



Western Cape
Government
Environmental Affairs and
Development Planning

BETTER TOGETHER.

DIRECTORATE: WASTE MANAGEMENT
ETIENNE ROUX
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REFERENCE: 19/2/5/1/D5/15/WL0086/17

The Owner/s
Riversdale Piggery (Pty) Ltd
PO Box 605
RIVERSDALE
6670

Tel: (028) 713 2926
Fax: (086) 582 9145
Email: pieter@jrehfoods.co.za

For attention: Mr Pieter Willemse

WASTE MANAGEMENT LICENCE FOR THE COMPOSTING ACTIVITY AT RIVERSDALE PIGGERY (PTY) LTD, PORTION 14 OF FARM 277 DE ZOETMELKS RIVIER, RIVERSDALE

WASTE MANAGEMENT LICENCE

SECTION A: DECISION

Please find below the outcome with respect to the application for the above-mentioned waste management licence (WML) dated 22 September 2017 as received by this Department on 27 September 2017.

I, Eddie Hanekom, in my capacity as the Director: Waste Management of the Department of Environmental Affairs and Development Planning (hereafter "the Department"), in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), as amended (NEM:WA), hereby issue this Waste Management Licence (Licence No.: 19/2/5/1/D5/15/WL0086/17) (hereafter "the Licence") to the abovementioned Licence Holder for the operation of a composting facility at Riversdale Piggery (hereafter "the Facility") on Portion 14 of Farm 277 De Zoetmelks River, Riversdale.

The granting of this WML is subject to compliance with the conditions set out in Section C below.

LICENCE NUMBER: 19/2/5/1/D5/15/WL0086/17
WASTE APPLICATION: ESTABLISHMENT AND OPERATION OF A COMPOSTING FACILITY
LOCATION: PORTION 14 OF FARM 277 DE ZOETMELKS RIVIER, RIVERSDALE
LICENCE HOLDER: RIVERSDALE PIGGERY (PTY) LTD
CONTACT PERSON: MR PIETER WILLEMSE
ADDRESS: PO BOX 605, RIVERSDALE, 6670

DETAILS OF THE EAP

Cape Environmental Assessment Practitioners (Pty) Ltd

Ms Melissa Mackay

PO Box 2070

GEORGE

6530

Tel: (044) 874 0365

Fax: (044) 874 0432

SECTION B: DESCRIPTION OF THE ACTIVITY:

The proposed development will entail the following:

Lay-out Alternative 1

- Provision for 16 sheds containing a total of up to 24 000 pigs.
- The sheds will be fitted with a 'zero flushing system', whereby effluent will be collected and discharged in a concealed, underground pipe network to a holding reservoir.
- Effluent from the holding reservoir will be sent through a press auger with solids directed to a hard surfaced/ impermeable area and liquid to new lagoons.
- The solids will be composted along with manure from the existing dairy.
- The anticipated daily volume of effluent to be treated in the new effluent lagoons is 350m³ (250 m³ from the piggery with the existing 100m³ from the dairy).
- Existing manure dams will be decommissioned and replaced with new effluent lagoons.
- The liquid effluent, once it has been through the polishing dams, will be reused on land as a soil enhancer.
- Non-infectious mortalities from the farm will be composted on site.
- Pigs will be fed solid foods and whey to reduce freshwater requirements.

The following activities listed in the NEM:WA "*List of waste management activities that have, or are likely to have a detrimental effect on the environment*", Government Notice No. 921 (GN No. 921) of 29 November 2013, as amended, are hereby authorised:

Category A

- 3 (6) The treatment of general waste using any form of treatment at a facility that has the capacity to process in excess of 10 tons but less than 100 tons.
- 3 (12) The construction of a facility for a waste management activity listed in Category A of this Schedule (not in isolation to associated waste management activity).

In this Licence, "Director" means the Director: Waste Management of the Western Cape Department of Environmental Affairs and Development Planning, who may be contacted at the address below:

Director: Waste Management

Department of Environmental Affairs and Development Planning

Private Bag X 9086

CAPE TOWN

8000

19/2/5/1/D5/15/WL0086/17

In this Licence, "Director: RPW" means the Director: Resource Protection and Waste of the National Department of Water and Sanitation: Western Cape Provincial Operations, who may be contacted at the address below:

Director: Resource Protection and Waste

Department of Water and Sanitation

Private Bag X16

SANLAMHOF

7532

SECTION C: LICENCE CONDITIONS

1 LOCATION

1.1 This Licence authorises the Riversdale Piggery (PTY) Ltd to establish and operate an organic composting Facility on Portion 14 of Farm 277 De Zoetmelks Rivier, Riversdale.

1.2 Location of property on which Facility is situated:

Latitude	Longitude
34°08'00" S	21°17'08" E

1.3 The footprint of the Facility must be according to co-ordinates indicated on the Waste Management Licence Application Form, dated 22 September 2017, and Waste Management Licence Application Additional Information Annexure, dated 11 December 2017, submitted by the Licence Holder, which is defined as follows:

Corner numbers	Latitude (S)	Longitude (E)
1	34°08'00" S	21°16'53" E
2	34°08'01" S	21°16'53" E
3	34°07'59" S	21°16'56" E
4	34°08'00" S	21°16'58" E
5	34°07'59" S	21°17'00" E
6	34°07'57" S	21°16'59" E

1.4 The footprint of the Facility and its associated infrastructure is 10 000 m².

1.5 The Surveyor General 21 digit code of the Facility is: C06400000000027700014.

2 PERMISSIBLE WASTE

- 2.1 Only non-infectious mortalities, animal manure and other non-hazardous organic waste produced by the piggery and/or dairy may be used in the composting process authorised in terms of this Licence.
- 2.2 No hazardous waste, including sewage and sewage sludges, may be used in the composting process authorised in terms of this Licence.
- 2.3 If more than 80m³ of hazardous waste and/or 100m³ of general waste are going to be stored at the Facility, the relevant NEM:WA National Norms and Standards for the Storage of Waste (Government Notice No. 926 of 29 November 2013) must be adhered to.

3 APPOINTMENT OF WASTE MANAGEMENT CONTROL OFFICER/ENVIRONMENTAL CONTROL OFFICER

- 3.1 The waste management activities that are authorised by this Licence, must be managed by fit and proper persons who are competent in respect of the responsibilities to be undertaken by them.
- 3.2 A Waste Management Control Officer (WMCO)/Environmental Control Officer (ECO) must be appointed, who will monitor and ensure compliance and correct implementation of all mitigation measures and provisions as stipulated in the Licence and Environmental Management Programme (EMPr) dated 11 December 2017, prior to any construction activities being undertaken on the Facility. The WMCO/ECO must:
 - 3.2.1 report any non-compliance with Licence conditions or requirements or provisions of the NEM:WA to the Licensing Authority through the means reasonably available;
 - 3.2.2 monitor the construction activities and ensure that the construction plans are in accordance with the approved engineering designs, and
 - 3.2.3 submit a declaration to the Director upon completion of the construction works that all possible mitigation measures have been put in place and highlight likely deficiencies before commencement of the listed activities.

4 CONSTRUCTION

- 4.1 This Licence must be made binding to the main contractor, as well as individual contractors, and should be included in tender documentation for the construction contract.
- 4.2 The Licence does not negate the Licence Holder's responsibility to comply with any other statutory requirements that may be applicable for the undertaking of the listed activities.
- 4.3 The Facility or any portion thereof may only be used for the composting of permissible waste if the Facility or any such portion has been constructed or developed according to the conditions listed under condition 4 of the Licence.

- 4.4 Construction and further development within the proposed Facility must be carried out under the supervision of a Professional Civil Engineer, registered under the Engineering Profession of South Africa Act, 1990 (Act No. 114 of 1990). The Licence Holder must submit design drawings to the Licensing Authority for approval 90 (ninety) days before commencement of the listed waste management activities.
- 4.5 Should any archaeological artefacts be exposed during excavation, the construction in the vicinity of the finding must be stopped. Under no circumstances shall any artefacts be destroyed. Such an archaeological site must be marked and fenced off, and the South African Heritage Resource Agency must be contacted within 48 hours.
- 4.6 After construction of the Facility or further development within the Facility, the License Holder must notify the Responsible Authority thereof and the person referred to in condition 4.4 must submit a certificate or alternatively a letter to the Responsible Authority that the construction of the Facility or further development within the Facility, as proposed by the License Holder and approved by the Responsible Authority, is in accordance with recognized civil engineering practice and the requirements in this License, before composting may commence at the Facility. If the Responsible Authority is satisfied with the construction of the Facility or any further development within the Facility and has given written permission, the License Holder may use the Facility or any further development within the Facility for the composting of waste.
- 4.7 The composting should take place on an impermeable surface and should be sloped in such a way to allow liquids to flow to the lined collection dams.
- 4.8 The collection dams must be lined to prevent infiltration of polluted water into the ground. The liner must entail 150mm layer of in-situ soil compacted at the Facility. The Department must be informed within 14 days of the installation of the liner, which must be approved by the Department. The Director reserves the right to request confirmation from a registered specialist to confirm the compaction density.
- 4.9 The Licence Holder must ensure that the site layout and levels of the surface of the Facility is free-draining throughout so that no ponding of leachate/runoff to occur on or around the working areas.
- 4.10 A stormwater management system must be installed to divert and drain all runoff water arising on land adjacent to the Facility. This stormwater system must have the capacity to maintain a freeboard of a half a metre in the event of a maximum precipitation during a period of 24 (twenty four) hours with an average frequency of 1:50 (once in fifty) years.
- 4.11 Runoff water shall comply with the quality requirements as prescribed by the Director together with the Director: RPW which may be determined from time to time and shall be drained from the Facility in a legal manner.

- 4.12 Runoff water that does not comply with the quality requirements and all sporadic leachate from the Facility must:
- 4.12.1 be contained in evaporation dams;
 - 4.12.2 be treated to comply with the aforementioned standard and discharged in a legal manner; or
 - 4.12.3 with the written approval of the Director be evaporated in dams and/or be evaporated by spraying over those portions of the Facility which comply with the requirements set in terms of condition 4.
- 4.13 Any development which occurs within the 1:100 (one in one hundred) year flood line and/or within 500 (five hundred) m from the boundary of a wetland would require a Water Use Licence in terms of Section 21 of the National Water Act, 1998 (Act No. 36 of 1998).

5 **ACCESS CONTROL**

- 5.1 The Licence Holder shall ensure effective access control.
- 5.2 The Licence Holder shall take all reasonable steps to maintain service roads in a condition which ensures unimpeded access to the Facility for vehicles transporting waste and to keep the roads free of waste.

6 **OPERATIONAL MANAGEMENT**

- 6.1 The EMPr for the establishment and operation of the Facility dated 11 December 2017, submitted as part of the final Basic Assessment Report, is hereby approved and must be implemented together with all the conditions of this Licence.
- 6.2 The EMPr must be included in all contract documentation for all phases of implementation.
- 6.3 The Licence Holder must notify the Licensing Authority immediately of any events or incidents that may cause significant environmental damage or breach the requirements of the EMPr.
- 6.4 The establishment, closure and rehabilitation of the Facility must be managed by a fit and proper person who is competent in respect of the responsibilities to be undertaken by them in connection with the commencement of the activity.
- 6.5 An application for the amendment to the EMPr must be submitted to the Licensing Authority if any further amendments are to be made to the EMPr and this may only be implemented once the amended EMPr has been authorised by the Licensing Authority.
- 6.6 Any persons having duties that are or may be affected by the matters set out in this Licence must have convenient access to a copy of it. This must be kept at or near the place where those duties will be carried out.
- 6.7 A copy of this Licence and the EMPr must be kept at the Facility where the waste listed activity will be undertaken. The Licence and EMPr must be produced to any authorised official of the

Department who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein, and must be made available for inspection by any employee or agent of the Licence Holder who works or undertakes work at the Facility.

- 6.8 The Licence Holder shall remain responsible for the Facility, and/or any of its impacts arising from the operations on the environment.
- 6.9 The Licence Holder shall retain the responsibility for the Facility, and its monitoring even after decommissioning.
- 6.10 The Licence Holder shall take all reasonable steps to ensure the Facility is operated in a manner which shall prevent the creation of nuisance conditions or health hazards, such as vectors (flies and vermin), exposed waste, dust, windblown litter, obnoxious odours and noise.
- 6.11 Any complaints from the public must be attended to by the Licence Holder, who must take all reasonable and practical steps to alleviate the cause of the complaint within a reasonable timeframe to the satisfaction of the Department and record it in terms of Conditions 14 and 15.
- 6.12 The Licence Holder must maintain and implement an emergency preparedness plan and review it after each emergency and/or major incident and when conducting external audits. The plan must, among others, include:
 - 6.12.1 natural disasters such as floods;
 - 6.12.2 vehicle/machinery fire or malfunction;
 - 6.12.3 facility fires, accidents, spills, explosions, etc;
 - 6.12.4 industrial action; and
 - 6.12.5 contact details of police, ambulance and any emergency centre in close proximity to the Facility.

7 ENVIRONMENTAL POLLUTION INVESTIGATIONS

- 7.1 If, in the opinion of the Director, any environmental pollution, nuisances or health risks may be or is occurring on the Facility, the Licence Holder must investigate the cause of the problem and take reasonable steps to alleviate the problem in consultation with the Director.
- 7.2 Should the investigation carried out as per Condition 7.1 above reveal any unacceptable levels of pollution, the Licence Holder must submit a report with mitigation measures to the satisfaction of the Director.

8 STORMWATER MANAGEMENT

- 8.1 A stormwater management plan must be compiled and submitted to the Department for approval. A copy of the stormwater management plan must be submitted to the

Director: RPW, the Berg-Olifants Catchment Management Agency, as well as the Hessequa Local Municipality, for comment prior to submission to the Director for approval.

- 8.2 The approved stormwater management plan must be implemented.
- 8.3 The stormwater management system must be able to sufficiently and effectively handle run-off water from the Facility.
- 8.4 The detention ponds must be designed to cater for a 1:100 year floodline.
- 8.5 Works constructed in compliance with Condition 8 must be of such a capacity as to accommodate:
 - 8.5.1 all stormwater runoff, which could be expected as a result of the estimated maximum precipitation during a period of 24 (twenty four) hours with an average frequency of once in the fifty years; and
 - 8.5.2 all expected leachate.
- 8.6 Works constructed in compliance with Condition 8.1 must, on a continuous basis, be properly maintained.

9 **MONITORING**

9.1 **WATER QUALITY MONITORING**

- 9.1.1 The Licence Holder must establish and maintain a ground water monitoring borehole network with at least one upstream and one downstream borehole, so that unobstructed sampling, as required in terms of this Licence, can be undertaken.
- 9.1.2 Monitoring boreholes must be equipped with lockable caps. The Director and Director: RPW reserve the right to take water samples at any reasonable time and to analyse these samples or have them analysed.
- 9.1.3 The details of the boreholes should be provided to the Director: RPW. This should include the depth, diameter, coordinates, lithological logs (geology), water strikes, groundwater level, construction details, field electrical conductivity, pH, etc.
- 9.1.4 The groundwater monitoring programme should include both the water quality and water level monitoring.
- 9.1.5 Water levels should be measured at least monthly and the readings recorded against time and date.

9.2 **DETECTION MONITORING**

9.2.1 Monitoring shall be conducted on a biannual (twice per year) basis during late summer and late winter to capture seasonal variation, for the water quality variables as agreed by the Department and the Director: RPW.

9.3 **INVESTIGATIVE MONITORING**

9.3.1 If, in the opinion of the Director: RPW, a water quality variable listed under the detection monitoring programme, as referred to in Condition 9.2, shows an increasing trend, the Licence Holder shall initiate a monthly monitoring programme until such time that the variable is within acceptable limits.

9.4 **FURTHER INVESTIGATION**

9.4.1 If, in the opinion of the Director: RPW, groundwater, surface water and/or air pollution have occurred or may possibly occur, the Licence Holder shall conduct the necessary investigations and implement additional monitoring and rehabilitation measures, which shall be to the satisfaction of the Director: RPW.

10 **ANALYSIS OF SAMPLES**

MONITORING METHODS AND PARAMETERS

10.1 The Licence Holder shall carry out all tests in accordance with methods prescribed by and obtainable from the South African Bureau of Standards (SABS), referred to in the Standards Act, 2008 (Act No. 8 of 2008), to analyse the samples taken under the monitoring programmes specified in Condition 9.

10.2 The Licence Holder may only use another method of analysis if written proof that the method is at least equivalent to the SABS method, is submitted to the Director and the Director: RPW.

10.3 The Licence Holder must put in place a monitoring and measurement plan that must amongst others include:

10.3.1 tonnage composted;

10.3.2 waste types; and

10.3.3 waste sources.

10.4 In the event of contamination/pollution being found, the Department of Water and Sanitation should be notified as soon as possible and a remediation plan be provided for approval. Potential receptors are to be identified immediately and action taken to ensure that there is no health risk.

10.5 STORMWATER SYSTEM MONITORING

10.5.1 The water quality in the detention pond must be monitored. These monitoring results must be kept in terms of Condition 14.

10.6 AIR QUALITY MONITORING

10.6.1 An annual passive sampling of Volatile Organic Compounds (VOCs) and ammonia must be carried out to establish the baseline. The same baseline sampling campaign, with additional locations nearby the proposed composting activities, should be repeated once the proposed project is completed and the new operation is in place. Any unacceptable, adverse impacts (i.e. increased levels of key indicator VOCs) must be mitigated with effective management of the Facility.

11 AUDITING

11.1 INTERNAL AUDITS

11.1.1 Internal audits must be conducted quarterly (four times per year) by the Licence Holder and on each audit occasion an official report must be compiled by the relevant auditor to report the findings of the audits, which must be made available to the external auditor specified in Condition 11.2.1 and the Department (if requested).

11.2 EXTERNAL AUDITS

11.2.1 The Licence Holder must appoint an independent external auditor to audit the Facility annually (once a year) and this auditor must compile an audit report documenting the findings of the audit.

11.2.2 The audit report must specifically state whether conditions of this Licence are adhered to and must include an interpretation of all available data and test results regarding the operation of the Facility and all its impacts on the environment.

11.2.3 The audit report must contain recommendations regarding non-compliances or potential non-compliances with the Licence conditions, and must specify target dates for the implementation of the recommendations by the Licence Holder.

11.3 The external audit report must be submitted to the Environmental Monitoring Committee (hereinafter referred to as the "Monitoring Committee"), provided in Condition 13 below, within 3 (three) months, from the date on which the external auditor finalised the report.

11.4 Each external audit must be submitted to the Director within 30 (thirty) days, from the date on which the external auditor finalised the report.

11.5 Both the internal and external audit reports must be in accordance with the format as prescribed by the Department.

12 **DEPARTMENTAL AUDITS AND INSPECTIONS**

- 12.1 The Department and the Director: RPW reserves the right to audit and/or inspect the Facility at any time and at such a frequency as the Director and Director: RPW may decide, or to have the Facility audited or inspected.
- 12.2 The Licence Holder must make any records or documentation available to the Director and the Director: RPW upon request, as well as any other information the Director and Director: RPW may require.
- 12.3 The findings of these audits or inspections shall be made available to the Licence Holder within 60 (sixty) days of the end of the audit or inspection and shall not be treated as confidential.

13 **MONITORING COMMITTEE**

- 13.1 The Licence Holder must take the necessary steps to establish, maintain and ensure the continued functioning of a Monitoring Committee for the normal operative lifetime of the Facility and for a period of at least 2 (two) years after the closure of the Facility, or such longer period as may be determined by the Director.
- 13.2 The Monitoring Committee shall be representative of relevant interested and affected parties and may consist of at least 3 (three) of the following representatives:
 - 13.2.1 Licence Holder and/or his/her appointed consultant(s) or advisor(s);
 - 13.2.2 representative(s) of the Health, Environment and/or Waste Departments of the relevant local authority;
 - 13.2.3 representative(s) of this Department; and
 - 13.2.4 at least 3 (three) persons/parties, their representatives elected by the local residents, or proof of notification of the invitation to attend the Monitoring Committee to interested and affected parties of each meeting.
- 13.3 The Monitoring Committee shall meet annually (once a year) and no later than 3 (three) months after the finalisation of the external audit report was conducted in terms of Condition 11.2, and submitted in terms of Condition 11.4.
- 13.4 The Licence Holder must keep minutes of all meetings of the Monitoring Committee and distribute these minutes to all members of the Monitoring Committee within 30 (thirty) days after the meeting.

14 **RECORD KEEPING**

- 14.1 The Licence Holder must keep records of all monitoring results, nuisances and complaints at the Facility.

- 14.2 All records required or resulting from activities required by this Licence must:
- 14.2.1 be legible;
 - 14.2.2 be made available and should form part of any audit report;
 - 14.2.3 if amended, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable;
 - 14.2.4 be retained in accordance with documented procedures which are approved by the Department; and
 - 14.2.5 be made available upon the request of the Director and/or the Director: RPW.
- 14.3 The Licence Holder shall record all borehole data and chemical analysis in a format agreed upon in writing between the Director: RPW, the Licence Holder, and a relevant specialist if so required.
- 14.4 The Licence Holder must register and report all waste volumes or masses received, recovered, disposed of or stored to the Department's Integrated Pollutant and Waste Information System (IPWIS), which can be accessed on the URL: <http://ipwis.pgwc.gov.za/ipwis3/public>, as required by the Department.

15 **REPORTING**

- 15.1 The Licence Holder must, within 24 (twenty-four) hours, notify the Director of the occurrence or detection of any incident at the Facility, which has the potential to cause disruption in the normal operation of the Facility, or has caused water pollution, pollution of the environment, health risks or nuisance conditions.
- 15.2 The Licence Holder must, within 14 (fourteen) days, or a shorter period of time, if specified by the Director, from the occurrence or detection of any incident referred to in Condition 15.1, submit an action plan, which must include a detailed time schedule, to the satisfaction of the Director of measures taken to:
- 15.2.1 correct the impact resulting from the incident;
 - 15.2.2 prevent the incident from causing any further impact; and
 - 15.2.3 prevent a recurrence of a similar incident.
- 15.3 In the event that measures have not been implemented within 21 (twenty-one) days of the incident to address impacts caused by the incident referred to in Condition 15.1, or measures which have been implemented are inadequate, the Director may implement the necessary measures at the cost and risk of the Licence Holder.

- 15.4 The Licence Holder or duly appointed person must keep an incident report and complaints register, which must be made available to the Director and both external and Departmental auditors, for the purpose of their audits
- 15.5 The Department must be notified within 7 (seven) days of any changes to the management of the Facility, including the name of the incoming person, together with evidence that such person has the required technical competence.
- 15.6 The Department must be notified within 14 (fourteen) days of the following changes:
 - 15.6.1 Licence Holder's trading name, registered name or registered office address;
 - 15.6.2 particulars of the Licence Holder's ultimate holding company (including details of an ultimate holding where a Licence Holder has become a subsidiary); and
 - 15.6.3 steps taken with a view to the Licence Holder going into bankruptcy, entering into composition or arrangement with creditors.
- 15.7 The Department must be notified without delay in the case of the following:
 - 15.7.1 any malfunction, breakdown of failure of equipment or techniques, accident or fugitive emission which has caused, is causing or may cause significant pollution;
 - 15.7.2 the breach of conditions of this licence; and
 - 15.7.3 any significant adverse environmental and health effects.
- 15.8 Prior written notification must be given to the Director of the following events and within the specified timeframes:
 - 15.8.1 as soon as practicable prior to the permanent cessation of any operational activities;
 - 15.8.2 full or partial cessation of the operational activities for a period likely to exceed 3 (three) months; and
 - 15.8.3 full or partial resumption of the operation of all or part of the activities after a cessation notified under 15.8.1 above.
- 15.9 All audit reports (internal and external) must be submitted to the Director within 30 (thirty) days from the date on which the auditor finalised the audit.

16 **LEASING AND ALIENATION OF THE FACILITY**

- 16.1 Should the Licence Holder want to alienate or lease the Facility, he/she must notify the Director in writing of such an intention at least 120 (one hundred and twenty) days prior to the said transaction. Should the approval be granted, the subsequent Licence Holder shall remain liable to compliance with all Licence conditions.

17 **TRANSFER OF WASTE MANAGEMENT LICENCE**

- 17.1 Should the Licence Holder want to transfer holdership of this Licence, he/she must apply in terms of Section 52 of the NEM: WA, 2008.
- 17.2 Any subsequent Licence Holder shall be bound by the conditions of this Licence.
- 17.3 The rights granted by this Licence are personal rights (i.e. not attached to a property, but granted to a natural or juristic person). As such, only the Licence Holder may undertake the activities authorised by the Licensing Authority. Permission to transfer the rights and obligations contained herein must be applied for in the following manner:
- 17.3.1 The applicant must submit an originally signed and dated application for an amendment of the Licence to the Licensing Authority stating that he/she wishes the rights and obligations contained herein to be transferred, and including:
- 17.3.1.1 confirmation that the Licence is still in force (i.e. that the validity period has not yet expired or the listed activities were lawfully commenced with);
- 17.3.1.2 the contact details of the person who will be the new Licence Holder;
- 17.3.1.3 the reasons for the transfer; and
- 17.3.1.4 an originally signed letter from the proposed new Licence Holder acknowledging the rights and obligations contained in the Licence and indicating that he/she has the ability to implement the mitigation and management measures and comply with the stipulated conditions.
- 17.4 The Licensing Authority will issue an amendment to the new Licence Holder either by way of a new Licence or an addendum to the existing Licence if the transfer is found to be appropriate.

18 **COMMENCEMENT**

- 18.1 The construction and rehabilitation activities of the licensed activity may not commence within 20 (twenty) days of the date of signature of the Licence.
- 18.2 Should the Licence Holder be notified by the Licensing Authority of a suspension of the Licence pending any appeals decision on the authorised activities, he/she may not commence with the activities until authorised by the Director in writing.
- 18.3 After the 20 (twenty) day appeal period has expired and no good cause to extend the appeal period has been submitted, a written notice must be given to the Department that the activity will commence.
- 18.4 This activity must commence within a 5 (five) year period. If commencement of the activity does not occur within that period, the validity of this Licence lapses and a new application for Licence must be made in order for the activity to be undertaken.

18.5 If the proponent anticipates that commencement of the activity would not before the date stipulated in condition 18.4, he/ she must apply and show good cause for an extension of the commencement date in this Licence 6 (six) months prior to its expiry date.

19 **GENERAL**

19.1 This Licence shall not be transferable unless such transfer is subject to Condition 17 above.

19.2 This Licence shall not be construed as exempting the Licence Holder from compliance with the provisions of any National and Provincial Legislation and relevant Ordinance, Regulation, By-laws and relevant National Norms and Standards.

19.3 Transgression of any condition of this Licence could result in the suspension of the Licence by this Department.

19.4 This Licence is valid for 10 (ten) years from the date of this Licence or any period earlier as required by the Director. The licence may be reviewed every 3 (three) years after commencement. Based on the results of the review, especially compliance to Licence conditions or recommendations from the audit reports and or changing legislation, the Licence can be amended or withdrawn or the validity thereof extended.

19.5 Should the Licence Holder want to conduct the waste management activity beyond the 10 (ten) years, the Licence Holder must apply for a review 1 (one) year before the expiry date.

19.6 Transgression of any condition of this Licence could result in the suspension of the Licence by the Licensing Authority and may render the Licence Holder liable for criminal prosecution or other actions provided for in Section 67(1) of the NEM:WA, 2008.

19.7 In terms of section 28 and 30 of the National Environmental Management Act (Act No. 107 of 1998) (NEMA), and section 19 and 20 of the National Water Act (Act No. 36 of 1998), any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the Licence Holder reads through and understand the legislative requirements pertaining to the project. It is the Licence Holder's responsibility to take reasonable measures which include informing and educating contractors and employees about environmental risks of their work and training them to operate in an environmental acceptable manner.

SECTION D: APPEAL OF LICENCE

- 1.1 Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (GN No. 993 of 2014), as amended.
- 1.2 An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date that the notification of the decision was sent to the holder by the Competent Authority:
 - 1.2.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2.2 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.
- 1.3 An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date that the notification of the decision was sent to the registered I&APs by the holder:
 - 1.3.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014, as amended to the Appeal Administrator; and
 - 1.3.2. 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.
- 1.4 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.
2. This appeal and 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 J. de Villiers
Room 809
8th Floor Utilitas Building
1 Dorp Street

CAPE TOWN

8001

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator to the address listed above and/or via e-mail to Jaap.DeVilliers@westerncape.gov.za.

A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the office of the Minister at: Tel. (021) 483 3721, E-mail Jaap.DeVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

SECTION E: DISCLAIMER

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

Your interest in the future of our environment is greatly appreciated.

Yours faithfully,



EDDIE HANEKOM

DIRECTOR: WASTE MANAGEMENT

DATE OF DECISION: 23-06-2018

Cc: (1) Noe Malise (DWS)
(2) Melissa McKay (EAP)

Email: NoeM@dws.gov.za

Email: mel@cape-eaprac.co.za

ANNEXURE I
REASONS FOR THE DECISION

The following information that was available to the Department was taken into account in the Department's consideration of the application:

- (a) The information contained in the Application Form for a Waste Management Licence dated 22 September 2017, compiled by Cape Environmental Assessment Practitioners (Pty) Ltd.
- (b) The Basic Assessment Report (BAR) dated 11 December 2017, compiled by Cape Environmental Assessment Practitioners (Pty) Ltd.
- (c) Comments raised by Interested and Affected Parties (I&AP's) throughout the Public Participation Process and the applicant and the Environmental Assessment Practitioner's responses thereto.
- (d) The site visit performed at the premises on 18 January 2018 conducted by the Department.
- (e) Relevant information contained in the Departmental information database.
- (f) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA.

It is the opinion of the Environmental Assessment Practitioner (EAP) that no environmental fatal flaws or impacts of high significance were identified. The activity is being undertaken on land that has been significantly transformed and will not pose a threat to biodiversity in the area. The activity is consistent with the land use and operation of the property and its zonation. The activity is consistent with municipal and national commitments to the enhancing of agricultural business.

Alternatives

The following alternatives were considered:

(a) Property and location alternatives

No property and site location alternatives have been considered. The selected site has been done so as it presents the least impact on the environment, whilst still providing a feasible location for logistical reasons, which include the need for shared oxidation dams between the proposed piggery and the existing dairy, shared resources such as equipment, water pumps and tanks and personnel and keeping the intensive portion of the farming operation in one place to improve biosecurity and management.

(b) Activity Alternatives

No activity alternatives have been considered as the proponent wishes to establish a piggery and not any other intensive livestock farming activity.

(c) Design or Lay-out alternatives

Alternative 1

Alternative 1, was developed in response to the Visual Impact Assessment. It undertakes to implement the Facility in two phases, with fragmented lines and tree screening of the sheds and additional tree screening along the dairy road access lanes to improve the overall viewing of the Facility. The components of Alternative 1 and 2 are the same, however Alternative 1 has been fragmented to minimise the visual massing effect.

The proposal will consist of the following:

- Provision for 16 sheds containing a total of up to 24 000 pigs.
- The sheds will be fitted with a 'zero flushing system', whereby effluent will be collected and discharged in a concealed, underground pipe network to a holding reservoir.
- Effluent from the holding reservoir will be sent through a press auger with solids directed to a hard surfaced/ impermeable area and liquid to new lagoons.
- The solids will be composted along with manure from the existing dairy.
- The anticipated daily volume of effluent to be treated in the new effluent lagoons is 350m³ (250 m³ from the piggery with the existing 100m³ from the dairy).
- Existing manure dams will be decommissioned and replaced with new effluent lagoons.
- The liquid effluent, once it has been through the polishing dams, will be reused on land as a soil enhancer.
- Non-infectious mortalities from the farm will be composted on site.
- Pigs will be fed solid foods and whey to reduce freshwater requirements.

It must be noted that the mitigations proposed for the visual impacts are also applicable to potential odour impacts. The use of Vegetative Environmental Buffers (VEB) for livestock is well documented and shown to be very effective. The air quality specialist has calculated the effect of using the VEB and it significantly improves the odour management at the Facility.

Alternative 2

Alternative 2, consist of a single grouping of sheds, constructed in one phase, without the implementation of visual screening.

The proposal will consist of the following:

- Provision for 16 sheds containing a total of up to 24 000 pigs.

- The sheds will be fitted with a 'zero flushing system', whereby effluent will be collected and discharged in a concealed, underground pipe network to a holding reservoir.
- Effluent from the holding reservoir will be sent through a press auger with solids directed to a hard surfaced/ impermeable area and liquid to new lagoons.
- The solids will be composted along with manure from the existing dairy.
- The anticipated daily volume of effluent to be treated in the new effluent lagoons is 350m³ (250 m³ from the piggery with the existing 100m³ from the dairy).
- Existing manure dams will be decommissioned and replaced with new effluent lagoons.
- The liquid effluent, once it has been through the polishing dams, will be reused on land as a soil enhancer.
- Non-infectious mortalities will be composted on site; and
- Pigs will be fed solid foods and whey to reduce freshwater requirements.

(d) Technology alternatives

No Technology alternatives have been assessed. The technology to be used is based on the standards required for intensive pig farming and therefore no alternatives can be considered.

(e) Operational Activities

No operational activities have been assessed.

(f) No-Go alternatives

The implementation of the piggery is part of the diversification of the agricultural business associated with the existing farming operation. It forms part of the sustainability of agriculture in the region.

The re-use of organic material for compost for use on the lands is critical in ensuring soil health and sustainability. Use of manure to land has been practised since the onset of agriculture and it is merely the process of composting that is now considered a waste activity. Composting the manure ensures a better quality product is available for use on land. Thus the impacts associated with this activity are positive and the location of the activity has ensured that no sensitive areas are affected. The no-go alternative would result in this opportunity of treating the waste to a soil enhancer to be lost.

Environment

Portion 14 of Farm 277 Zoetmelks Rivier supports an active dairy, crop and livestock agricultural business under the auspices of Jireh Boerdery (Pty) Ltd. The property is approximately 484ha in size and is one of several properties that make up Jireh Boerdery.

It is located approximately 6kms east of the town of Riversdale in the southern Cape and immediately adjacent to the N2.

According to the Heritage Background Information Document, the earliest available historic aerial photographs, dated 1942, already show cultivated lands on the property and in particular, the area within which the piggery is proposed.

The property has been extensively farmed since at least 1831 and the area on which the piggery is proposed, is shown as ploughed lands since 1942. The only area of indigenous vegetation remaining are in the strips along the watercourses and steep slopes.

According to South African National Biodiversity Institute (SANBI), the vegetation map for the area shows indigenous vegetation as Eastern Ruens Shale Renosterveld, which is considered to be critically endangered. The areas that have been transformed due to the long term farming operations have been excluded and as such the proposed piggery will not affect conservation requirements associated with this vegetation type.

Due to the status of the vegetation type and the watercourses, the intact vegetation has been identified as a critical biodiversity area (CBA). Since the proposed piggery will be located on already transformed land, it will not affect the integrity of the CBA.

Although the property falls within the recent proclaimed Gouritz Cluster Biosphere Reserve, it is not located near the core area of the reserve.

Public Participation Process (PPP):

The PPP in terms of the 2014 National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) (EIA) Regulations contained in Government Notice No R. 982 of 4 December 2014 (GN R. 982) comprised of the following:

- Newspaper advertisements notifying the public about the environmental application for the proposed project were placed in Die Burger on 28 September 2017 and the Suid-Kaap Forum on the same day.
- A total of 2 (two) A2-sized site notices were erected in the project area on 14 February 2017. The site notices were placed at the farm.
- Technical meetings with relevant municipal representatives were held between 3 October 2016 to 20 April 2017 prior to the submission and public review period for the draft BAR.
- The draft BAR has been made available for review to registered I&APs, as well as to the public from 2 – 31 October 2017.

Authorities Consultation:

The authorities consulted include the following:

- Department of Water Affairs and Sanitation
- Breede Gouritz Catchment Management Agency

- Department of Agriculture
- Department of Health
- Cape Nature
- Western Cape: Department of Environmental Affairs, Development and Planning
- Hessequa Local Municipality
- Heritage Western Cape
- SANRAL
- TRANSNET

Comments and recommendations provided by the other relevant authorities have been considered in the evaluation of this application. No authorities objected to the commencement of the activity. Where possible and relevant, the conditions imposed by these authorities have been included in the Waste Management Licence.

=====END=====