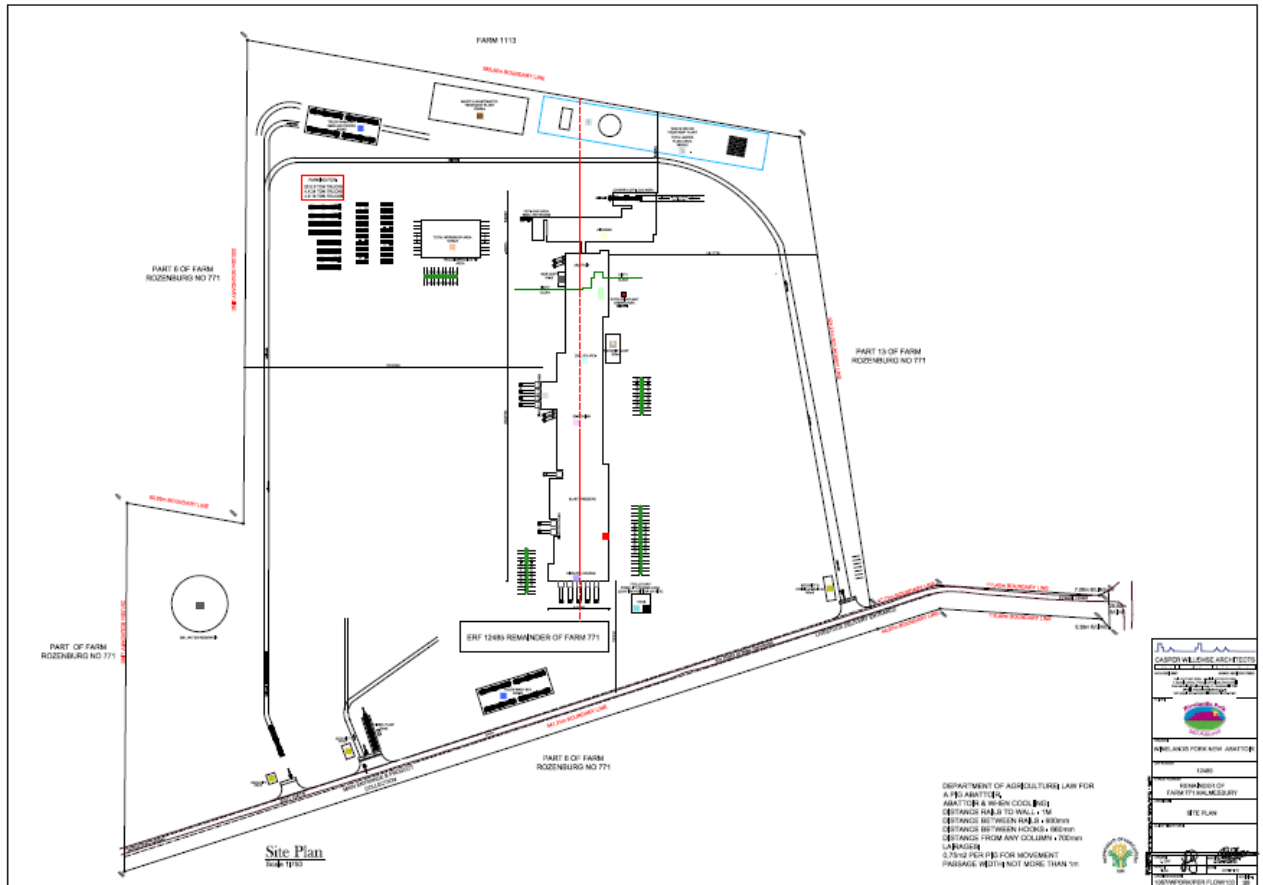
EIA REFERENCE NUMBER: 16/3/3/2/F5/16/2039/19

NEAS EIA REFERENCE NUMBER: WCP/EIA/0000626/2019

ANNEXURE 1: LOCALITY PLAN



ANNEXURE 2: SITE PLAN



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The information contained in the Application Form, as received by the competent authority on 12 July 2019; the Scoping Report dated 27 August 2019, that was accepted by the competent authority on 9 October 2019; the EIA Report dated 14 February 2020 and the EMPr submitted together with the EIA Report; and the additional information received by the competent authority on 20 February 2020 and 24 February 2020, respectively;
- b) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- c) The comments received from Interested and Affected Parties ("I&AP's") and the responses provided thereon, as included in the EIA Report dated 14 February 2020;
- d) No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the competent authority was taken into account in the consideration of the application for environmental authorisation. A summary of the issues which, according to the competent authority, were the most significant reasons for the decision is set out below.

1. Public Participation

The Public Participation Process comprised of the following:

- Formal notifications were sent via post on 4 February 2019 and via email on 11 February 2019 to notify I&AP's and relevant Organs of State of the project and the opportunity to comment on the pre-application Scoping Report;
- Advertisements were placed in the "Swartland Gazette" newspaper on 5 February 2019 and the "Paarl Post" newspaper on 7 February 2019, respectively;
- The pre-application Scoping Report was placed at the Malmesbury and Wellington Public Libraries on 8 February 2019;
- The pre-application Scoping Report was made available from 8 February 2019 until 12 March 2019;
- Formal notifications were sent via email on 12 July 2019 to notify registered I&AP's of the opportunity to comment on the draft Scoping Report;
- The draft Scoping Report was placed at the Malmesbury and Wellington Public Libraries on 12 July 2019;
- A notice board was placed on site on 12 July 2019;
- The draft Scoping Report was made available from 12 July 2019 until 16 August 2019;
- Formal notifications were sent on 8 January 2020 to notify registered I&AP's of the opportunity to comment on the draft EIA Report;
- The draft EIA Report was placed at the Malmesbury Public Library on 8 January 2020; and
- The draft EIA Report was made available from 8 January 2020 until 7 February 2020.

Authorities consulted

The authorities consulted included the following:

- Directorate: Pollution and Chemicals Management of the Department of Environmental Affairs and Development Planning ("DEA&DP");
- CapeNature;
- Western Cape Department of Agriculture;
- Department of Transport and Public Works;
- West Coast District Municipality;
- Directorate: Waste Management of the DEA&DP;
- Directorate: Air Quality Management of the DEA&DP;
- Swartland Municipality;
- Drakenstein Municipality;
- Department of Health;
- Department of Agriculture, Forestry and Fisheries;
- Department of Environment, Forestry and Fisheries (formerly National Department of Environmental Affairs);
- Cape Winelands District Municipality;
- Department of Water and Sanitation; and
- Heritage Western Cape.

The competent authority is satisfied that the Public Participation Process that was followed met the minimum legal requirements.

2. Alternatives

Site alternatives:

Erf No. 12485 (Remainder of Farm No. 771), Malmesbury (preferred site - herewith authorized) is preferred for the following reasons:

- Availability of bulk services;
- Adequate long-term water supply;
- Adequate electricity supply from a dedicated Eskom substation;
- Limited risk of animal disease outbreak due to intensive livestock farming which is not prevalent in the area;
- Site is well located from a transport and commercial perspective;
- The site was previously approved for the development of a light industrial area; and
- The site excludes a piggery and is not sensitive from a biodiversity perspective.

Dudleyvale Farm No. 876, Malmesbury was considered, but abandoned since it would require considerable service infrastructure. Remainder of Erf No. 34, Wellington was also considered, but abandoned due to the site's proximity to the Berg River and the risk of more pollutants entering the River.

Layout alternatives:

Layout 2A considered the need for a revised location of key treatment areas (waste water, water and waste) and made provision for improved site logistics and the optimization of linkages between the various site operations. The neighbouring crop spraying facilities were one of the primary drivers for the abandonment of this alternative.

Layout 2B was abandoned due to operational risks and neighboring land uses that were raised in the MHI Risk Assessment.

Layout 2C (preferred layout - herewith authorized) complies with the recommendations of the MHI Risk Assessment in that the fuel storage area, ammonia plant, pyrolysis plant and the LPG facility are correctly located from a public and occupational health and safety risk perspective. This alternative includes a 2ML water reservoir to provide for water during peak water demand periods, as required by the Swartland Municipality.

Waste treatment alternatives:

Pyrolysis and a waste rendering plant are the respective waste treatment alternatives that were considered. Pyrolysis is the preferred waste treatment technology for the following reasons:

- The emissions during startup, standby or shut down do not increase and remain well below the permitted maximum emission rates;
- Avoidance of methane generation at a waste disposal facility;
- Ability to process all elements of the waste stream;
- Fastest treatment method with best return on investment;
- Can be switched on and off as required;
- Resilient and adaptable to process changes;
- All waste can be treated. It is also possible to accept additional waste from other sources for which a gate fee can be charged; and
- Ash is produced at approximately 3% of the total mass of the feed which can be used as a building material or disposed of at a waste disposal facility.

Rendering has been discarded for the following reasons:

- A rendering plant emits odorous Volatile Organic Compounds ("VOC") during the sterilization and cooking processes;
- If the VOC emissions are not treated, it may cause odor nuisance in the communities in close proximity to the rendering plant;
- The high-intensity odor emissions from the rendering process, as well as the plant ventilation emissions, need to be sent to appropriately designed abatement equipment, such as a multistage wet scrubber, before being released to the atmosphere;
- A rendering plant will require boilers as part of the overall treatment process and supporting infrastructure set up;
- In addition to the odor emissions from the rendering plant, the required boilers are expected to be additional sources of primary air pollutant emissions, such as particulate matter, carbon monoxide, oxides of nitrogen and sulphur dioxide;
- This waste treatment method can cause odors and noise if not properly mitigated with inhouse technological solutions;
- The expected air quality impacts, as well as the nuisance due to odors from the rendering plant, are expected to be much greater than those from the pyrolysis process;
- Closed circuit storm water and effluent management systems are required; and
- Resulting greaves and tallow products are impure and require further purification/refining processes subject to commercial opportunities and needs.

Waste water and effluent treatment and disposal alternatives:

The partial treatment of the waste water by means of an aerated maturation pond system is the preferred treatment alternative when compared with either the direct discharge of effluent to sewer with no treatment on site or the full treatment on site.

The aerated maturation pond system is preferred since it is designed, managed, operated and monitored in a similar manner to the aerated maturation pond system located at the Winelands Pork Stikland Premises. The aerated maturation pond system operating at the Stikland Premises is currently operating efficiently and is not as technologically driven with probable high maintenance and operational costs as the other more sophisticated waste water treatment alternatives.

The preferred water supply and waste water treatment technologies/approach is as follows:

- Partial treatment of industrial process effluent to the required municipal effluent discharge standard by means of an onsite maturation pond system before being discharged to the Malmesbury WWTW for final treatment;
- Treatment of domestic sewage by direct transfer to the Malmesbury WWTW;
- Direct supply of potable water for human consumption and the primary abattoir activities where the high standard of health and hygiene standards are critical;
- Storage of potable water in an onsite 2ML reservoir to manage peak water demand process requirements;
- Direct supply of treated municipal waste water from the Malmesbury WWTW to the abattoir facility for vehicle and lairage washing; and
- Containment and treatment of onsite clean and dirty storm water by means of attenuation and aeration to ensure that storm water discharged offsite via existing municipal and provincial road storm water infrastructure complies with the applicable municipal storm water bylaws.

The alignment of the pipeline that will convey the domestic sewage and partially treated process effluent to and from the proposed abattoir is suitable from an aquatic perspective. The Diep River in the immediate vicinity and downstream and upstream of the WWTW is highly degraded and therefore an alternative pipeline alignment would have a similar ecological or biodiversity impact.

The alignment of the pipeline that will convey the treated waste water back to the proposed abattoir for re-use is to some extent identical to that of the pipeline conveying domestic sewage and partially treated process effluent from the proposed abattoir to the WWTW. The suitability of this alignment is confirmed from an aquatic perspective.

Power line alignment alternatives:

Alternative 1 (preferred alternative – herewith authorized)	Alternative 2 (discarded)	Alternative 3 (discarded)
Due to the technical possibility of extending the power line to an extended span of 100m there would be no freshwater related impacts. The alignment is the shorter of the three alignments. Despite the need for additional infrastructure to extend the line span to 100m over the	This alignment would be longer than that of Alternative 1. The powerline would also need to be routed under the road(s). This alternative also has more capital costs than Alternative 1.	The distance the power line would need to extend across the non-perennial tributary of the Diep River without some structural supports would exceed the 150m maximum extent. There would therefore be freshwater/wetland related impacts.

non-perennial tributary of the Diep River, this alternative is the most cost effective.		
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“No-Go” Alternative:

The No-Go alternative means abandoning the proposal of establishing the abattoir. The No-Go alternative would thus maintain the *status quo*.

The no-go alternative will result in the holder being forced to either identify further site alternatives or to accommodate new activities at the Winelands Pork Stikland Premises within a confined operational footprint.

3. Impacts, assessment and mitigation measures

3.1 Activity Need and Desirability

Unregistered Erf No. 12485 (portion of the Remainder of Farm No. 771, Malmesbury) is zoned Subdivisional Area 1 in terms of the Swartland Municipality's Bylaw relating to Municipal Land Use Planning. The subdivisional area makes provision for land uses such as industrial zone 1 erven and transport zone 2 erven (road).

The site falls within an area designated for future industrial activities. The site has previously received an Environmental Authorization for the establishment of a light industrial area.

Due to the need to expand the current operations in Stikland and the restrictive footprint currently existing at Stikland, the holder decided to investigate the development of a new abattoir.

The outcomes of the proposed project are in line with the key areas of the Swartland Municipality: Economic Development Strategy and will contribute towards the economic growth of the region.

The new abattoir will significantly contribute to the economic development of the region by providing job opportunities. The project will generate skilled and unskilled employment opportunities. These new employment opportunities will supplement personnel already employed by Winelands Pork at the Stikland Premises.

The holder is committed to its commercial objectives of adopting sound environmental management practices which includes:

- Reducing the amount of waste going to a waste disposal facility through a waste beneficiation process;
- Optimizing water and waste water use and reuse; and
- Providing renewable energy (heat and electricity) from the proposed waste treatment and beneficiation process and the use of solar panels for additional energy to be used internally at the proposed new abattoir.

The discharge of the total process effluent hydraulic load to the Malmesbury WWTW with a guaranteed return of 40% of this water once treated to the General Standard Limits for re-use, is a far more sustainable approach than the treatment and re-use of the total process effluent volume on site. The discharge of partially

treated effluent water via the pipeline to the sewer will have a reduced impact in the event of a pipeline breakage.

The infrastructure upgrade will include a dedicated return treated effluent pipeline which will provide Winelands Pork with non-potable water for cleaning purposes without compromising the high hygiene standards required at the facility. This is an effective reuse of a resource that would otherwise have been discharged directly to the Diep River.

The proposed waste and waste water treatment and beneficiation and re-use processes will minimize waste, optimize resources and create beneficial products, *i.e.*, renewable energy sources. One of the goals of the proposed project is to reduce waste disposed of to a waste disposal facility and generate sustainable energy.

Any layout changes will not have any impact on production output, selected storage of raw materials, type and classification of waste materials treated or generated, waste water (type, quality, volume), waste technologies already assessed, service alignments and the broader occupational health and safety related risks specific to the MHI risk assessment.

3.2 Biophysical Impacts

Impacts on vegetation:

The site is completely degraded and contains no indigenous vegetation and has been transformed to wheat fields.

Power line alignment:

The powerline route begins at a substation in the Klipkoppie Nature Reserve then traverses farmland and crosses the R302 and a tributary of the Diep River before arriving at the proposed abattoir site.

The proposed powerline alignment intersects with three threatened vegetation types, *i.e.*, two critically endangered vegetation types (Swartland Granite Renosterveld and Swartland Shale Renosterveld) and one vulnerable vegetation type (Swartland Alluvium Renosterveld).

The vegetation in the south western side of the alignment traverse farmland that is already highly degraded to transformed. No important terrestrial indigenous vegetation occurs in this area and the botanical sensitivity is low. The north eastern portion of the proposed alignment contains degraded to semi-intact Swartland Granite Renosterveld, with at least 8 species of conservation concern and is mapped as a Critical Biodiversity Area ("CBA") 1 site.

The loss of vegetation would be limited to the footprint of each pole which is relatively small with disturbance to the immediately adjacent area (approximately 4m² per pole). There is no servitude where the powerline deviates from the existing servitude and follows the dirt road.

The sensitivity of this area is high and despite the small areas that will be lost to the electricity pole footprints, the impact will be high negative. Several mitigation

measures are proposed which will ensure that disturbance is kept to a minimum. The implementation of the mitigation measures will ensure that the overall impact will be reduced to low negative.

Pipeline alignments:

The proposed pipelines traverse the suburban areas as well as the rural outskirts of Malmesbury. Most of the study area is highly degraded to transformed from a botanical perspective. Most of the open areas along the pipeline alignments are dominated by weedy and exotic species. The most common species are Paterson's curse, wild oats, wild radish, kikuyu and Italian ryegrass. The only indigenous species are the very common and weedy species the Sandveld stinkweed, kweek and kraalbos. Scattered individuals of the snakeberry honeythorn occur along the water supply pipeline to the east of the Diep River.

The alignments of both pipelines cross the Diep River. This habitat is wet and dominated by common reed and mat sedge. Several invasive species occur in the river.

The only patch of indigenous habitat is a small area of degraded Swartland Alluvium Renosterveld. The patch is dominated by kouterbos and contains wild rosemary, *Aspalathus aculeata* and several bulbs, including an unidentified *Babiana* species. Although small and already degraded, the patch is sensitive from a botanical perspective. The patch of sensitive vegetation will be avoided by adjusting the alignment in the area. The proposed pipelines will thus impact very little indigenous terrestrial vegetation.

Impacts on aquatic features:

The foul sewer pipeline, and the treated waste water connection from the WWTW back to the proposed abattoir site, cross the non-perennial tributary of the Diep River at a bridge.

The proposed power line will span the 100m across the river and avoid placement of poles in or close to the river. It is thus not expected to have any impact on the non-perennial tributary of the Diep River.

All impacts for the pipelines were determined to be low with the implementation of mitigation measures, except for the alteration of the flow regime of the river during the construction phase, which was determined to be moderate with the implementation of mitigation measures.

The proposed service connections will not result in unacceptable losses to the integrity of the Diep River ecosystem. The Diep River system is in a modified state in terms of riparian and instream habitat, as well as the macroinvertebrate communities present. The section of the non-perennial tributary of the Diep River is found to be in a largely natural condition and is not expected to be impacted on, as the power line poles will not be placed in the river.

3.3 Traffic impacts

Access to the site will be gained off a private road via an unnamed road and DR1111. The unnamed road used to provide a link between MR174 in the east and DR1111 in the west. The road has recently been closed off from MR174. All traffic to

and from the site will therefore make use of the DR1111/Unnamed Road intersection.

The intersections that will be most affected by the proposed development are the DR1111/Access Road, DR1111/DR1146 and DR1111/MR174 intersections. All movements at the affected intersections currently operates at a level of service A during the AM and PM peak hours.

The DR1111/Unnamed Road intersection is situated approximately 750m south west of the DR1111/MR174 intersection. According to the Western Cape Road Access Management Guidelines Document the spacing requirement between unsignalized full intersections off a Class 3 Road with a semi-rural roadside environment is 305m. The unnamed road thus complies with the spacing requirements.

The Transport Impact Assessment Report compiled by Deca Consulting Engineers dated December 2019, contains the following conclusion for the proposed abattoir development:

The 2019 traffic volumes were increased by a 5% growth rate per annum to obtain 2021 background traffic volumes. With the background 2021 traffic volumes, all movements at the affected intersections will continue to operate at a level of service A during the AM and PM peak hours. The SIDRA analysis of the affected intersections, with the proposed abattoir trips added, indicates that all movements at all the intersections will continue to operate at a level of service A during the AM and PM peak hours.

The proposed abattoir development will add a considerable number of trips to the road network, but the affected intersections have ample spare capacity and will be able to accommodate the additional trips without a deterioration in service levels. The proposed abattoir development will have a moderate traffic impact.

The existing private access road which is currently unsurfaced and very steep, will be surfaced and adequate stormwater infrastructure be provided to aid in traction for large heavy vehicles.

3.4 Storm water impacts

The clean and dirty storm water will be managed in accordance with a Storm Water Management Plan. The dirty storm water runoff will be contained in a suitably engineered storm water attenuation pond to ensure that the storm water is of an acceptable standard.

The Storm Water Management Planning approach makes allowance for the construction of an onsite attenuation facility which will ensure the effective management of dirty storm water generated on site and the subsequent compliance with the municipal storm water discharge standards.

The current municipal and provincial road storm water infrastructure will be utilized. No new storm water infrastructure will be constructed outside of the site's premises. The storm water management system will ensure that potential non-point sources or point sources of pollution are effectively managed.

3.5 Noise impacts:

Sources of noise likely to be present at the proposed abattoir and as confirmed at the Stikland Premises include:

- Traffic, including but not limited to the delivery and off-loading of animals, the export of products, and staff transport;
- Animal vocalization and handling within the lairage area;
- Mobile equipment such as forklifts and vehicles;
- Electric motors;
- Equipment including compressors, fans, and pumps;
- Conveyor systems; and
- Combustion/heating equipment *i.e.*, boiler and pyrolysis vessel.

All main equipment will be situated indoors. Open noise sources include lairages, offloading areas, workshops, wash bays, and the water and waste water treatment plant. Noise-sensitive receptors within an approximately 2.5km radius study area were identified. The residents occupying the homestead situated at the airstrip will be most affected by the proposed abattoir development.

Rating level guidelines for industrial areas are deemed applicable to the nearby transport depot and Nitrophoska, as well as the Wesbank industrial area. All other receptors are residential in nature and guideline rating levels for urban districts apply since these are in line with the International Finance Corporation guidelines for residential, educational and institutional receptors.

Residents at the airstrip will be most affected by the proposed abattoir development. The project will result in noise levels in excess of the rating level for residential areas during the night and consequently the day/night period. Because of relatively low residual noise levels the increase in noise levels will range between 13dBA during the day, and 19.2dBA at night.

Although noise levels at the nearby transport depot may increase up to 6.5dBA during the day and 13.1dBA during the night, the guideline rating levels for industrial areas are not exceeded. The transport depot is also unlikely to be occupied at night.

During the operational phase, noise impacts are anticipated to be of low significance resulting in some nuisance/disturbance only at the residence located at the airstrip. With mitigation, the significance of this disturbance may be reduced to very low. Since construction and closure activities will be limited to daytime hours, no exceedances of rating level guidelines are expected, with no impact at night. The duration of construction and closure phases will be short-term.

The impact of both the construction and closure phases are anticipated to be similar or less notable than the operational phase. Construction and closure activities will include mostly earthworks, diesel powered construction equipment and light industrial activities and will likely only take place during daytime hours. Similar control methodologies apply to all project phases.

The significance of cumulative environmental noise impacts associated with the construction, operational and closure phases were determined to be low. The significance of impacts will be reduced to very low with the implementation of

mitigation measures, specifically for the management of noise at the most affected noise sensitive receptor, *i.e.*, residents of the house at the airstrip.

3.6 Air quality impacts:

There is currently no Atmospheric Emission License or other authorizations for the proposed pyrolysis plant. An Atmospheric Emission License will be required and an application for an Atmospheric Emission License will be submitted to the West Coast District Municipality in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004).

During the construction phase of the proposed development, it is anticipated that there will be elevated dust levels in close proximity to the facility, which may negatively affect the local air quality, primarily onsite.

Based on the dispersion modelling results, it is evident that there will be no exceedances of the air quality standards and the relevant guidelines for the examined air pollutants, neither within nor outside the site boundaries. The proposed facility is located in a rural area and considered an isolated facility not influenced by other sources and background pollution is insignificant.

The ground-level concentrations of the various pollutants are expected to be low and within the ambient standards and relevant air quality guidelines. The expected overall operational impact is low.

3.7 Visual impacts:

The scenic resources of the area can be described as rural and are rated as moderate-high. The zone of visual influence of the proposed development is local and limited to 3-5km from the site. Receptors are highly, moderately and minimally sensitive. The highly sensitive receptors include an old farmstead, some residential areas in Malmesbury, the Klipkoppie Nature Reserve and three scenic, tourist routes. The visual absorption capacity of the site to the proposed development is moderate, *i.e.*, there will be partial screening by topography and vegetation. The visual intrusion will be moderate, as it partially fits into the surroundings but will be clearly noticeable.

The visual impacts that have been identified are:

- Visual scarring as a result of clearing and construction;
- Change in visual character from rural to industrial;
- Visibility from sensitive receptors; and
- Visual intrusion of night lighting.

With the implementation of the recommended mitigation measures, the anticipated visual impacts of the proposed development will be kept to within acceptable levels. The proposed development will have a medium to low visual impact on the environment with the implementation of mitigation measures.

3.8 Major Hazard Installation:

The following areas on the site were considered to be relevant to the MHI Risk Assessment:

- Ammonia refrigeration plant;
- LPG cylinder installation;

- Diesel storage facility; and
- Pyrolysis plant (the pyrolysis facility was found not to present any offsite MHI effects since it will be situated indoors and more than 120m from the site boundary).

There are no other declared MHI's in the vicinity within the domino effect range of worst-case events (33m), therefore the offsite domino effects are not a major concern. Onsite risks (employee risk), offsite risks at the boundary (risk to neighbors) and risk to the nearest residences/sensitive receptors all have risk levels which are tolerably low. The primary risk has been identified as an ammonia line rupture. Risks are acceptably low beyond 310m from the site boundary.

National Environmental Management Act Principles

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

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

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the competent authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

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