

## COMMENTS & RESPONSE REPORT

### S24G APPLICATION FOR THE DEVELOPMENT OF A POULTRY REARING FACILITY ON THE REMAINDER OF FARM GROOTVLEI NO. 225, CALEDON

Opened 30 July 2024 at PHS Consulting Offices

Name	Presenting Unit	COMMENT	RESPONSE
<b>Pre-Application Draft NEMA S24G Report (Circulated from 27 June 2024 to 26 July 2024)</b>			
Rhett Smart	Cape Nature	<p><i>Letter recived via email on 27 July 2024:</i></p> <ol style="list-style-type: none"> <li>CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application.</li> <li>The application is for the rectification of the construction of a poultry rearing facility. As indicated in the report and verified on Google Earth, the footprint of the facility was occupied by cultivated lands prior to construction and therefore did not result in the loss of natural habitat. The area surrounding the footprint is occupied by agricultural facilities and cultivated lands, except to the north where there is natural vegetation. The natural vegetation is mapped as Other Natural in the Western Cape Biodiversity Spatial Plan and contains Overberg Sandstone Fynbos, listed as endangered. There are no watercourses in close proximity to the facility.</li> <li>The results from the screening tool indicate very high sensitivity for terrestrial biodiversity, high sensitivity for animal species, medium sensitivity for plant species and low sensitivity for aquatic biodiversity. No specialist studies were undertaken, and the site sensitivity verification provides motivation for each of the above</li> </ol>	<ol style="list-style-type: none"> <li>This comment is noted.</li> <li>This comment is noted.</li> <li>This comment is noted. A Notification of Intent to Develop Screener report was submitted to Heritage WC for comment by a specialist. Comment received from HWC confirmed that no Heritage resources are likely to occur on site and that no further studies will be required.</li> <li>This comment is noted. The following precautions have implemented to mitigate the risk of avian influenza (AI) and ensure the safety of both poultry and wild birds in the area:   <u>Bird Proofing:</u>                       The operation doesn't use poison. The poultry houses are equipped with comprehensive bird-proofing measures to prevent wild birds from entering the houses. The design includes pop holes that are positioned low and open horizontally from the bottom up, effectively ensuring that wild birds cannot access the poultry houses. This setup significantly reduces the risk of AI transmission between wild birds to poultry.   <u>Monitoring and Testing:</u> </li> </ol>

		<p>themes based on the lack of natural habitat on the footprint prior to construction and confirmation of the distance from watercourses.</p> <p>4. It is noted that it is a free-range facility where the poultry are permitted to move within the enclosed area around the poultry houses. Biosecurity would be a concern for the facility, as avian influenza has become an ever-increasing risk to both domestic and wild birds. General biosecurity is addressed in the Environmental Management Programme (EMPr), however we are aware that poultry facilities implement bird deterrent measures to prevent infection from wild birds. Deterrent measures can potentially have negative impacts on wild birds (e.g. poisoning), however appropriate measures would not. We therefore request that further information is required in this regard. Based on the feedback an avifaunal compliance statement may be required. We have been informed by the Endangered Wildlife Trust (EWT) that the neighbouring property has three breeding pairs of vulnerable Blue Crane (<i>Anthropoides paradiseus</i>).</p> <p>5. Management of waste and wastewater are potential concerns for poultry facilities. The composting facility is not included in the project description or site layout plan. The composting facility should be considered as an integral part of the application and therefore needs to be included as part of the assessment. However, the two EMPrs for the poultry houses and the composting facility adequately address the waste management concerns. It is noted that there is approval in terms of the National Environmental Management: Waste Act for the composting facility. It is located on concrete bunkers with a roof overhead and a stormwater control channel. Impacts on pollution of surface and groundwater should therefore be minimised. The grassed surface surrounding the poultry houses also reduces the risk of polluted run-off entering and impacting on natural</p>	<p>Monitoring and testing protocols are carried out onsite on a regular basis to ensure that high biosecurity standards are maintained:</p> <ul style="list-style-type: none"> <li>- Monthly wild bird samples are taken on the farm and tested at SMTVet lab (accredited) using PCR methods to detect any presence of AI.</li> <li>- Blood samples from broilers are taken biannually and tested at SMTVet lab using PCR methods to detect any presence of AI.</li> </ul> <p><u>Reporting and Compliance:</u></p> <p>All test results are submitted to:</p> <ul style="list-style-type: none"> <li>- State Veterinarian Christie Kloppers</li> <li>- South African Poultry Association (SAPA)</li> </ul> <p>Additionally, the farm undergoes annual re-registration with SAPA to ensure adherence to the latest biosecurity standards and practices.</p> <p>5. This comment is noted. The composting facility is approved and not being applied for, it is located approximately 800 meters northeast of the poultry facility and has been indicated on the locality map in Appendix A. The composting facility is referenced in Section 2, "Activity Description," of the application form.</p> <p>6. This comment is noted.</p> <p>7. This comment is noted.</p>
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		<p>habitat and watercourses.</p> <p>6. In conclusion CapeNature is satisfied that the impacts have been adequately addressed and an informed decision can be taken provided that suitable responses can be provided to the above queries.</p> <p>7. CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</p>	
Vhengani Ligudu	BOCMA	<p><i>Letter recived via email on 5 August 2024:</i></p> <p>With reference to the above-mentioned document received by this office with DEADP reference 14/2/4/1/E4/5/0003/24 on the 01/08/2024 requesting comments. This office has reviewed the above-mentioned report and has the following comments:</p> <ol style="list-style-type: none"> <li>1. All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered.</li> <li>2. Kindly note that water use registered with registration number 29017625 is for irrigational purposes. Kindly provide this office with a water balance indicating the source of water, abstraction point and volume of water used in the chicken facility.</li> <li>3. The onsite composting facility may be regarded as a Section 21(g) water use in terms of the National Water Act, 1998: Section 21 (g): disposing of waste in a manner that may detrimentally impact on a water resource.  Kindly provide this office with further information regarding the composting facility such as the size/capacity, location, lining and management of the facility.</li> <li>4. The disposal of sewage must at all times comply with the requirements of Sections 22 and 40 of the National Water Act of 1998, (Act 36 of</li> </ol>	<ol style="list-style-type: none"> <li>1. This comment is noted. All relevant section and regulation of the National Water Act 1998 (Act 36 of 1998) regarding water use will be adhered to.</li> <li>2. This comment is noted. The water that sustains the chicken facility is registered under water use number 4 in water use register number 29017625. This water source is a borehole located on the remainder of farm Grootvlei No. 225, Caledon, at coordinates 34.170608°S 19.598596°E. The registered abstraction volume from this borehole is 50604 m<sup>3</sup> per annum, of which 7668 m<sup>3</sup> is used annually in the chicken rearing facility. The remainder is used for irrigation purposes on the farm. Drip irrigation has been installed in several of the onsite vegetable fields to reduce the amount of water required for irrigation purposes and thereby ensure sufficient water availability for the chicken rearing facility. Water will be metered at the abstraction point to ensure compliance with the registered abstraction volume.</li> <li>3. The onsite composting facility has been registered under the National</li> </ol>

		<p>1998).</p> <ol style="list-style-type: none"> <li>5. No stormwater runoff from any premises containing waste, or water containing waste emanating from industrial activities and premises may be discharged into a water resource. Polluted storm water must be contained.</li> <li>6. No permanent structures maybe constructed within the regulated area of any watercourse (seasonal or permanent river, stream etc.), without firstly obtaining authorization in terms of Section 21 (c) and (i) of the National Water Act, 1998 (Act 36 of 1998).</li> <li>7. This office reserves the right to amend and revise its comments as well as to request any further information.</li> <li>8. The onus remains on the registered property owner to confirm adherence to any relevant legislation concerning the activities that might trigger and/or need authorization.</li> <li>9. Please do not hesitate to contact the above official should there be any queries.</li> </ol>	<p>Environmental Management: Waste Act via a Norms and Standards process. It is located approximately 800 meters northeast of the poultry facility, as indicated on the locality map in Appendix A of the application. The composting facility spans approximately 1.07 hectares and has a processing capacity of approximately 260 tonnes of material at any given time. The composting method employed involves layering organic matter in concrete bunkers with a roof overhead. This facilitates the initial micro-organism-driven breakdown of organic matter through a static process. Once this initial process is complete, the material is transferred to long windrows where further decomposition occurs, resulting in nutrient-rich compost. The management of the composting facility is outlined in the Environmental Management Programme (EMPr), attached to the application as Appendix I2. The implementation of the approved N&amp;S, EMPr will avoid detrimental impact on a water resource, therefore S21 (g) don't apply.</p> <ol style="list-style-type: none"> <li>4. This comment is noted and will be complied with.</li> <li>5. This comment is noted and will be complied with. Stormwater management is detailed in Section 4 (h) of the OEMP for the facility.</li> <li>6. This comment is noted. Action in terms of Section 21 (c) and (i) of the National Water Act may be required due to the proximity of the facility to desktop indicated watercourses.</li> <li>7. This comment is noted.</li> <li>8. This comment is noted.</li> <li>9. This comment is noted.</li> </ol>
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Name	Presenting Unit	COMMENT	RESPONSE
<b>Pre-Application Draft NEMA S24G Report (Circulated from 1 October to 30 October 2024)</b>			
Cor van der Walt	Department of Agriculture	<p><i>Email dated 30 September 2024:</i></p> <p>1. Please ensure that this office receives a HARD COPY or CD or USB STICK. We unfortunately cannot afford to print applications and reports. We do not have an electronic filing system but are in process of developing an electronic filing system. We hope to have an electronic filing system in the near future.</p>	<p>1. The EAP takes note of this requirement. A USB stick with the S24G Application Form and supporting documentation was delivered to the Department of Agriculture on the 2<sup>nd</sup> of October 2024. Proof has been included in Appendix H1.</p>
Johan Viljoen	Theewaterskloof Municipality	<p><i>Email dated 1 October 2024:</i></p> <p>1. Theewaterskloof herby register as interested and effected participants</p>	<p>1. The EAP notes this communication. The Theewaterskloof Municipality is registered as an IAP for the NEMA S24G Application.</p>
Vanessa Stoffels	Department of Transport and public works	<p><i>Email dated 1 October 2024:</i></p> <p>1. Thank you for contacting our Branch. We acknowledge receipt of your email regarding the abovementioned matter and wish to register as an affected and Interested party.</p>	<p>1. The EAP notes this communication. The Department of Transport and Public Works is registered as an IAP for the NEMA S24G Application.</p>
Admin	Department of Transport and public works	<p><i>Email dated 10 October 2024:</i></p> <p>1. The message below refers to your application for the submission of a property environmental study for comment (Application No - 2024-10-0011) submitted to the Western Cape Government on 2024/09/29:</p> <p>Properties related to the application :</p> <ul style="list-style-type: none"> <li>• Portion 0 of Farm GROOT VALLEY 225, CALEDON</li> </ul> <p>Supporting documents submitted with the application :</p>	<p>1. The EAP notes this communication. The Department of Transport and Public works is included as a commenting authority for the NEMA S24G Application.</p> <p>2. This comment is noted. The Department of Transport and Public Works is registered as an IAP for the NEMA S24G Application.</p>

		<ul style="list-style-type: none"> <li>• Site Layout Plan - (Appendix-A-Locality-and-Topocadastral-Maps-of-RE-Farm-225^LJ Caldeon-1.pdf)</li> <li>• Site Development Plan - (Appendix-O-Conceptual-Building-Designs-1.pdf)</li> <li>• Site Development Plan - (Appendix-B1-Grootvlei-SDP-1.pdf)</li> <li>• Title Deed - (Appendix-M-Title-Deed-RE-Farm-Grootvlei-number-225-Caledon-1.pdf)</li> <li>• Environmental Impact Assessment Report - (NEMA-24G-Application-Farm-Grootvlei-27 September-2024_compressed.pdf)</li> <li>• Environmental Impact Assessment Report - (Appendix-P-S24G-Env-Auth_-TWK-Chicks Pty-Ltd_Farm-Avontuur-238-Stormsvlei-003-1.pdf)</li> <li>• Application Cover Letter - (email correspondence.pdf)</li> </ul> <p>The matter is receiving attention, and further communication will be addressed to you as soon as circumstances permit.</p> <p><i>Email dated 1 November 2024:</i></p> <p>2. The message below refers to your application for the submission of a property environmental study for comment (Application No - 2024-10-0011) submitted to the Western Cape Government on 2024/09/30.</p> <p>Property related to the application</p> <ul style="list-style-type: none"> <li>• Portion 0 of Farm GROOT VALLEY 225, CALEDON</li> </ul> <p>This application affects Minor Road 4122, for which this Branch is the road authority. This Branch wants to register as an affected party.</p>	
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<p>Rulien Volschenk</p>	<p>Overstrand District Municipality</p>	<p><i>Email dated 14 October 2024:</i></p> <ol style="list-style-type: none"> <li>1. Please find attached the Overberg District Municipality's comments.</li> </ol> <p><i>Letter received via email dated 14 October 2024:</i></p> <ol style="list-style-type: none"> <li>2. The overberg District Municipality's department of Environmental Management Services takes cognisance of the S24G application for an existing poultry rearing facility.</li> </ol> <p>The ODM has no objection against the proposed development and support the proposed mitigation measures as stipulated in the Operational Environmental Management Programme and Environmental Management Programme for the Composting Facility.</p>	<ol style="list-style-type: none"> <li>1. The attachment is noted.</li> <li>2. This comment is noted.</li> </ol>
<p>Christie Craig</p>	<p>Endangered Wildlife Trust</p>	<p><i>Email dated 30 October 2024:</i></p> <ol style="list-style-type: none"> <li>1. Please consider the attached comments for this application: EWT_Comments_proposed_chicken_infrastructure.</li> </ol> <p><i>Letter received via email dated 30 October 2024:</i></p> <ol style="list-style-type: none"> <li>2. Blue Cranes at Groote Valley 225 farm, Theewaterskloof Local Municipality</li> </ol> <p>Following a site visit to Môreson 752 farm, we documented three Blue Crane <i>Anthropoides paradiseus</i> breeding sites as seen in Figure 1 below. Blue Cranes utilise the breeding territories for at least five months a year during the breeding season (from September to April) and can move throughout the day within the breeding territory. A flock of Blue Cranes is also known to be present on the farm throughout the winter.</p>	<ol style="list-style-type: none"> <li>1. The attachment is noted.</li> <li>2. This comment is noted. Please note that Figure 1 in the provided comments incorrectly marks the proposed development site. For an accurate visual reference, see Map 1 below, which shows the development's location in relation to the identified blue crane breeding sites. The nearest breeding site is approximately 3.4 km from the development, ensuring a clear spatial separation from the blue crane breeding territories.</li> </ol>

		<p>The African Crane Conservation Programme of the Endangered Wildlife Trust would like to recommend that another site is selected further away from the current proposed site. This is due to possible disturbance during the breeding season and the close proximity to breeding territories.</p> <p>Blue Cranes are globally Vulnerable according to the International Union for the Conservation of Nature (iucnredlist.org). Current research has shown that Blue Crane population numbers are not increasing and although the Overberg region of the Western Cape has the largest population of Blue Cranes, it is vital to conserve this population</p>	<p>Map 1: Location of the three Blue Crane breeding sites relative to the development site.</p> <p>The application currently under review is a NEMA Section 24G application for the existing poultry rearing facility located on RE Farm 225, Grootvlei, Caledon. This facility was developed between 2005 and 2011. Since the poultry houses and associated infrastructure have already been established, and the relevant listed activities have been carried out, alternative locations for the existing development are not available for consideration in this application. This existing poultry facility has been operational in association with these blue crane breeding sites without any known or confirmed impacts. Its therefore highly unlikely that the continued operation will impact on these breeding sites.</p>
Rhett Smart	Cape Nature	<p><i>Email dated 30 October 2024:</i></p> <ol style="list-style-type: none"> <li>1. Please see attached comment from CapeNature on the Revised NEMA Section 24G Report for the Unlawful Construction of a Poultry Rearing</li> </ol>	<ol style="list-style-type: none"> <li>1. The attachment is noted.</li> <li>2. This comment is noted.</li> </ol>



		<p>Facility of Remainder of Farm Grootvlei 225, Caledon.</p> <p><i>Letter recived via email dated 30 October 2024:</i></p> <ol style="list-style-type: none"> <li>2. CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application.</li> <li>3. CapeNature raised queries which have been responded to in the comments and response report, more specifically related to biosecurity measures for birds and the composting facility. The responses provided adequately address the concerns raised.</li> <li>4. A comprehensive response has been provided regarding the biosecurity measures which do not have a direct impact on wild birds. However, we recommend that the monthly wild bird samples which are taken for testing for avian influenza should exclude blue cranes (<i>Anthropoides paradiseus</i>) to avoid disturbance to of this vulnerable species, of which there are winter flocks and at least three breeding pairs on the neighbouring property. Should testing on cranes be considered necessary, the Endangered Wildlife Trust must be consulted to advise regarding permissible actions.</li> <li>5. In conclusion, CapeNature is satisfied that concerns have been adequately addressed and no additional mitigation measures are required. There is sufficient information available to make an informed decision regarding the unlawful activities undertaken.</li> </ol>	<ol style="list-style-type: none"> <li>3. This comment is noted.</li> <li>4. This comment is noted, and the request will be adhered to. No blue cranes have been or will be tested.</li> <li>5. This comment is noted.</li> </ol>
Vhengani Ligudu	BOCMA	<p><i>Email dated 30 October 2024:</i></p> <ol style="list-style-type: none"> <li>1. Please find the attached comments. I have attached forms just for reference.</li> </ol> <p><i>Letter recived via email dated 30 October 2024:</i></p>	<ol style="list-style-type: none"> <li>1. The attachments are noted.</li> <li>2. This comment is noted. All relevant section and regulation of the National Water Act 1998 (Act 36 of 1998) regarding water use will be adhered to.</li> </ol>

	<p>With reference to the above-mentioned document received by this office with DEADP reference 14/2/4/2/2/E4/5/0029/24 on the 01/10/2024 requesting comments. This office has reviewed the above-mentioned report and has the following comments:</p> <ol style="list-style-type: none"> <li>2. All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered.</li> <li>3. The response provided in Appendix H2 is noted, however previous comments dated 05/08/2024 still applies.</li> <li>4. The registered water use number 4 is for irrigation purposes as confirmed in a Section 35 (4) letter dated 09/02/2015. Should the water user intends to use this water for other purpose besides irrigation; a change of sector application must be made to this office.</li> <li>5. Regarding the operation and management of the waste facility, kindly note that poultry facility is regarded as confined animal feeding operations and does trigger Section 21 (g) water use (see to attached forms for reference).</li> <li>6. Appendix I2 "Each of these stormwater control channels is connected to a safety retention pond which will provide additional storage in the event of channel overflow" the retention pond collecting nutrient enriched stormwater from the composting bunkers may trigger section 21 (g) water use.</li> <li>7. "Action in terms of Section 21 (c) and (i) of the National Water Act may be required due to the proximity of the facility to desktop indicated watercourses." Kindly confirm if Section 21 (c) and (i) is applicable.</li> <li>8. This office reserves the right to amend and revise its comments as well as to request any further information.</li> <li>9. The onus remains on the registered property owner to confirm adherence to any relevant legislation concerning the activities that might</li> </ol>	<ol style="list-style-type: none"> <li>3. This comment is noted.</li> <li>4. This comment is noted. Sufficient registered water is available on-site and this has been used for more than 10 years in order to sustain the proposed development. The sector change for water use is administrative in nature. A change of sector application will be submitted to the competent authority. This application will be included as a condition of environmental authorisation.</li> <li>5. This comment is noted. We acknowledge that certain water uses under the National Water Act, may be applicable to the development activities. The applicant intends to apply for the development of an additional poultry rearing facility on the same property (RE Farm No 225, Grootvlei, Caledon), through a Basic Assessment Report (BAR) process. The additional proposed development will potentially trigger similar water uses as for the existing facility. Accordingly, all water uses related to the existing and proposed operations will be clarified with the BOCMA and consolidated into a single, integrated water use application to ensure compliance across the property. This approach aligns with the One Environmental System. The integrated water use application will commence in parallel with the BAR process in 2025 and will be included as a condition of Environmental Authorization. The applicability of S21(g) will be evaluated during the expansion application.</li> <li>6. This comment is noted. Please refer to the response provided in point 5 above. The applicability of S21(g) will be evaluated during the expansion application.</li> <li>7. Desktop resources indicate the presence of watercourses within the regulatory area of the existing and proposed development. Field verification is still required to determine if Section 21(c) and (i) water uses apply. The applicability of these water uses will be confirmed as outlined in response point 5 above.</li> </ol>
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	trigger and/or need authorization.	8. This comment is noted. 9. This comment is noted.
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**Public Participation to date**

See proof of public participation conducted for pre-application draft Section 24G Application in Appendix H1:

Pre-application Public Participation:

- A pre-application draft Section 24G Application was circulated for public comment for a period from 27 June 2024 up to and including 26 July 2024.
- An advertisement (in English) was published in the local newspaper, the Hermanus Times, dated 26 June 2024.
- A site notice was placed at a visible location at the boundary of the proposed development site on 25 June 2024.
- The pre-application Draft Section 24G Application and supporting documentation, plus the draft EMPr was available for download from the PHS website for the period from 27 June 2024 up to and including 26 July 2024.
- All identified IAPs were notified by email or registered mail as applicable on 26 June 2024 of the proposed project and the availability of the documentation for comment.

In-process Public Participation:

- A draft Section 24G Application was circulated for public comment for a period from 1 October 2024 up to and including 30 October 2024.
- The draft Section 24G Application and supporting documentation, plus the draft EMPr was available for download from the PHS website for the period from 1 October 2024 up to and including 30 October 2024.
- The applicant does not have a website of their own so all documentation will be available on the PHS Consulting website.
- All registered IAPs were notified by email or registered mail as applicable on 30 September 2024 of the proposed project and the availability of the documentation for comment.

An additional 21-day consultation period will now commence before the S24G is submitted to DEA&DP for a decision.