



KWAZULU-NATAL PROVINCE

ECONOMIC DEVELOPMENT, TOURISM
AND ENVIRONMENTAL AFFAIRS
REPUBLIC OF SOUTH AFRICA

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Programme/Sub-Programme: Environmental Services

Enquiries: Mr Sabelo Ngcobo

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Reference: DC21/0013/2020

Phiwo's Investment Primary Cooperative Limited

Ward 19

Umzumbe Municipality

4186

29/03/2021

Attention: Mr Simiso Dhlomo

Tel: 078 727 5351

Email: ssdhlomo775@gmail.com

Cc: K2M Environmental Consulting (Pty) Ltd Gert Watson Tel: 031 764 6743 E-mail: gert@k2m.co.za

Dear Sir

DC21/0013/2020: ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED PHIWO'S PIGGERY DEVELOPMENT UMZUMBE MUNICIPALITY, UGU DISTRICT.

The KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs has **authorised** the abovementioned project. This environmental authorization and reasons for the decision are attached herewith.

1. ENQUIRIES

Please note:

- All queries regarding this application for environmental authorisation (including the Department's decision) must be directed to the official of this Department with contact details provided on the letterhead above.
- **Only** queries regarding appeals must be submitted to the Office of the MEC (details provided below).

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2. NOTIFICATION OF DECISION ON APPLICATION

In accordance with regulation 4(2) of the EIA Regulations 2014 and taking the requirements of Annexure 3 of Government Notice No. R. 650 (dated 05 June 2020) into account, the applicant must in writing **within 14 days** of the date of this decision (with the timeframe extension as indicated under section 2 (above) ensure that

- a. All registered interested and affected parties are provided with access to this decision and the reasons for the decision; and,
- b. The attention of all registered interested and affected parties is drawn to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations 2014, if such appeal is available in the circumstances of the decision.

3. APPEALS

In accordance with regulation 4(1) of the National Appeal Regulations, 2014 an appellant must submit an appeal to the appeal administrator and a copy of the appeal to the applicant, any registered interested and affected party and organ of state with interest in the matter with 20 days from the date of notification of this decision (with the timeframe extension as indicated under section 2 (above).

An appellant must comply with regulation 4(2), take the requirements of Annexure 3 of Government Notice No. R. 650 (dated 05 June 2020) into account and submit the appeal in writing, on the form obtainable from the Appeal Administrator and **by post, fax, e-mail or hand delivery** to the following address:

The Appeal Administrator,

Office of the KwaZulu-Natal MEC for Economic Development, Tourism & Environmental Affairs

POSTAL/ E-MAIL/ TELEPHONE	PHYSICAL:
Private Bag X9152 PIETERMARITZBURG 3200 Tel: 033 264 2651 / 081 731 7361 E-Mail: haresh.inderlall@kznedtea.gov.za (Haresh Inderlall)	Room 218.23, 2 nd Floor 270 Jabu Ndlovu Street PIETERMARITZBURG 3201

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4. COLLECTION OF ORIGINAL ENVIRONMENTAL AUTHORISATION

The original environmental authorisation can be collected from the Head Office Registry, upon prior arrangement. Head Office contact details:

Physical address:

270 Jabu Ndlovu Street

PIETERMARITZBURG

3201

Contact Person: Ms Zama Mbanjwa
Telephone No: 033 - 264 2898
Cellular No.: 081 - 271 9541
Email: Zama.Mbanjwa@kznedtea.gov.za

Yours faithfully



for: Mr N. Nkontwana

Head of Department:

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs

Signed by: Mr. S. Ngcobo
Designation: Director: South Region - Environmental Services
Date: 29/03/2021



KWAZULU-NATAL PROVINCE

ECONOMIC DEVELOPMENT, TOURISM
AND ENVIRONMENTAL AFFAIRS
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of Regulation 25 of the
Environmental Impact Assessment Regulations, 2014

Project Title: Development of Phiwo's Piggery Development, Ward 15, Mnafu Area, Umzumbe Municipality, Ugu District, DC21.

Local Municipality: Umzumbe Local Municipality

Application number:	DC21/0013/2020
NEAS No.:	KZN/EIA/0001422/2020
Date of issue:	29/03/2021
Authorisation holder:	Phiwo's Investment Primary Cooperative Limited
Location:	Remaining Extent of farm Alexandra Native Location No. 3, Farm Number 16459, Ward 15, Umzumbe Local Municipality, Ugu District DC21.

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1.1 Project description

The development is located on the Remaining extent of farm Alexandra Native Location No. 3, Farm Number 16459, within Ward 15 Umzumbe Local Municipality. The development is aimed at breeding pigs and to sell them to other local enterprises in the meat market. The site of the piggery development is currently vacant, has a total extent of approximately 1.53 ha and the development footprint is approximately 0.892 ha. The waste generated from the piggery structures will enter the primary concrete tank. When it reaches half the capacity of the primary tank it will pass through to screening process. The solids separated will be dried and put in sacks for delivery to Konjane Farm and the liquid will pass through to the last tank that will store it. There is an off-take agreement with the Konjane farm to collect the liquid waste by means of a honey sucker once a week. According to the Wetland and Vegetation Risk Assessment, dated August 2020 prepared by The Biodiversity Report, the on-site vegetation has a low sensitivity as it has been modified from its original state by a Eucalyptus species thicket.

The approved infrastructure of the piggery upon completion will entail the following:

- Removal or clearance of the predominant vegetation (Eucalyptus Trees) that are found on site;
- 6 sow housing units (100 sows will be kept collectively), each sow unit will be 30mx15m;
- an office/storeroom/ablution/cold-room(15 x 30 m);
- A lined slurry pit of 50m³ in capacity at a height of 1.8m, diameter of 6m and a 1.5m thick wall;
- A separate tank to store the liquid waste for evaporation;
- A skip bin for the storage of the solid waste which will then be dried and placed in sacks for the delivery to Inkojane Farm;
- An onsite jojo tank will be utilised for the collection of water, this tank will be supplied through the existing municipal water network;
- The ablution facility will make use of a septic tank and soakaway system located outside the 32m wetland buffer;
- Effluent from septic tank and soakaway system will be removed via a French drain;
- Access to the development site will be obtained via an existing single local track that connects to the main road to the development site. The track will have a width of 3m and 191.3 m length.

The location of the activity is as depicted in Annexure 2 attached herewith and the layout plan of the activity is as depicted in Annexure 3 attached herewith.



1.2 Decision

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2014, the **KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs** (hereafter referred to as the "Department").

Grants

Environmental Authorisation

to:

Phiwo's Investment Primary Cooperative Limited
(herein after referred to as "the Authorisation holder")

Details of the contact person:

Phiwo's Investment Primary Cooperative Limited

Mr S. Dlomo

Mthwalume

4186

Telephone: 078 727 5351

Email: ssdlomo775@gmail.com



1.3 Activities authorised and location of activity

The following activities are triggered by the abovementioned project:

1.3.1 Description of Activities and Location

Component	Activity authorised	Extent to which the activity is triggered by the project
Construction 12 of GN.R 324 (Listing Notice 3)	Activity 12 of LN3: 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 maintenance management plan. d. Kwazulu-Natal v. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;	The piggery development entails the removal of vegetation more than 300 square metres within a Critical Biodiversity Area (CBA).
Construction 14 of GN.R 324 (Listing Notice 3)	Activity 14 of LN3: The development of – (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs – (c) if no development setback has been adopted, within 32 metres of a watercourse , measured from the edge of a watercourse; excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour. d. Kwazulu-Natal vii. Critical biodiversity areas as identified in systematic	The development will entail construction of infrastructure within 32 m of a watercourse in an areas classified as a CBA.

	biodiversity plans adopted by the competent authority or in bioregional plans;	
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1.3.2 Physical Address/Co-ordinates

Phiwo's Piggery	Latitude (S)	Longitude (E)
	30° 29' 7.66"	30° 35' 35.07"

1.3.3 21 Digit Surveyor Code

N	O	E	T	0	0	0	0	0	0	0	1	6	4	5	9	0	0	0	0	0
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2 Conditions of authorisation

This Environmental Authorisation is subject to the conditions set out below:

2.1 Period of Validity: All listed activities authorised must commence within 10 (ten) years from the date of issue. If commencement of the authorised activities does not occur within the specified period, this authorisation lapses, unless an application for amendment is received on the prescribed application form at least sixty (60) days prior to the expiry date.

2.2 Environmental Audit Report

2.2.1 The Environmental Management Programme (EMPr), as prepared by K2M Environmental (Pty) Ltd, provided in the Final Basic Assessment Report (BAR) dated 29 January 2021 is **hereby approved** and must be adhered to.

2.2.2 The authorisation holder must appoint an experienced and independent Environmental Control Officer (ECO) for the construction phase, to ensure that the mitigation / rehabilitation measures referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMPr.

2.2.3 Details of the appointed person and declaration of independence must be forwarded to the Department in writing to the Compliance Monitoring and Enforcement (CME) component of this Department as per contact details provided in condition 3.4.



2.3 Monitoring and Reporting to the Department

- 2.3.1 One audit must be conducted monthly during the construction phase and audit reports must be submitted to the Department every month (during the construction phase).
- 2.3.2 The audit report must be compiled in compliance with the 2014 EIA Regulations, as amended, **Appendix 7 of the Regulations**.
- 2.3.3 Prior to the commencement of construction or land clearing activities, the independent ECO must be appointed.
- 2.3.4 All requirements for the management, monitoring and reporting of impacts for the construction phase of the project must be as specified in the EMPr.
- 2.3.5 All tasks must be performed by the ECO as stipulated in the EMPr, this includes keeping records of all activities on site and problems identified and transgressions noted.
- 2.3.6 All audit reports must be submitted to Ugu District's Control Environmental Officer: CME as per contact details specified in condition 3.4 below.
- 2.3.7 The audit report must provide an update on progress made to date versus work still to be done, together with an expected date by which various stages of construction will be completed.
- 2.3.8 In a table format the audit report must evaluate compliance with the environmental authorisation, each specific condition contained herewith, and requirements of the EMPr.
- 2.3.9 Include copies of any approvals granted by other authorities relevant to the development.
- 2.3.10 Include measures to be implemented to attend to any non-compliances or degradation noted.
- 2.3.11 The environmental audit report must, in addition to conditions 2.3.6 – 2.3.10, highlight any outstanding environmental issues that must be addressed, along with recommendations for ensuring these issues are addressed to the satisfaction of this Department, prior to the site close out.
- 2.3.12 Within **30 (thirty) days** from the date that construction is completed, the holder of the environmental authorisation must submit an environmental audit report to this Department for its perusal. This audit report must report back on the issues identified in condition 2.3.11 above, the environmental audit reports must be forwarded to the CME component of this Department as per contact details specified in condition 3.4 below.
- 2.3.13 Not less than **seven (7) days** written notice must be given to the Department that the construction phase will commence. Commencement for the purposes of this condition

includes site preparation. The notice must include a date on which it is anticipated that the construction will commence.

2.4 Availability of this environmental authorisation

- 2.4.1 A copy of this authorisation must be kept by the authorisation holder and made available to any official of the Department on request.

2.5 Conditions of Construction

- 2.5.1 The development must comply substantially with the layout as depicted in the Layout plan prepared by P. Govender and Checked by G. Watson dated January 2021 attached as **Annexure 3 herewith**;
- 2.5.2 All 'No-go' areas must be demarcated to prevent environmental degradation thereto and proper signage must be clearly visible for the demarcated site camp.
- 2.5.3 The contractor must, as an on-going exercise, provide erosion control on site. During construction, the contractor must protect areas susceptible to erosion by installing necessary temporary and permanent draining works as soon as possible.
- 2.5.4 Any deviations from the layout authorised in condition 2.5.1 above, must be approved by the Department prior to the implementation, in accordance with the legislation applicable at the time. Such deviations must only commence, once authorised by the Department, in writing.
- 2.5.5 The contractor is to check that all drainage courses are free from building rubble, spoil materials and waste materials upon completion of the development phase.
- 2.5.6 All areas that have been cleared during construction activities must be landscaped by using locally suitable indigenous plants. Also any Eucalyptus trees that remain on site and within the 32m watercourse buffer must be removed and replaced with fruit and nut trees
- 2.5.7 Any area that shows signs of erosion or where the vegetation has not grown successfully must be repaired and / or re-vegetated.
- 2.5.8 The following conditions apply to storm water management during construction:
- 2.5.8.1 Only clean stormwater must be diverted to discharge into the nearest watercourse(s).
- 2.5.8.2 Drainage must be controlled to ensure that runoff from the project area will not culminate in off-site pollution or result in damage to properties next to or downstream of any stormwater discharges.



2.5.8.3 Storm water must not be channelled directly into any water body without the flow velocity being slowed to within Department of Water and Sanitation standards.

2.5.9 The following conditions apply to solid waste management during construction:

2.5.9.1 The contractor must provide waste disposal areas for regular collection and ensure that personnel make use of them and that the work sites are kept tidy and litter free all times.

2.5.9.2 Refuse must be placed in the designated skips/bins which must be regularly emptied. These should remain within demarcated areas and must be designed to prevent refuse from being blown out by the wind.

2.5.9.3 Recycling must be encouraged by providing separate receptacles for different types of waste and making sure that staff are aware of their uses.

2.5.9.4 Waybills proving disposal at each site must be provided for Project Manager's inspection every time there is a meeting on site.

2.5.9.5 Hazardous waste disposal must be carried out by an approved waste contractor. Waybills for this should be provided.

2.5.9.6 No solid domestic waste must be burned or buried on site or disposed of by any other method. All waste rock and building rubble must be removed from the site and disposed of at the nearest licensed Municipal site.

2.5.9.7 All construction materials such as cement bags, chemicals, paints, fuels and oils must be safely stored in leak proof containers to avoid surface and groundwater pollution during the construction phase and must be removed from site once there is no longer use for them.

2.5.9.8 The authorisation holder and all contractors must ensure that no construction material foreign to the site, including construction debris and paints, are left on site after construction activities have ceased. These items must be removed and taken to a licensed waste disposal facility; proof of safe disposal must be kept on site.

2.5.9.9 No disposal of any waste is permitted on site or in surrounding areas under any circumstances.



- 2.5.10 The following conditions are applicable to temporary ablutions facilities and must be adhered to:
- 2.5.10.1 Temporary chemical toilets must be provided for construction workers for the duration of the construction phase. Such facilities must be serviced by a registered services provider.
 - 2.5.10.2 Use of the surrounding areas as ablution facilities is strictly prohibited.
 - 2.5.10.3 Temporary chemical toilets must not cause pollution to the surrounding environment, including surface or groundwater.
 - 2.5.10.4 Temporary chemical toilets must be cleaned on a weekly basis, with the associated waste disposed of at a registered waste site. Certificate of safe disposal of sewage must be available on site during construction for review by the Department.
 - 2.5.10.4 Waste from ablution facilities must be regularly removed and care must be taken to ensure that there is no spillage. Ablutions may not be situated within the 1:100 year floodline. Waybill certificates for all waste loads removed from the site must be kept on file and form part of the audit reports.
- 2.5.11 The following applies to conservation of natural environment :
- 2.5.11.1 Alien vegetation encroachment onto site as a result of construction activities must be controlled during construction.
- 2.5.12 The following applies to materials management :
- 2.5.12.1 Stockpiles must not be situated in such a way that they obstruct natural water pathways and they must not exceed 2m in height unless otherwise permitted by the Engineer.
 - 2.5.12.2 If stockpiles are exposed to windy conditions or heavy rain, they must be covered either by vegetation or cloth, depending on the duration of the project.
 - 2.5.12.3 Stockpiles must be kept clear of weeds and alien vegetation growth by regular weeding.
 - 2.5.12.4 All concrete mixing must take place on a designated, impermeable surface.
 - 2.5.12.5 No vehicles transporting, placing or compacting asphalt or any other bituminous product must be cleaned on site.
 - 2.5.12.6 Lime and other powders must not be mixed during excessively windy conditions.



2.5.12.7 All substances required for vehicles maintenance and repair must be stored in sealed containers until they can be disposed of/ removed from the site.

2.5.13 The following applies to social impacts :

2.5.13.1 Should there be lighting at the construction site/ camp it must be pointed downwards and away from oncoming traffic and nearby houses.

2.5.13.2 Notice of particularly noisy activities must be given to residents/ businesses adjacent to the construction site.

2.5.13.3 A complaints register must be housed at the site office. This must be in carbon copy format, with numbered pages. Any missing pages must be accounted for by the Contractor. This register is to be tabled during monthly site meetings.

2.5.14 Management of spillage on site:

2.5.14.1 All spillages must be managed in terms of the construction method statement.

2.5.14.2 Chemicals and fuels must be stored in a bunded area for the duration of the construction phase of the project to avoid possible spillage.

2.5.14.3 For any significant spillages of chemicals and fuels during construction phase the following must be adhered to:

2.5.14.3.1 consult the Department (Pollution and Waste Management), Department of Water and Sanitation and Ray Nkonyeni Municipality immediately,

2.5.14.3.2 stop the source of the spill,

2.5.14.3.3 contain the spill,

2.5.14.3.4 the contaminated soil or material due to spillage must be removed and disposed of at licensed facility for the disposal of hazardous waste and proof of safe disposal must be kept on site for the review by the Department, and;

2.5.14.3.5 determine the environmental impact that occurred, and document the incident.



2.5.15 The following is applicable to destruction or harm to cultural or heritage resources during earthworks :

2.5.15.1 Ensure all staff and constructors who are responsible for excavation works are aware of the possibility of exposing historical resources ;and,

2.5.15.2 Kwazulu-Natal Amafa and Research Institute must be contacted if any heritage objects are identified during earth moving activities with all development ceasing until further notice.

2.5.16 All plant machinery must be inspected for leaks prior to undertaking work within the watercourse.

2.5.17 A pre-mitigation buffer zone of 30 m is recommended for all identified wetlands, which can be decreased to 15 m with the addition of all prescribed mitigation measures as per Wetland and Biodiversity Assessment Report prepared by The Biodiversity Company dated August 2020.

2.5.18 Any stormwater plans and waste management plans must be implemented and guided by the on-site Contractor and suitably qualified Environmental Control Officer (ECO).

2.6 Post-Construction

2.6.1 Drainage must be controlled to ensure that runoff for the project area will not culminate in off-site pollution or result in damage to properties downstream of any stormwater discharges.

2.6.2 Riparian and channel bank areas that are damaged as a result of construction activities must be sculpted and vegetated using grass mix under the guidance of the ECO.

2.6.3 Formal storm water control measures must be implemented that allow storm water to be collected ,attenuated and disposed of in a manner that will not promote erosion or scour, using attenuators, such as chambers and gabion mattresses and within the approved development footprint.

2.6.4 The authorisation holder and contractor must ensure that no construction material foreign to the site, including construction debris, is left unattended after construction activities have ceased/completed.

2.6.5 The Department must not be held responsible for any damages or losses suffered by the authorisation holder or successor in title in any instance where construction is temporarily or permanently stopped for reasons related to non-compliance by the holder of the



authorisation with the conditions of environmental authorisation as set out in this document or any other subsequent document emanating from these conditions of environmental authorisation.

3. General

3.1. Compliance with the conditions of this authorisation

In terms of Section 49A (1) (c) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended, failure to comply with the conditions of this environmental authorisation constitutes an offence for which a convicted person may be liable to a fine not exceeding R10 million or imprisonment for a period not exceeding ten years or both such fine and such imprisonment, in terms of Section 49 B (1).

3.2. Understanding the conditions of this authorisation

It is the responsibility of the authorisation holder to understand the conditions of this authorisation. Any queries regarding this environmental authorisation must be submitted in writing to the Department at the address provided in condition 3.5 below.

3.3. Amendments to the project or EMPr

3.3.1. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected.

3.3.2. Any subsequent amendments to the approved EMPr must also be submitted to the Department for review. The amendments must only be implemented after being approved by the Department.

3.4. Contact details for the Department

The following contact details for the Department must be used for all reports, notices etc. which must be submitted to the Department:

Department of Economic Development, Tourism and Environmental Affairs
Private Bag X901
Port Shepstone
4240



Environmental Authorisation

DC21/0013/2020 Development of Phiwo's Piggery located in Ward 15, Umzombe Municipality, Ugu District, DC21

Or be hand delivered to: 46 Bisset Street, Port Shepstone, 4240

Attention: Control Environmental Officer: Compliance Monitoring & Enforcement, Ugu District Office

3.5. Notification to interested and affected parties

The authorisation holder must notify every registered interested and affected party, in writing and within **12 (twelve) calendar days** from date of the Department's decision to authorise the activity.

3.6. The notification referred to in 3.5 above must –

- 3.6.1. specify the date on which the authorisation was issued;
- 3.6.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014; and
- 3.6.3. Advise the interested and affected party that a copy of the authorisation will be furnished on request.

3.7. Site closure and decommissioning

Should the activity ever cease or become redundant, the authorisation holder must contact the Department to determine the required actions for the rehabilitation and closure of the site.

Date of environmental authorisation: 29/03/2021



for: **Mr N. Nkontwana**
Head of Department
KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs

Signed by: Mr S. Ngcobo
Designation: Director: South Region - Environmental Services
Date: 29/03/2021

Annexure 1: Reasons for Decision

1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) Application form received by the Department on 07 October 2020;
- b) Findings of the pre-application meeting undertaken by Ms Sinethemba Mbambo representing the Department, Mr W Dlomo (Applicant), Mrs Gloria Xaba (Department of Agriculture and Rural Development), Mr Gert Watson and Ms P. Govender (representing K2M Environmental) on 10 September 2020;
- c) Advert in the Isolezwe dated 23 October 2020;
- d) Draft Basic Assessment Report, prepared by K2M Environmental, received by the Department on 23 October 2020;
- e) Final Basic Assessment Report (BAR), prepared by K2M Environmental, received by the Department on 29 January 2021;
- f) Comments received from Organs of State, and; Interested and Affected Parties as included in the BAR prepared by K2M Environmental, received by the Department on 29 January 2021;
- g) Geotechnical Investigation, prepared by Davies Lynn and Partners Geotechnical Consultants and Engineering Geologists, July 2020;
- h) Wetland and Vegetation Risk Assessment prepared by Biodiversity Company dated August 2020;
- i) Floodline Delineation Report, prepared by Zamimpilo Consulting dated January 2021;and,
- j) Mitigation measures as proposed in the final BAR, prepared by K2M Environmental and; received by Department on 29 January 2021 have been incorporated in the EMPr dated 29 January 2021.

2. Key decision factors and findings considered in making the decision

- i. The Final BAR dated 29 January 2021, prepared by K2M Environmental, received by the Department, complies with the requirements of the EIA Regulations, 2014.
- ii. The above mentioned specialist reports included a description of the environment that may be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects of the environment may be affected by the activity.

- iii. The methodology used in assessing the potential impacts identified in the above-mentioned specialist reports has been adequately indicated. ,

a. Needs and desirability

- i. The proposed development will enable optimal development of the property, thereby reducing any security risks, illegal dumping and occupancy. Furthermore, as per the Biodiversity Assessment, the site is covered with Eucalyptus thicket which is classified as a category 1b invasive species according to NEMBA and is required to be removed and destroyed. Therefore, the proposed development will ensure removal of the alien invasive trees which will benefit the surrounding natural environment and contribute positively to the flow of watercourses that are in close proximity to the site. It should also be noted that the Applicant intends on removing any Eucalyptus trees that are within the 32 m watercourse buffer that falls within the project area and replace them with fruit and nut trees.
- ii. The site falls within an area demarcated as Agriculture, as such the proposed priggery development will constitute toward agricultural development within the area. In turn, this will boost the local economy. Further to this, the proposed development will assist in improving the lives of the local community through job creation during the construction phase as well as the operational phase.

b. Public participation:

The Public Participation Process complies with the requirements of Chapter 6 of the EIA Regulations, 2014 and the comments from the Organs of State and Interested and Affected Parties have been included in the BAR prepared by K2M Environmental, received by the Department on 29 January 2021. According to the Environmental Assessment Practitioner the following stakeholders received the Final Basic Assessment Report namely, KwaZulu-Natal Amafa and Research Institute, Ezemvelo KwaZulu Natal Wildlife, Department of Water and Sanitation, Department of Agricultural and Rural Development.



Comments received:

KwaZulu-Natal Amafa and Research Institute, dated 02 December 2020

The KwaZulu-Natal Amafa and Research Institute should be contacted if any heritage objects are identified during earth-moving activities and all development should cease until further notice. No structures older than sixty years or parts thereof are allowed to be demolished altered or extended without a permit from the KwaZulu-Natal and Amafa Research Institute.

Department of Water and Sanitation, dated 13 November 2020

- i. The report titled "Wetland and Vegetation Risk Assessment for the proposed Phiwo's Piggery, Nomakhazana, KwaZulu-Natal", dated August 2020, is acknowledged. In addition, the recommendations made in the reports must be adhered to. The report must be submitted as part of the supporting documents for the water use authorization.
- ii. If the proposed development engages or processes to engage in one or more water uses that require a water use licence in terms of the NWA, then by default all other water use activities taking place on that property, irrespective if it would be regulated by a General Authorization, would require to apply for a water use licence.
- iii. Page 32 of the draft EMPr states "Hazardous waste disposal (if applicable) must be carried out by an approved waste contractor at DWS-certified waste disposal facilities", the Department requests the following: The details of the contractor to be made available to the Department. Safe disposal certificates from a permitted waste disposal site to be kept at hand and must be furnished to the Department when requested.
- iv. The stormwater drainage network system must be kept separate from the wastewater (water containing waste) system.
- v. The wetlands must be included as part of the detailed Stormwater Management Plan, should a certain percentage of stormwater from the site be allowed to drain towards the wetlands. It is important that any stormwater discharging to the wetland is dissipated prior to entering the permanent, seasonal or temporary zone of the wetland so that it does not cause gully erosion or negative impact on the hydrological functioning of the wetland.



Environmental Authorisation

DC21/0013/2020 Development of Phiwo's Piggery located in Ward 15, Umzumbe Municipality, Ugu District, DC21

- vi. Erosion control measures to be implemented in areas sensitive to erosion such as near water supply points, edges of slopes etc. these measures could include the use of sandbags, hessian sheets, retention or replacement of vegetation.
- vii. No form of secondary pollution should arise from the disposal of sewage and refuse. All pollution problems arising from the above development are to be addressed immediately by the Applicant.

Ezemvelo Kwa-Zulu Natal Wildlife, dated 24 November 2020

Based on the information supplied, and the interrogation of Ezemvelo biodiversity databases, Ezemvelo does not anticipate that the proposed activity would result in a significant negative impact upon local biodiversity, provided that best practice mitigation measures are implemented during the construction and operational phase.

Department of Agricultural and Rural Development, 25 January 2020

- i. The water table within the project area is very shallow and it had to be factored into all the proposed infrastructure design and positioning, which should guide mitigation measures around the proposed site.
- ii. Please be advised that the Department of Agriculture and Rural Development supports the proposed project subject to approval from the Department and Water and Sanitation.

Wetland and Vegetation Risk Assessment, prepared by Biodiversity Company, dated August

- i. The project area was found to be transformed from its original state by an Eucalyptus species thicket. It is the opinion of the specialists that the project area does not support Species of Conservation Concern (SCC) anymore as the habitat has been modified. However, there are patches of grassland surrounding the property, that is regarded as possessing a high sensitivity. This is because, although somewhat degraded, the grassland resembles KZN Coastal Belt to some degree and there are numerous *Trinervitermes* sp. mounds and therefore, all areas outside of the provided development area should be regarded as no-go areas throughout all the phases of the project.
- ii. It is recommended that areas to be developed be specifically demarcated so that during the construction phase and operational phase, only the demarcated areas be impacted upon. All work areas, offices, and access roads must be clearly demarcated from surrounding sensitive

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- areas. All areas outside of the demarcated areas should be declared a 'no-go' area during all the project phases and all efforts must be made to prevent access to this area from construction workers and machinery;
- iii. Implementation of an alien vegetation management plan for the site is required. This is especially in areas that are cleared of vegetation and left exposed. Upon completion of construction any exposed areas must be re-vegetated with local indigenous plants to prevent IAP encroachment;
 - iv. It is the specialist's opinion that the proposed development should be moved out of the wetland's 15 m buffer zone to avoid impacts, mitigating high and moderate significance ratings. This will ensure "Low" significance ratings (post-mitigation), which renders the proposed development applicable to a General Authorisation. If the latter is feasible, no additional on-site rehabilitation will be required post construction. If the proposed development cannot be moved out of the proposed buffer, some "Moderate" final significance ratings (post-mitigation) are expected. In this case, a Water Use License with the condition of an offset strategy will need to be applied for. This will include on-site rehabilitation on a hectare equivalent basis.

Geotechnical Investigation, prepared by Ground Africa Consulting Geotechnical Engineers, dated September 2019.

- i. It is recommended that an agricultural engineer and/or civil engineer be consulted in order to adequately design the required agricultural waste disposal ponds. As per the restrictions of the SANS 10400 P drainage requirements, no industrial and/or agricultural waste is to be permitted to drain into a soakaway on this site.
- ii. It is recommended that the disposal of on-site effluent generated from the toilet facilities on site be contained and treated through the use of a septic tank and soakaway system constructed according to the SANS 10400 P standards. According to table C.6 (attached below) the effluent in L/day, from the number of workers will need to be calculated and the septic tank designed accordingly by a suitably qualified competent person.
- iii. In order to assess the soakaway requirement an on-site in-situ percolation test will need to be conducted in order to adequately design the required sizing of the soakaway as per the SANS 10400 P requirements. It is recommended that these tests be conducted during the detailed geotechnical investigation Phase.



e) Technology Alternative:

As the preferred technology, the agricultural waste produced from the proposed piggery will be stored in a lined slurry pit. Once dried, the sludge will then be used as compost. An agricultural engineer and/or civil engineer be consulted in order to adequately design the required agricultural waste disposal ponds.

f) No-go option:

Should this development not go through, the following will apply:

- i. The vacant piece of land will be left vulnerable to illegal occupation, dumping and informal housing.
- ii. Alien invasive Eucalyptus trees will remain on site.

Objectives of integrated environmental management:

The Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the general objectives of integrated environmental management laid down in Chapter 5 of NEMA will be met. Therefore the Environmental Authorisation is granted.



ANNEXURE 2: LOCALITY MAP




