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Department  
Economic Development, Environment  
Conservation and Tourism  
North West Provincial Government  
REPUBLIC OF SOUTH AFRICA



80 Kerk Street  
RUSTENBURG  
0300

## ENVIRONMENTAL QUALITY MANAGEMENT

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Reference: NWP/EIA/40/2025

Attention: **Ms Sophie Mpete**  
**SM Brilliant Solutions Group**  
54 7<sup>th</sup> Ave  
**ALEXANDER GAUTENG**  
2090

Tell No. : 082 819 6849  
Email : [lohannamatsemela@gmail.com](mailto:lohannamatsemela@gmail.com)

Dear Madam

### ENVIRONMENTAL AUTHORISATION: DEVELOPMENT OF POULTRY CHICKEN FARM ON PORTION 1181 OF THE FARM HARTEBEESTPOORT C 419 JQ, MADIBENG LOCAL MUNICIPALITY, NORTH WEST PROVINCE

Your application for Environmental Authorisation, in terms of Section 24(2)(a) of the National Environmental Management Act, 1998 as amended (Act No. 107 of 1998) in respect of –

Listing Notice 1 of Environmental Impact Assessment Regulations of December 2014 as amended for:

1. *The development and related operation of facilities or infrastructure for the concentration of—*
  - (ii) *more than 5 000 poultry per facility situated outside an urban area, excluding chicks younger than 20 days;*
  - (iv) *more than 25 000 chicks younger than 20 days per facility situated outside an urban area.[Activity 5(ii)(iv)]*

In terms of the Regulations of Chapter 5 of NEMA, 1998 refer.

- This Department has evaluated the Basic Assessment Report received on 26 January 2026 for *the construction and operation of 7 poultry chicken houses with capacity of 42 500 chickens each (297 500 total) on portion 1181 of the farm Hartebeestpoort C 419 JQ, Madibeng Local Municipality, North West Province* to verify whether this activity will have significant negative impact on the environment.

Enclosed please find the Environmental Authorisation and the conditions under which your application is authorised.

Formal appeals regarding the Environmental Authorisation can be directed to the Appeal Administrator for Department of Economic Development, Environment, Conservation and Tourism, North West Province. Such an appeal must be lodged in terms of the National Appeal Regulations of 13 March 2025.

Yours Faithfully

  
Mr. Relebohile Mofokane  
Head of Department

Department of Economic Development, Environment, Conservation and Tourism

Date: 06/05/2026

Cc: Green Environmental Consulting Services

Contact Person: Pieter Colyn

Tel: 082 553 8844

Email: [rpcolyn@telkomsa.net](mailto:rpcolyn@telkomsa.net)

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## A. DEFINITIONS

**“activity”** means an activity identified in any notice published by the Minister or MEC in terms of Section 24D(1)(a) of the Act as a listed activity or specified activity.

**“commence”** means the start of any physical activity, including site preparation and any other activity on the site in furtherance of a listed activity or specified activity, but does not include any activity required for purposes of an investigation or feasibility study as long as such investigation or feasibility study does not constitute a listed activity or specified activity.

**“development”** means the building, erection, construction or establishment of a facility, structure or infrastructure, including associated earthworks or borrow pits, that is necessary for the undertaking of a listed or specified activity, including any associated post development monitoring, but excludes any modification, alteration or expansion of such a facility, structure or infrastructure, including associated earthworks or borrow pits, and excluding the redevelopment of the same facility in the same location, with the same capacity and footprint;

**“expansion”** means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased.

**“independent”**, in relation to an EAP, a specialist or the person responsible for the preparation of an environmental audit report, means-

- (a) that such EAP, specialist or person has no business, financial, personal or other interest in the activity or application in respect of which that EAP, specialist or person is appointed in terms of these Regulations; or
- (b) that there are no circumstances that may compromise the objectivity of that EAP, specialist or person in performing such work; excluding –
  - (i) normal remuneration for a specialist permanently employed by the EAP; or
  - (ii) fair remuneration for work performed in connection with that activity, application or environmental audit;

**“public participation process”** means a process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to, specific matters.

**“registered interested and affected party”**, in relation to an application, means an interested and affected party whose name is recorded in the register opened for that application in terms of regulation 42

**“state Department”** means any Department or administration in the national or provincial sphere of government exercising functions that involve the management of the environment.

**“the Act”** means the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended.

**“the Department”** means the Department of Economic Development, Environment, Conservation and Tourism.

**“the Regulations”** means the Environmental Impact Assessment Regulations, of December 2014, as amended.



## B. Environmental Authorisation

Authorisation register number: NWP/EIA/40/2025

Holder of Environmental Authorisation: SM Brilliant Solutions Group

Location of activity: North West Province: Portion 1181 of the farm Hartebeestpoort C 419 JQ, Madibeng Local Municipality

### 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 specified below:

### 2. Activities Authorised

By virtue of the powers delegated by the MEC in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended and the Environmental Impact Assessment Regulations of 2014 as amended, the Head of Department: Department of Economic Development, Environment, Conservation and Tourism authorises:-

**SM Brilliant Solutions Group**  
54 7<sup>th</sup> Ave  
**ALEXANDER GAUTENG**  
2090

Tell No. : 082 819 6849

Email : [johannamatsemela@gmail.com](mailto:johannamatsemela@gmail.com)

to undertake the following activity:

*the construction and operation of 7 environmentally controlled chicken houses*

The overall development will consist of:

- 7 Environmentally Controlled Chicken houses (125 m x 15 m x 2.4 m) with a holding capacity of 42 500 chickens each (297 500 total)
- Water; feeding system and heating units for each house
- Bulk feed silos for each house on site
- Bulk water system for water from borehole supply
- The houses to be fenced in 2 bio-security areas (4 houses in one and 3 houses in the other) with full access control and bio-security measures
- Total Footprint: 7.25 ha

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

## Site Location:

S1A	Latitude	Longitude
Portion 1181 of the farm Hartebeestpoort C 419 JQ	25° 32' 16.02" S	27° 49' 33.63" E

The operational site is located on portion 1181 of the farm Hartebeestpoort C 419 JQ, around 11.2km north-east of the town of Brits, and south-east of the Brits Airport complex, within the jurisdiction of Madibeng Local Municipality, North West Province, hereafter referred to as "the property".

### 3. Conditions

#### 3.1 Scope of Environmental Authorisation

##### 3.1.1 The preferred **alternative S1** is approved

3.1.2 Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which are binding on the holder of the Environmental Authorisation.

3.1.3 The holder of the Environmental Authorisation must be responsible for ensuring compliance with the conditions in this Environmental Authorisation including any person acting on the holder's behalf, contractor, or person rendering a service to the holder of the Environmental Authorisation.

3.1.4 The activities authorised may only be carried out at the properties as described in Point 2 under site location.

3.1.5 This Environmental Authorisation does not negate the holder of the Environmental Authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

3.1.6 Relevant legislation that must be complied with by the holder of this Environmental Authorisation includes, *inter alia*:

- a. National Heritage Resources Act, 1999 (Act No. 25 of 1999).
- b. Animal Health Act, 2002 (Act No. 7 of 2002)
- c. South African Poultry Association Code of Practice, June 2022
- d. Meat Safety Act, 1999 (Act No. 40 of 2000)
- e. Agricultural Product Standards Act, 1990, ( Act No. 119 of 1990)
- f. Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983)
- g. The Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- h. All provisions of the National Water Act, 1998 (Act No. 36 of 1998)
- i. National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) as amended
- j. National Environmental Management: Waste Act, 2008 (Act 59 of 2008) as amended
- k. The municipal by-laws must be adhered to where applicable.

3.1.7 The holder of an Environmental Authorisation is responsible for applying to the competent authority for an amendment of the Environmental Authorisation in the event of any alienation, change in ownership, or deviation from the project description.

#### **4. Appeal of Environmental Authorisation**

- 4.1 The holder of the Environmental Authorisation must notify every **registered** interested and affected party, in writing and within **14 days**, of receiving an Environmental Authorisation from the Department.
- 4.2 The notification referred to in 4.1 must –
- 4.2.1 Inform interested and affected parties of the decision, reason for decision and where the decision can be accessed.
- 4.2.2 Advise the interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
- 4.2.3 Specify the date on which the Environmental Authorisation was issued.
- 4.2.4 Inform the registered interested and affected parties of the appeal procedure provided for in Chapter 2 of the National Appeal Regulations (see Annexure 2).
- 4.3 An appeal against the decision must be lodged in terms of Chapter 2 of the National Appeal Regulations on Appeal forms with:

**The Member of Executive Council**

**Hon. Bitsa Lenkopane**

NWDC Building

Corner University & Provident Street

Private Bag X 15

**Mmabatho**

2735

For attention of

**Mr Thomas Matlapeng**

Tel No: 018 388 5807/09

Cell No: 083 687 3649 / 066 502 6892

Email: [ThomasM@nwpg.gov.za/tasty9112@gmail.com](mailto:ThomasM@nwpg.gov.za/tasty9112@gmail.com)

- 4.4 An appeal made against this Environmental Authorisation will result in it being suspended, therefore the activity must not commence pending the lapse of 20 days after all Interested and Affected parties have been informed of this decision
- 4.5 Should an appeal be lodged within 20 days after notification to all Interested and Affected parties of the decision, the activity may only commence once the decision by the MEC, as Appeal Authority, have been made.

## 5. Management of the activity

- 5.1 The Environmental Management Programme (EMPr) which is as part of the Basic Assessment Report (BAR) submitted to this Department on 26 January 2026, for the proposed development is **hereby approved**.
- 5.2 The recommendations and mitigation measures outlined in the BAR; compiled by Green Environmental Consulting Services must be adhered to.
- 5.3 Any proposed amendments to the EMPr (as a result of this Environmental Authorisation or otherwise) must be submitted in writing to **Director: Environmental Quality Management** for approval prior to the amendment being implemented.
- 5.4 The holder must adhere and ensure adherence by all contractors, sub-contractors and workers for this project, to all conditions, monitoring and proposed mitigation measures as outlined in the EMPr.

## 6. Monitoring

- 6.1 The holder of Environmental Authorisation has the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in the Basic Assessment Report are implemented, and to ensure compliance with the provisions of the EMPr.
- 6.2 The holder of Environmental Authorisation must ensure communications with key stakeholders in respect to monitoring of compliance with conditions of Environmental Authorisation and the EMPr and also liaise with Environmental Compliance and Enforcement Section.
- 6.3 It is the responsibility of the holder of this Environmental Authorisation to ensure that an ongoing management and monitoring of the impacts of the activities on the environment throughout the life cycle of the activities is put into practice.

## 7. Validity period of the activities authorised

- 7.1 This Environmental Authorisation **is valid from the date of issue of the authorization and has no conclusion date**, subject to an Environmental Audit Report.

## 8. Recording and Reporting to the Department/Environmental Audit Report

- 8.1 14 days written notice and copy of EMPr must be given to the Departments Environmental Compliance and Enforcement Section that the activity will commence, notice must be sent to [LNonkomo@nwpg.gov.za](mailto:LNonkomo@nwpg.gov.za)
- 8.2 The holder of the Environmental Authorisation must ensure that compliance with the conditions of the Environmental Authorisation, EMPr, is audited; and **an Environmental Audit Report** is submitted to this Departments' Environmental Compliance and Enforcement Section **within 5 years** of this Environmental Authorisation AND subsequently **every 5 years thereafter** for the period during which the Environmental Authorisation and EMPr. Such an Environmental Audit Report must be compiled in compliance with Appendix 7 of the 2014 EIA Regulations.



- 8.3 Records relating to monitoring must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

## **9. Operation of the activity**

- 9.1 Odour from chicken houses must be effectively controlled by removing wet bedding and litter from the chicken houses on a regular basis. Any other offensive smells emanating from the poultry farm must be dealt with hygienic measures that reduce such smell to an acceptable level.
- 9.2 All manure and carcasses must be handled in accordance with the National Environmental Management Waste Act, 2008 (Act No. 59 of 2008)
- 9.3 All mortalities must be removed to the cold storage area, awaiting removal by the contractor.
- 9.4 General waste must be collected and disposed of at a licensed landfill site on a weekly basis. Recyclable waste must be recovered for recycling purpose. No temporary dumping of waste is allowed on site.
- 9.5 An immunisation programme based on the knowledge of the disease to which the chickens are likely to be exposed or susceptible to, must be implemented to prevent an outbreak of diseases.
- 9.6 The applicant must implement measures to prevent fly breeding on site particularly during the summer months. Fly control must include measures for control of adults as well as larvae.
- 9.7 All records must be kept of who takes/buys the chicken waste; where its final destination will be and what will the waste be used for.
- 9.8 Chicken houses must be free of vermin and wild birds.

## **10. Site Closure and Decommissioning**

- 10.1 Should the activity ever cease or become redundant, the applicant must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.
- 10.2 The disturbed areas must be rehabilitated to almost a natural state, and landscaping of the disturbed areas must make extensive use of locally appropriate indigenous vegetation.

## **11. Specific conditions**

- 11.1 The applicant must adhere to the mitigation measures and recommendations contained in the EMPr and Basic Assessment Report compiled by Green Environmental Consulting Services.
- 11.2 All required registrations and agreements for adequate services and capacities must be made before clearance commences.
- 11.3 Dust control measures must be implemented to reduce dust arising from construction vehicles.



- 11.4 Surface water or storm water must not be allowed to concentrate, or to flow down or fill sloped routes without erosion protection measures being in place.
- 11.5 All coal bunkers must be constructed with a cement floor and either a roof or a sturdy tarpaulin to prevent the ingress of water taking place.
- 11.6 Disturbed soils, slopes and areas of open excavation must be minimized to avoid soil erosion.
- 11.7 The contractor must ensure that drip trays are always available to collect any fluid that may result from standing vehicles, accidental spillage, overflow and/or servicing. All equipment's that leak must be repaired immediately and removed from the site when necessary.
- 11.8 No surface or ground water must be polluted due to any activities on the site. General housekeeping at the site must be kept at a high standard. The requirements of the National Water Act, 1998 (Act No. 36 of 1998) must be complied with at all times.
- 11.9 Archaeological remains, artificial features and structures older than **60 years** are protected. Should any archaeological artefacts be exposed during excavation for the purpose of construction, construction in the vicinity of the finding must be stopped immediately and the Provincial Heritage Resources Authority must be informed about the finding.
- 11.10 The holder of the Environmental Authorisation, **SM Brilliant Solutions Group**, must be responsible for compliance with the provisions for duty of care and remediation of environmental damage in accordance with Section 28 of National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended

## **12. General**

- 12.1 A copy of this Environmental Authorisation must be kept at the property where the activity will be undertaken, and must be produced to any authorised official of the Department upon request.
- 12.2 The holder of the Environmental Authorisation must notify the Department (accompanied by reasons), in writing and within **48 hours**, if any condition of this Environmental Authorisation cannot be or is not adhered to. Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Regulations.
- 12.3 No public authority shall be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance for reasons of non-compliance by the applicant with the conditions of this Environmental Authorisation.

### **Environmental Authorisation Approved By:**

  
**Mr. Relebohile Mofokane**

**Head of Department**

**Department of Economic Development, Environment, Conservation and Tourism**

**Date:** 06/05/2016

## ANNEXURE 1: REASONS FOR ENVIRONMENTAL AUTHORISATION

### 1. Background

The Applicant, **SM Brilliant Solutions Group**, applied for Environmental Authorisation to carry out the following activity:

*The construction and operation of the 7 environmentally controlled chicken houses on portion 1181 of the farm Hartebeestpoort C 419 JQ, Madibeng Local Municipality, North West Province*

The applicant appointed **Green Environmental Consulting Services** to undertake a Basic Assessment process as required by Regulation 12 of the EIA Regulations, 2014.

### 2. Information considered in making the decision

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

- a) The information contained in the Basic Assessment Report (BAR) compiled by **Green Environmental Consulting Services** received by the Department on 26 January 2026.
- b) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended.
- c) The Site Verification report – Flora, Fauna & Terrestrial Biodiversity Theme dated August 2025 compiled by Ekoinfo cc & Associates
- d) The findings of a site visit undertaken on 09 December 2025 by the Department officials Olebogeng Marobe with Mr R.P Colyn of Green Environmental Consulting Services (EAP).

### 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) Details provided of the qualifications of the EAP indicate that the EAP is competent to carry out the Environmental Impact Assessment (EIA) procedures.
- b) The Basic Assessment Report received on 26 January 2026, 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 proposed activity.
- c) The Basic Assessment Process was conducted in terms of the prescribed Regulations.
- d) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations of 2014 for public involvement. The development was advertised in "CITIZEN" and "Brits Pos" on 15 August 2025 as part of the public participation process.

- e) The legal and procedural requirements have been complied with and the information contained in the document is to the satisfaction of this Department.

#### 4. Findings

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

- a) The Poultry Chicken Farm is an agricultural activity on land used for agricultural purposes.
- b) The development will create jobs and encourage local economic growth.
- c) The issues raised during the public participation process have been adequately addressed.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the activity will not conflict with the general objectives of Integrated Environmental Management laid down in Section 23 (2) (a-f) of Chapter 5 of National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended and that any potentially detrimental environmental impacts resulting from the activity can be mitigated to acceptable levels. **The application is accordingly granted.**

## ANNEXURE 2: ADMINISTRATION AND PROCESSING OF APPEALS

### ADMINISTRATION AND PROCESSING OF APPEALS IN TERMS OF CHAPTER 2 OF THE NATIONAL APPEAL REGULATIONS, 2025 TO BE FOLLOWED BY THE APPLICANT, AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION

#### 4. Submitting an Appeal

- (1) An appellant must submit an appeal—
  - (a) within 20 calendar days from the date that the decision is sent by the decision-maker, or, where applicable, by the applicant to registered interested and affected parties; or
  - (b) within 30 calendar days from the date that the decision is received, where the appeal is submitted in terms of section 43(8) of the Act
- (2) The appellant must submit the appeal—
  - (a) to the appeal administrator;
  - (b) to the applicant, where the appellant is not the applicant; and
  - (c) where applicable, to any registered interested and affected party where the appellant is the applicant.
- (3) An appeal submitted in terms of sub-regulation (1) must—
  - (a) be in writing;
  - (b) be in the form obtainable from the relevant appeal authority;
  - (c) include supporting documentation, which is referred to in the appeal; and
  - (d) include proof of payment of a non-refundable appeal fee, if prescribed.
- (4) An applicant must—
  - (a) notify, and make a copy of the appeal available to, registered interested and affected parties where applicable, and to affected organs of state, within 5 calendar days of the expiry of the 20-day period in sub-regulation (1); and
  - (b) submit proof of the notification contemplated in paragraph (a) to the appeal administrator within 5 calendar days of sending the last notification.

#### 5. Responding statement

The applicant, where applicable, the decision-maker and any other person contemplated in regulation 4 may, within 20 calendar days from the date of receipt of the appeal, submit, in the form obtainable from the Department a statement responding to an appeal, to the appeal administrator and to the appellant.

#### 6. Additional information

The appeal administrator may request additional information from any person or affected organ of state for purposes of the appeal.

#### 12. Delivery of documents

A person may deliver documents in terms of these regulations by—

- (a) electronic mail; or
- (b) delivering a hard copy by hand where that person does not hold an electronic mail account