



agriculture, rural development,
land & environmental affairs

MPUMALANGA PROVINCE
REPUBLIC OF SOUTH AFRICA

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Departement van Landbou,
Landelike Ontwikkeling,
Grond en Ongewing Sake

umNyango weZelimo
UkuThuthukiswa kweNdawo zemaKhaya,
iNarha neeNdaba zeBhoduluko

Enquiries : Sindisiwe Mbuyane / Whitney Tshimbana
Telephone : (017) 011 4830
Reference no. : 1/3/1/16/1G-241
NEAS No. : MPP/EIA/0001015/2022

Grootdraai Boerdery (Pty) Ltd.
P.O Box 239
Standerton
2430

Attention: Mr. Gert van der Merwe
Email: gert@grootdraaiboerdery.co.za

Dear Sir,

ENVIRONMENTAL AUTHORISATION FOR AN ACTIVITY LISTED IN GOVERNMENT NOTICE R983 (AS AMENDED) ASSOCIATED WITH THE EXPANSION AND RELATED OPERATION OF A POULTRY FACILITY ON PORTION 0 OF THE FARM GROOTDRAAI NU TOURS 579 IS, STANDERTON, LEKWA LOCAL MUNICIPALITY

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to notify all registered interested and affected parties in writing, and within 14 (fourteen) days of the date of this letter, of the Department's decision in respect of your application. Such notification must comply with the requirements of Regulation 4(2) and 4(3) and must draw the attention of registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014.

Your attention is drawn to the National Appeal Regulations, 2014, which regulate appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge your appeal with the MEC, within 20 days of the date of receipt of this letter, by means of one of the following methods:

By facsimile: (013) 766 8295

By post: Private Bag x 11219
Nelspruit
1200

By hand: Samora Machel Building, No. 7 Government Boulevard
Riverside Park Extension 2
Nelspruit
1200

Should you decide to appeal, you must also serve a copy of your appeal on all registered interested and affected parties and any organ of state with interest in the matter.

Yours faithfully,



MR. C.M. CHUNDA

HEAD: AGRICULTURE, RURAL DEVELOPMENT, LAND AND ENVIRONMENTAL AFFAIRS

DATE: 10/08/22

cc: Mr. Lourens De Villiers
Labesh (Pty) Ltd
Email: info@labesh.co.za

2022



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Environmental Authorisation

Application number: 1/3/1/16/1G-241

Holder of Authorisation: Grootdraai Boerdery (Pty) Ltd

NEAS reference number: MPP/EIA/0001015/2022

Location of activity: Portion 0 of the farm Grootdraai Nu
Tours 579 IS, Standerton, Lekwa
Local Municipality, Mpumalanga
Province.

1. Decision

The Department is satisfied on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity as specified below. Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

2. Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations 2014 (as amended), the Department hereby authorises:

Grootdraai Boerdery (Pty) Ltd
P O Box 239
Standerton
2430

Attention: Mr. Gert van der Merwe
Cell: 082 770 0078
Email: gert@grootdraaiboerdery.co.za

To undertake the following activity listed in Government Notice R983 of 4 December 2014 (as amended) associated with the expansion and related operation of a poultry facility of four (4) chicken broiler facilities on portion 0 of the farm Grootdraai Nu Tours 579 IS, Standerton, Lekwa Local Municipality, at 26°56'33.78"S 29°18'28.11"E (hereafter referred to as "the activity"):

Activity number	Activity Description	Extent to which Activity is Authorised Where the activity authorised is in accordance with the site layout map as included in the basic assessment report dated May 2022
GNR 983 Activity 40(ii)	The expansion and related operation of facilities for the concentration of poultry, excluding chicks younger than 20 days, where the capacity of the facility will be increased by more than 5 000 poultry per facility situated outside an urban area	The addition of four (4) chicken broiler houses, where each house will host will each 25 000 poultry. The capacity of the entire facility will be increased by 100 000 poultry.

The granting of this environmental authorisation is subject to the conditions set out below.

3. Conditions of Authorisation

Scope of authorisation

- 3.1. Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
- 3.2. Commencement for the purposes of all conditions of this authorisation means the start of any physical implementation in furtherance of the activity, including site preparation, clearance of vegetation, and any other action on the site.
- 3.3. The activity which is authorised may only be carried out at the property indicated above.

- 3.4. The holder of the authorisation must ensure compliance with these conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
- 3.5. 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. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
- 3.6. In the event that the impacts exceed the significance as predicted in the basic assessment report, the authorisation may be suspended and/or withdrawn after proper procedures have been followed.
- 3.7. In the event of any dispute concerning the significance of a particular impact, the opinion of the Department in respect of its significance will prevail.
- 3.8. The Department may change or amend any of the conditions of this authorisation if, in the opinion of the Department, it is environmentally justified.
- 3.9. This activity must commence within a period of ten (10) years from the date of issue. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken, unless the holder of this environmental authorisation has lodged a valid application to amend the validity period of this authorisation before this authorisation lapses, in which case, this authorisation will remain valid. However, the activity, including site preparation, may not commence prior to the amendment application being decided.
- 3.10. The holder of this authorisation is responsible for compliance with the provisions for Duty of Care and Remediation of Environmental Damage contained in Section 28 of the National Environmental Management Act, 1998 (Act 107 of 1998).
- 3.11. This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity, including, *inter alia*, the National Forests Act, 1998 (Act 84 of 1998) and the National Water Act, 1998 (Act No. 36 of 1998), National Environmental Management: Waste Act (Act 59 of 2008), and the provisions of all relevant SABS and SANS standards.

Appeal of authorisation

- 3.12. The applicant must, in writing, within fourteen days of the date of the decision on the application ensure that-
 - a) All registered interested and affected parties are provided with access to the decision and the reasons for such 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;
 - c) The decision includes the complete environmental authorisation granted or refused.

Management and monitoring of the activity

- 3.13. The Environmental Management Programme (EMPr) submitted as part of the basic assessment report dated May 2022 is hereby approved, and must be implemented and adhered to throughout the lifecycle of the activity.
- 3.14. Prior to commencement, plant species of conservation concern (endemic, protected, Red Data), must be identified and marked, and may not be disturbed, or, where required, the relevant permits for their relocation or removal must be obtained from the relevant authority.
- 3.15. Any plant species categorized as Endangered or Critically Endangered in terms of the Red List of South African Plants must be conserved *in situ*.
- 3.16. Plant species of conservation concern that are identified for relocation must be relocated to areas of similar habitat that will not be transformed, unless otherwise stipulated by the relevant permitting authority. Such species must be monitored and managed until such time that they have, in consultation with the ECO, been determined to be successfully re-established.
- 3.17. All vertebrates, including slow moving reptiles and smaller mammals, must be allowed to move unharmed, or be assisted and relocated in consultation with the Environmental Control Officer, to the areas of the property that will not be transformed.
- 3.18. The applicant must appoint an independent Environmental Control Officer (ECO) that will have the responsibility of monitoring and reporting on compliance with the conditions of this environmental authorisation as well as monitoring and reporting on the implementation of the approved EMPr:
 - 3.18.1. The ECO must be appointed before the commencement of construction and the Department must be notified of such an appointment for communication purposes.
 - 3.18.2. The ECO must oversee the identification, relocation or removal and re-establishment of plant species of conservation importance, and the identification and marking of trees that may not be removed.
 - 3.18.3. The ECO must oversee faunal search and rescue prior to and during site clearing activities.
 - 3.18.4. The ECO must monitor the restriction of construction to designated areas.
 - 3.18.5. The ECO must oversee all rehabilitation activities.
 - 3.18.6. During the construction phase, the ECO must submit monthly compliance reports to the Department in writing and copy the applicant with such reports. Where applicable, the ECO may negotiate the required frequency for the submission of reports with the Department, which must be agreed to in writing by the Department. The reports must include a description of all activities on site, problems identified, transgressions noted and remedial action implemented. All reports must reflect the Department's reference number of the project on the cover page.
 - 3.18.7. The ECO must maintain the following on site: A site diary; copies of all reports submitted to the Department; and a complaints register of all public complaints and the remedies applied to such complaints.
 - 3.18.8. The ECO must remain employed until all rehabilitation measures as well as site clean-up are completed and the site is handed over to the applicant by the contractor for operation.
- 3.19. Measures must be implemented at the inception of the operation phase to control odour.

- 3.20. The water to the poultry houses must be under constant pressure to ensure sufficient supply of water to poultry, and the water must be carefully managed at all times.
- 3.21. The correct ventilation and insulation of chicken houses is compulsory.
- 3.22. The holder of the authorisation must submit an environmental compliance audit report to the Department within 30 days of completion of the construction phase.
- 3.23. The environmental audit report must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the conditions of this authorisation as well as the requirements of the EMPr.
- 3.24. The results of operational audits must be used to determine the need for the improvement of existing, or the installation of additional, mitigation and monitoring measures.
- 3.25. Records of audits, inspections, tests and monitoring must be maintained and kept on site.
- 3.26. The Department retains the right to monitor and/or inspect the proposed project throughout its lifecycle.

Commissioning and operation of the activity

- 3.27. At least fourteen (14) days written notice must be given to the Department that the activity will commence. The notice must include a date on which it is anticipated that the activity will commence, and must include the name and contact details of the appointed ECO.
- 3.28. The construction site must be defined and demarcation of material lay down areas must precede all activities on site.
- 3.29. The storage and handling of fuel, lubricants, paint, tar, bitumen binders and other chemicals must be in especially demarcated impervious and bunded areas.
- 3.30. The mixing of cement, chemicals or other noxious materials must be undertaken in designated areas on, as far as practicable, an impermeable layer.
- 3.31. Construction vehicles and equipment must be checked and maintained regularly to ensure that there is no environmental contamination as a result of oil, fuel or hydraulic fluid leakages.
- 3.32. The pollution of adjacent areas due to improper storage of construction materials or any substance is prohibited.
- 3.33. In the event that existing ablution facilities cannot be used, dry chemical toilet facilities or e-loo's must be provided on site at a ratio of 1:10 for construction staff. Ablution facilities may not be located within 100m from any watercourse or wetland, and may not cause pollution.
- 3.34. Increased runoff due to vegetation clearance and/ or soil compaction must be managed, and steps must be taken to ensure that storm water does not lead to bank instability and excessive levels of silt entering any watercourse.
- 3.35. Soils that become compacted through the activities of the development must be loosened to an appropriate depth to allow seed germination.
- 3.36. No surface storm water generated as a result of the development may be channeled or piped directly into any watercourse. All surface runoff generated during both construction and operation phases must be managed prior to entering any natural drainage system.
- 3.37. Mechanisms for dissipating water energy must be implemented at the inception of the construction phase to prevent erosion.
- 3.38. Surface water rich in sediments and other pollutants must be prevented from entering any watercourse.
- 3.39. Surface or groundwater intrusion into the manure collection areas is prohibited.

- 3.40. Measures must be in place to drain roof and surface water away from chicken houses.
- 3.41. Manure must be kept dry by means of correct drainage design, absorption of moisture onto bedding, correct ventilation, and prevention of dampening by rain or spilled / leaking water troughs.
- 3.42. It is the responsibility of the holder of the authorisation to rectify any source of pollution from their undertaking and to take appropriate measures to prevent any pollution of surface and underground water.
- 3.43. All disturbed areas must be fully rehabilitated and protected from erosion and alien plant establishment.
- 3.44. All general waste generated on the site must be disposed of at an official registered landfill site.
- 3.45. All hazardous waste must be disposed of at an official registered site, or be removed by registered hazardous waste contractors.
- 3.46. Construction personnel must be sensitized to the requirements of the South African Heritage Resources Act. Should any material of cultural or archaeological significance be encountered during construction, all activities must cease immediately and the South African Heritage Resources Agency (SAHRA) must be informed accordingly.
- 3.47. Any complaints received from the public must be attended to as soon as possible and addressed to the satisfaction of all concerned.

General

- 3.48. A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- 3.49. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 3.50. Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.
- 3.51. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

ENVIRONMENTAL AUTHORISATION APPROVED BY:



MR. C.M. CHUNDA

HEAD: AGRICULTURE, RURAL DEVELOPMENT, LAND AND ENVIRONMENTAL AFFAIRS

DATE: 11/08/22

Annexure 1: Reasons for the Decision

1. Background

- 1.1. The applicant, Grootdraai Boerdery (Pty) Ltd, applied for authorisation to carry out the following activity listed in Government Notice R983 of 4 December 2014 (as amended) associated with the expansion and related operation of a poultry facility of four (4) chicken broiler facilities on portion 0 of the farm Grootdraai Nu Tours 579 IS, Standerton, Lekwa Local Municipality, at 26°56'33.78"S 29°18'28.11"E:

Activity number	Activity Description	Extent to which Activity is Authorised Where the activity authorised is in accordance with the site layout map as included in the basic assessment report dated May 2022
GNR 983 Activity 40(ii)	The expansion and related operation of facilities for the concentration of poultry, excluding chicks younger than 20 days, where the capacity of the facility will be increased by more than 5 000 poultry per facility situated outside an urban area	The addition of four (4) chicken broiler houses, where each house will host each 25 000 poultry. The capacity of the entire facility will be increased by 100 000 poultry.

- 1.2. The applicant appointed the following Environmental Assessment Practitioner (EAP) to undertake a basic assessment process:

Mr. Lourens De Villiers
Labesh (Pty) Ltd
Posnet Box 469
Sinovile
0129

Tel: 082 789 6525
Email: info@labesh.co.za

2. Information considered in making the decision.

In reaching its decision, the Department took the following into consideration:

- The information contained in the application form submitted to the Department on 22 February 2022 and acknowledged on 28 February 2022.
- The information contained in the basic assessment report and the environmental management programme which were submitted on 23 May 2022 and acknowledged on 30 May 2022.
- The findings of the site visit conducted by Ms. Sindisiwe Mbuyane, Ms. Whitney Tshimbana and Ms. Okwethu Fakude from the Department with Mr. Lourens De Villiers representing Labesh (Pty) Ltd on 20 July 2022.
- The objective and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Mpumalanga Biodiversity Sector Plan.

3. Key factors considered in making the decision.

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below:

- a) Sustainability
- b) Need and desirability
- c) Socio-economic impacts

4. Findings

After consideration of the information and factors listed above, the Department made the following findings:

- a) According to the basic assessment report, the development proposal is considered to be environmentally, economically and socially sustainable.
- b) According to the basic assessment report, no threats to species or habitat were identified, and no critical limitations to the development could be identified that are of ecological significance.
- c) Mitigation measures and recommendations outlined in the basic impact assessment report and environmental management programme are appropriate and practical for implementation, and it is anticipated that they will reduce the significance of potential impacts.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management laid down 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 proposed activity can be mitigated to acceptable levels. The application is accordingly granted.