



REFERENCE: 16/3/3/1/B1/4/1038/19
ENQUIRIES: BERNADETTE OSBORNE
DATE OF ISSUE: 2019 -10- 2 8

The Members
Bonnievale Abattoir cc
PO Box 39
BONNIEVALE
6730

Attention: Mr Johan Broodryk

Tel: (023) 616 2905
E-mail: johanb@breede.co.za

Dear Sir

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014: THE EXPANSION OF THE BONNIEVALE ABATTOIR ON ERVEN 1229 AND 2958, BONNIEVALE.

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

Yours faithfully

DIRECTOR, DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: (1) Ms M Mackay (Cape Environmental Assessment Practitioners)
(2) Mr P Harmse (DEADP: Directorate – Air Quality Management)
(3) Mr S Mokweni / Ms T Brunings (Langeberg Municipality)
(4) Mr M Engelbrecht (Cape Winelands District Municipality)

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REFERENCE: 16/3/3/1/B1/4/1038/19
NEAS REFERENCE: WCP/EIA/0000611/2019
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: 2019 -10- 28

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 THE BONNIEVALE ABATTOIR ON ERVEN 1299 AND 2958, BONNIEVALE.

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 Activity Alternative 1 described in the Basic Assessment Report ("BAR"), dated 11 July 2019.

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

Bonnievale Abattoir cc
c/o Mr Johan Broodryk
PO Box 39
BONNIEVALE
6730

Tel: (023) 616 2905

E-mail: johanb@breede.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

Listed Activities	Project Description
<p>Listing Notice 1 – Activity 34 The expansion of existing facilities or infrastructure for any process or activity where such expansion will result in the need for a permit or license or an amended permit or license in terms of national or provincial legislation governing the release of emissions, effluent or pollution, excluding-</p> <p>(i) Where the facility, infrastructure, process or activity is 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;</p> <p>(ii) The expansion of existing facilities or infrastructure for the treatment of effluent, waste water, polluted water or sewage where the capacity will be increased by less than 15 000 cubic metres per day; or</p> <p>(iii) The expansion is directly related to aquaculture facilities or infrastructure where the wastewater discharge capacity will be increased by 50 cubic metres or less per day.</p>	<p>The expansion of the existing facility requires an Air Emissions License in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004).</p>
<p>Listing Notice 1 – Activity 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</p> <p>(ii) 6 units of reptiles, red meat and game; or</p> <p>(iii) 20 000kg wet weight per annum of fish, crustaceans or amphibians.</p>	<p>The current daily throughput capacity is 25 slaughter units per day (with a special consent to slaughter 65 slaughter units per day) that will be increased to 425 slaughter units per day.</p>

The abovementioned list is hereinafter referred to as "**the listed activities**".

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

- The proposal entails the expansion of an existing abattoir facility on Erven 1229 and 2958, Bonnievale.
- The abattoir currently has a high throughput capacity certificate for the slaughter of 25 units per day with special consent to slaughter 65 units per day. The proposed expansion is to increase the daily throughput capacity to 425 units per day.
- The expansion requires the redevelopment of the existing slaughter facility on Erf No. 1229 to accommodate the additional number of animals. All the slaughtering activities will be incorporated into the slaughter areas on Erf No. 1229 and the processing, refrigeration, dispatch facilities will be developed on Erf No. 2958.
- The facility on Erf No. 2958 will be accessed via an underground passage from Erf No. 1229.
- The existing micro rendering plant will also be expanded to accommodate the increased volume of blood and organic material that will be produced. The expansion will require an Atmospheric Emissions License in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) from the Cape Winelands District Municipality. The expansion will entail the addition of new modules into the existing building housing the facility, which will increase throughput capacity.

C. SITE DESCRIPTION AND LOCATION

The site where the authorised listed activities will be undertaken is on Erven 1229 and 2958, Bonnievale and has the following co-ordinates:

	Latitude (S)	Longitude (E)
Coordinates for Erf No. 1229	33° 55' 53.65" South	20° 05' 25.58" East
Coordinates for Erf No. 2958	33° 55' 57.37" South	20° 05' 28.16" East

The SG digit codes are: C07300020000295800000
C07300020000122900000

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

Cape Environmental Assessment Practitioners (Cape EA Prac)
c/o Ms Melissa Mackay
PO Box 2035
GEORGE
6530

Tel: (044) 874 0365

Fax: (044) 874 0432

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 Activity Alternative 1 described in the Basic Assessment Report ("BAR"), dated 11 July 2019 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 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, 11 and 17

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 activities

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"), 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, the EMPr and submit Environmental Audit Reports to the Competent Authority. 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 quarterly for the duration of the construction phase and submit Environmental Audit Reports to the Competent Authority once every six months during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within six months after operation commenced.

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. Clear demarcation of the development footprint and the no-go area at the south-eastern corner of Erf No. 2958, which contains the critically endangered Cape Lowland Alluvial vegetation, must be undertaken before the commencement of construction activities.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activities, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. 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 (as amended).

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 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision. -
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

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

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the 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

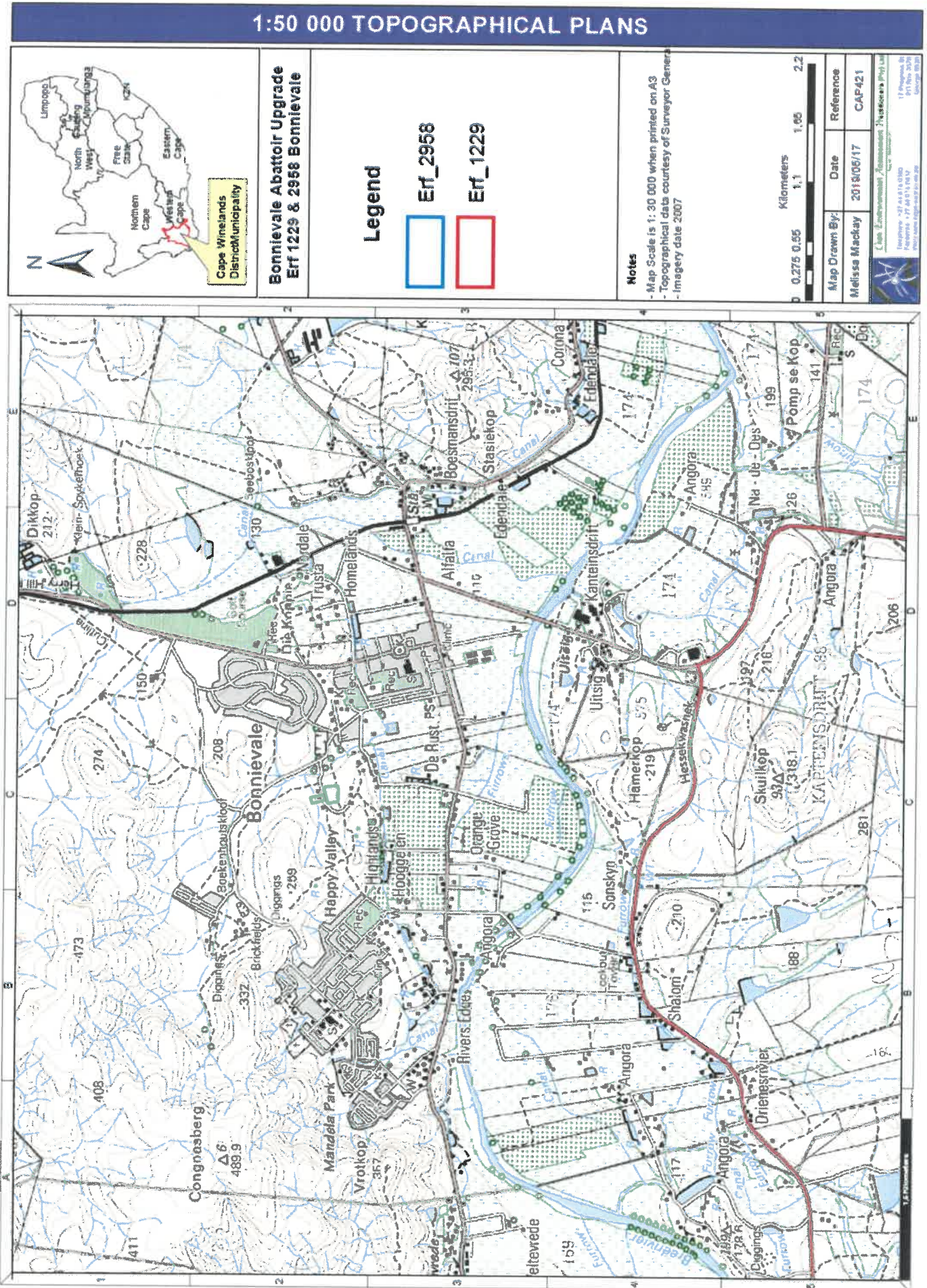
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 28/10/2019

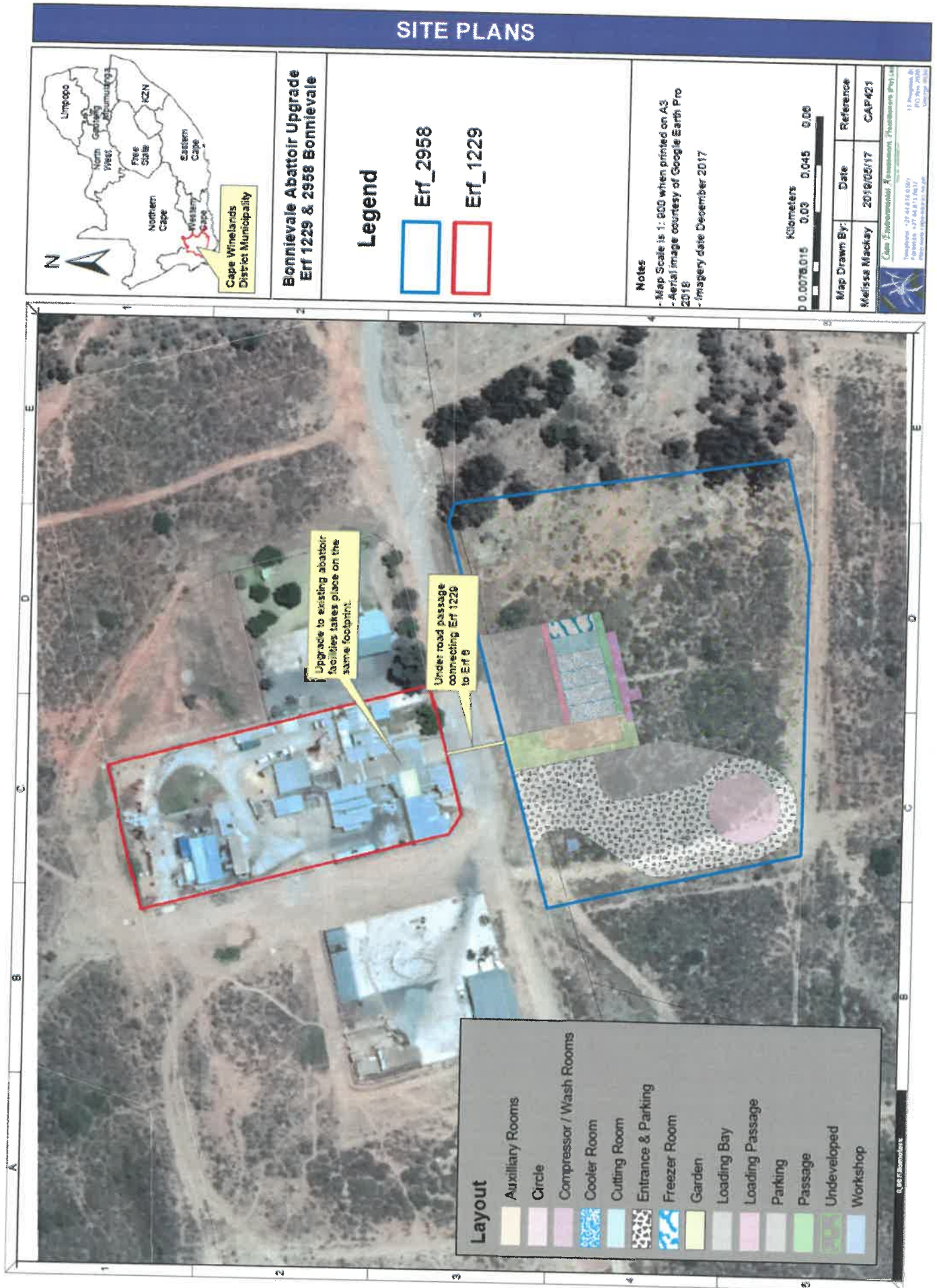
- Cc: (1) Ms M Mackay (Cape Environmental Assessment Practitioners)
(2) Mr P Harmse (DEADP: Directorate – Air Quality Management)
(3) Mr S Mokweni / Ms T Brunings (Langeberg Municipality)
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ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE PLAN



Layout

 Auxiliary Rooms
 Circle
 Compressor / Wash Rooms
 Cooler Room
 Cutting Room
 Entrance & Parking
 Freezer Room
 Garden
 Loading Bay
 Loading Passage
 Parking
 Passage
 Undeveloped
 Workshop

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 23 May 2019, and the EMPr submitted together with the final Basic Assessment Report on 12 July 2019;
- 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 final Basic Assessment Report received on 12 July 2019; 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;
- the placing of an advertisement in the "*Standard*" newspaper on 15 November 2018 and the '*Breederivier*' newspaper on 20 November 2018;
- notice boards were placed at the site where the listed activities are to be undertaken on 4 April 2019;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities is to be undertaken, the municipality and ward councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 23 May 2019;
- making the draft BAR available to I&APs for public review from 1 June 2019.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and all 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 EMP to adequately address the concerns raised.

2. Alternatives

No property or location alternatives were considered since the proposal is for the expansion of an existing abattoir facility. In addition, no layout or design alternatives were considered, since the requirements for a high throughput abattoir are strictly governed by the Red Meat Regulation and Meat Safety Act, which is very prescriptive with respect to the exact layout, specifications and work flow for an abattoir of this nature. Similarly, the design specification of the micro rendering plant is also very specific to the abattoir and the available material. The best practicable option was therefore put forward for assessment and will also be subject to final approval from the Western Cape Department of Agriculture: Veterinary Public Health and Cape Winelands District Municipality. In addition, the environmental features were taken into consideration in the preferred activity alternative.

Activity Alternative 1 (Preferred and herewith authorised)

This alternative entails the following:

- The expansion of an existing abattoir facility on Erven 1229 and 2958, Bonnievale.
- The abattoir currently has a high throughput capacity certificate for the slaughter of 25 units per day with special consent to slaughter 65 units per day. The proposed expansion is to increase the daily throughput capacity to 425 units per day.
- The expansion requires the redevelopment of the existing slaughter facility on Erf No. 1229 to accommodate the additional number of animals. All the slaughtering activities will be incorporated into the slaughter areas on Erf No. 1229 and the processing, refrigeration, dispatch facilities will be developed on Erf No. 2958.
- The facility on Erf No. 2958 will be accessed via an underground passage from Erf No. 1229.
- The existing micro rendering plant will also be expanded to accommodate the increased volume of blood and organic material that will be produced. The expansion will require an Atmospheric Emissions License in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) from the Cape Winelands District Municipality. The expansion will entail the addition of new modules into the existing building housing the facility, which will increase throughput capacity.

This alternative is preferred for the following reasons:

- It falls within an area that is zoned for industrial purposes.
- The site is used for associated services already.
- The existing facility only requires modification and minor alterations to the existing infrastructure.
- Municipal services and infrastructure are already in place.
- The expansion will not have any significant biodiversity impacts on the environment.

No-Go Alternative

This alternative represents the current *status quo* of the existing facility. The facility will retain its throughput capacity of a maximum of 65 slaughter units and the existing micro rendering facility with its current capacity of below 1000kg per day. This alternative was not preferred, since there is a need for a facility in the area with a higher throughput capacity. The opportunity to stimulate economic growth and the creation of additional job opportunities during the construction and operational phases will be lost.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

Erven 1229 and 2958, Bonnievale are both zoned for industrial use (Industrial Zone I) and the existing abattoir and process facilities are suited to that use. The expansion is linked to population growth and the consequent increased need in the region for economically viable abattoir facilities and source reduction of abattoir waste. The expansion will stimulate economic growth and create job opportunities during the construction and operational phases. The expansion is in line with the Provincial Spatial Development Framework, which supports any beneficiation of agricultural products.

3.2 Biophysical Impacts

According to the comment received from CapeNature dated 15 May 2019, the conditions on the ground reflect that the non-perennial drainage line that runs from west to east across Erf No. 1299 has little evidence of riparian structure and most of the drainage line has been transformed by means of hard structuring and agriculture. Since the non-perennial drainage line does not exist on the site anymore, it did not trigger any watercourse related activities in terms of the NEMA EIA Regulations, 2014 and did not require any further assessment.

The mapped indigenous vegetation on the majority of Erf No. 2958 is Breede Shale Renosterveld, which is not classified as a threatened ecosystem in the Western Cape. Cape Lowland Alluvial vegetation, classified as critically endangered, is mapped as occurring across the south-eastern corner of Erf No. 2958. The south-eastern corner of Erf No. 2958, which contains the critically endangered Cape Lowland Alluvial vegetation was excluded from the expansion footprint, to limit the significance of the potential botanical impact. This was included as Condition 17 under Section of the Environmental Authorisation ("EA").

The development will result in both negative and positive impacts.

Negative Impacts:

The expansion will have a negative biophysical impact due to the loss of indigenous vegetation. This will however be mitigated to an acceptable level through the implementation of the EMPr and Condition 17 under Section E of this EA.

Positive impacts:

The expansion will stimulate economic growth and create job opportunities during the construction and operational phases.

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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