



IMPORTANT: Kindly ensure that this checklist is completed and attached to the NEMA SECTION 24G Application.

Please indicate by ticking the following below to serve as confirmation that the required information has been included in the application.

No.	Application Requirements	Please tick for confirmation	
1.	Requirements of Preliminary Advertisement (pre-application public participation requirements including register of all I&APs), in accordance with Annexure A, Section D of the Section 24G Fine Regulations. (Note: Failure to meet the Regulation 8 will result in rejection of the application)	✓	
2.	Application form has been completed and attached, which includes among others:		
	2.1. A list of all listed activities and/or waste management activities that was triggered when the development activity was commenced with.	✓	
	2.2. A list of all similarly listed activities in terms of the current EIA regulations (if applicable).	✓	
	2.3. A description of the receiving environment before commences of the activity(ies).	✓	
	2.4. A description of the receiving environment after commences of the activity(ies).	✓	
	2.5. All appendices and annexures:		
	2.5.1. Locality map	✓	
	2.5.2. Site plans or/and Layout plan	✓	
	2.5.3. Building plans (if applicable)	n/a	
	2.5.4. Colour photographs	✓	
	2.5.5. Biodiversity overlay map	✓	
	2.5.6. Permit(s) / license(s) from any other organ of state including service letters from the municipality		
	Water use registrations	✓	
	NID Submitted to HWC	✓	
	Response from HWC	✓	
	Registration of the onsite Composting Facility – DEADP Waste Management	✓	
	2.5.7. Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, Land owner consent and any other public participation information	✓	
	2.5.8. Environmental Management Programme	✓	
	2.5.9. Certified copy of Identity Document of Applicant	✓	
	2.5.10. Certified copy of the title deed (or title deeds in the case of linear activities)	✓	
	2.6. Signed declaration forms.	✓	
3.	Are any specialist assessments required: e.g. Botanical, Hydro-geological, soil, socio-economic?	Yes ✓	No
	3.1. If yes, has the specialist assessment report been attached to the application?		
	Heritage Screener	✓	
4.	An assessment of the impacts of the activity or activities in terms of the following categories:		
	• Socio-economic	✓	
	• Biodiversity	✓	
	• Sense of place &/or Heritage/ Cultural	✓	
	• Any pollution or environmental degradation which has been, is being, is being or may be caused	✓	

5.	A methodology of how the investigation into the impacts associated with the unlawful activity was undertaken.	✓
6.	Completed and attached representations of Annexure A, Section A (Directives) in terms of the S24G Fine Regulations: Information/ Representation submitted in terms of any Directives the Minister/ decision maker may issue in terms of the National Environmental Management Act (Act 107 of 1998) (NEMA) s24G(1)(b)(i)-(viii).	✓
7.	Completed and attached representations in terms of Annexure A, Section B (Deferral) of the S24G Fine Regulations.	✓
8.	Completed and attached representations in terms of Annexure A, Section C, Part 1 (Fine Quantum based on the assessment as specified above (4).	✓
	Confirmation that Annexure A, Section C, Part 1 has been completed by an environmental assessment practitioner (EAP)	✓
9.	Compliance history of the applicant:	
	9.1. Completed Annexure A, Section C, Part 2 and 3; namely:	
	9.1.1. Whether or not administrative enforcement notices, including pre -notices where appropriate, have previously been issued to the applicant in respect of a contravention of section 24F(1) of the NEMA and/or section 20(b) of the National Environmental Management: Waste Act (Act 59 of 2008) (NEM: WA).	✓
	9.1.2. Whether or not the applicant has previously been convicted in respect of a contravention of section 24F(1) of the Act and /or section 20(b) of the NEM: WA;	✓
	9.1.3. Whether or not the applicant has previously submitted a section 24G application in respect of an activity or activities which commenced prior to the activity or activities that are the subject of the current application; and	✓
	9.1.4. Whether the applicant is a firm or a natural person. (see Section 24G Fine Regulations for definition of "firm")	✓
	9.2. Provided information or whether or not any of the directors of the applicant firm are, or were, at the relevant time, directors of a firm to whom the above (9.1.1. - 9.1.3.) applies;	✓
	9.3. Advise on whether an applicant who is a natural person is, or was, at the relevant time a director of a firm to whom the above (9.1.1.- 9.1.3.) may apply.	✓
10.	Consultation with relevant State departments in terms of section 24O(2) & 24O(3) of the NEMA.	
	10.1 Proof of Consultation with relevant State departments, including, <i>inter alia</i> , notices, adverts etc.	✓
	10.2 Copies of comments and responses included in the application.	
	10.2 Comments and Response report attached to the application.	
11.	Public Participation Process undertaken in terms of Chapter 6 of the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations, 2014") (GN No. R.326 of 7 April 2017) (if conducted/undertaken)	



Section 24G Application Form for the consequences of unlawful commencement of listed activity/ies in terms of the:

- **National Environmental Management Act, 1998 (Act No. 107 of 1998), ("NEMA");**
- **National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM: WA")**

April 2018

Form Number S24GAF/04/2018

Kindly note that:

1. This application must be submitted where a person has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1) of NEMA (i.e. where the person commenced with an activity listed or specified in terms of section 24(2) (a) or (b) of NEMA - the activities contained in the EIA Listing Notices) or has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20 (b) of the NEM:WA.
2. This **Application Form** must be completed for all section 24G applications, by an independent Environmental Assessment Practitioner ("EAP").
3. This Application Form is current as of 01 April 2018. It is the responsibility of the Applicant/EAP to ascertain whether subsequent versions of the Application Form have been published or produced by the competent authority. Note that this Application Form replaces all the previous versions. This updated Application Form must be used for all new applications submitted from 01 April 2018.
4. **The contents of this Application Form includes the following:**
 - PART 1 -**
 - Section A: Background Information**
 - Section B: Activity Information**
 - Section C: Description of Receiving Environment**
 - Section D: Need and Desirability**
 - Section E: Alternatives**
 - Section F: Impact Assessment, Management, Mitigation and Monitoring Measures**
 - Section G: Assessment Methodologies and Criteria, Gaps in Knowledge, underlying Assumptions and Uncertainties**
 - Section H: Recommendations of the EAP**
 - Section I: Representations - Response to an Incident or Emergency Situation**
 - Section J: Public Participation Process**
 - PART 2 -**
 - ANNEXURE A of Fine Regulations**
 - Section A: Directives**
 - Section B: Deferral of the Application**
 - Section C: Quantum of the section 24G fine**
 - Section D: Preliminary advertisement**
 - PART 3 -**
 - Appendices and Declarations**
 - PART 4 -**
 - ANNEXURE B: Waste Management Activity Supporting Information (if relevant)**
5. An independent EAP must be appointed to complete the required sections (in terms of NEMA and its Regulations) of the Application Form on behalf of the applicant; the declaration of independence must be completed by the independent EAP and submitted with this Application Form. If a specialist report is required, the specialist will also be required to complete the declaration of independence.
6. Two hard copies (including the original) and one electronic copy (CD/DVD/Flash drive) of this application form must be submitted.

7. The required information must be typed within the spaces provided. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The space provided extend as each space is filled with typing. **A legible font type and size must be used when completing the form.** A digital copy of the Application Form is available on the Department's website <https://www.westerncape.gov.za/eadp/>
8. The use of "not applicable" in the Application Form must be done with circumspection.
- 9. No faxed or e-mailed application forms will be accepted.**
10. Unless protected by law, all information contained in and attached to this application will become public information on receipt by the competent authority. Please note that, unless exemption has been granted in terms of the National Exemption Regulations published under GN R994 in GG 38303 of 8 December 2014, any Interested and Affected Party should be provided with the information contained in and attached to this Application Form as well as any subsequent information submitted.
11. This Application Form must be submitted to the Department at the postal address given below or by delivery thereof to the Registry Office of the Department.

PROCESS TO BE FOLLOWED:

- a) **Prior to submission of an Application Form**, the applicant is required to undertake a pre-application public participation process in terms of Regulation 8 of the Regulations relating to the procedure to be followed and criteria to be considered when determining an appropriate fine in terms of section 24G published in the Government Gazette on 20 July 2017, Gazette No 40994, No. R. 698 ("Section 24G Fine Regulations").
- b) Together with the submission of a section 24G Application Form, the form **must include Proof of compliance of with Regulation 8** of the Section 24G Fine Regulations, including, but not limited to, proof of the pre-application advertisement in a local newspaper and register of I&APs.
- c) The Department will acknowledge receipt of the application (within 14 days) and provide the Applicant / EAP with the relevant application reference number to be used in all future correspondence and the application public participation processes.
- d) Upon receipt of the application, the MEC/Competent Authority may direct the applicant in terms of section 24G(1)(i-viii) of the NEMA.
- e) In terms of the provisions of section 24G of NEMA, the applicant must pay an administrative fine up to a maximum of R5 million before the MEC/Competent Authority decides on the application.
- f) The applicant **must within 14 days** of receipt of the determination of the quantum of the fine, ensure that all registered interested and affected parties are notified of the determination of the quantum of the fine, including the reasons and provided with access to the determination.
- g) The administrative fine **must be paid within the time period stipulated** in the determination. Failure to pay the fine within the specified period, will result in the lapse of the application and any partial amounts paid in will not be refunded.
- h) **Proof of payment of the fine must be submitted to the Department.** Upon payment of the administrative fine, the MEC/Competent Authority may-
 - refuse to issue an environmental authorisation; or
 - issue an environmental authorisation to such person to continue, conduct or undertake the activity subject to such conditions as may be deemed necessary, which environmental authorisation shall only take effect from the date on which it has been issued; or
 - direct the applicant to provide further information or take further steps prior to making a decision provided for above;
 - together with the above decision the MEC/Competent Authority may direct a person to rehabilitate the environment within such time and subject to such conditions as may deem necessary or take any other steps necessary under the circumstances.

PLEASE NOTE THE FOLLOWING:

1. Failure to comply with a directive may result in the institution of appropriate legal action as is deemed necessary and as provided for in the legislation.
2. The submission of an application or the granting of an environmental authorisation shall in no way derogate from—
 - (a) the environmental management inspector's or the South African Police Services' authority to investigate any transgression in terms of NEMA or any specific environmental management Act;

- (b) the National Prosecuting Authority's legal authority to institute any criminal prosecution.
3. If, at any stage after the submission of an application it comes to the attention of the Minister, Minister for mineral resources or MEC that the applicant is under criminal investigation for the contravention of or failure to comply with section 24F(1) or section 20(b) of the *National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)*, the Minister, Minister for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time that the investigation is concluded and—
- (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
 - (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of such contravention or failure has been instituted; or
 - (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.
4. A person is guilty of an offence if that person:
- Prior to submission of a section 24G application:
 - o fails, in terms of Regulation 8(1), to place a preliminary advertisement in a local newspaper in circulation in the area in which the activity was, or activities were, commenced and on the applicant's website, if any or
 - o fails, in terms of Regulation 8(2), to comply with the advertisement requirements set out in Annexure A, section D or
 - o fails, in terms of Regulation 8(3), to open and maintain a register of interested and affected parties)); or
 - o fails, in terms of Regulation 8(4), to attach to the application form the register of interested and affected parties, which must be included in the report, or form part of the information submitted in terms of section 24G(1) of NEMA.
 - Provides incorrect, false or misleading information in any form, including in any document submitted to a competent authority in terms of the Section 24G Fine Regulations or omits information that may have an influence on the outcome of a recommendation of the fine committee or determination of the competent authority.
5. A person convicted of an offence in terms of these Regulations is liable to a fine not exceeding R5 million or to imprisonment for a period not exceeding 5 years, and in the case of a second or subsequent conviction to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, and in both instances to both such fine and such imprisonment.
-

DEPARTMENTAL DETAILS

Department of Environmental Affairs and Development Planning,
Directorate: Environmental Governance
Attention: Sub-directorate: Rectification
 Private Bag X9086
 Cape Town, 8000

Registry Office
 1st Floor Utilitas Building
 1 Dorp Street, Cape Town

Queries should be directed to the Sub-directorate: Rectification at:
 Tel: (021) 483-5827 Fax: (021) 483-4033

DEPARTMENTAL REFERENCE NUMBER(S) (for official use)

File Reference number (S24G)	
Administrative Fine Reference	

DEPARTMENTAL REFERENCE NUMBER(S) (to be completed by the

EAP)

File Reference number (Enforcement), if applicable	n/a
File reference number (EIA), if applicable:	n/a
File reference number (Waste), if applicable:	n/a
File reference number (Other (specify)):	Voluntary S24G Consultation: 14/2/4/1/E4/5/0003/24 24G Application: 14/2/4/2/2/E4/5/0029/24

View the Department's website on

<http://www.westerncape.gov.za/eadp> for the latest version of the documents

PART 1**PROJECT TITLE**

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

RELEVANT REGION IN WHICH THE ACTIVITY COMMENCED

Cross out the appropriate box "☒" in which region the unlawful activity/ies has commenced.

REGION 1 City of Cape Town and West Coast District	REGION 2 Cape Winelands District and Overberg District	REGION 3 Central Karoo District and Eden District
	X	

SECTION A: BACKGROUND INFORMATION**1. APPLICANT PROFILE INDEX**

Cross out the appropriate box "☒".

1.1	The applicant is a Natural Person (individual)					
1.2	The applicant is a Firm (i.e. any body incorporated by, or established in terms of, any law as well as any partnership, trust, parastatal or organ of state)					X
1.2.1	If a firm, please tick the relevant box below:					
	Body Corporate	Partnership	Trust	Parastatal	Organ of State	
	Directors of a Company X	Members of a Board	Other, please specify			

Applicant's details (duplicate this section where there is more than one applicant)			
Applicant Name:	Bapchix (Pty) Ltd		
RSA Identity Number/ Passport Number of Applicant, if natural person:	n/a		
Name of Firm (if applicable):	Bapchix (Pty) Ltd		
Firm Registration Number:	2005/030249/07		
Contact Person at the Firm:	Mr Ross Philip		
List of all (as applicable at the relevant time):	Please insert the names and RSA ID numbers of the relevant persons below – (In the list below, delete the firms that are not applicable to this application)		
Directors of a company:	Name: Mr Ross Philip RSA ID No. 58 10 20 50 46 086 Name: Mr Chad Philip RSA ID No. 92 07 02 51 84 088		
Postal address:	PO BOX 599, Caledon, 7280		
		Postal code:	7280
Telephone:	021 200 9928	Cell:	083 273 8376
E-mail:	rossphilip@mweb.co.za	Fax:	n/a
Project Consultant			
Contact person:			
Postal address:			
		Postal code:	
Telephone:	()	Cell:	
E-mail:		Fax:	()
Name of the Environmental Assessment Practitioner ("EAP") responsible for the application:			
Paul Slabbert (EAP) & Olivia Brunings (Candidate EAP)			
Company name (if any):	PHS Consulting		
Postal address:	PO Box 1752, Hermanus		
		Postal code:	7200
Telephone:	028 312 1734	Cell:	082 740 8046
E-mail:	paul@phsconsulting.co.za olivia@phsconsulting.co.za	Fax:	086 508 3249
EAP Qualifications	Paul Slabbert B Art Et Science	Olivia Brunings BSc Conservation Ecology	
EAP Registrations/Associations	EAPASA Reg 2019-1036 (EAP)		EAPASA Reg 2023/6743 (Candidate EAP)
Name of the Landowner:			
Zonderend Valley Farm (Pty) Ltd			
Name of the contact person for the land owner (if other):	Mr Ross Philip		

Postal address:	PO BOX 599, Caledon, 7280		
		Postal code:	7280
Telephone:	021 200 9928	Cell:	083 273 8376
E-mail:	rossphilip@mweb.co.za	Fax:	n/a
Person in control of land:	Mr Ross Philip		
Contact person:	n/a		
Postal address:	PO BOX 599, Caledon, 7280		
		Postal code:	7280
Telephone:	021 200 9928	Cell:	083 273 8376
E-mail:	rossphilip@mweb.co.za	Fax:	n/a

Please note:

In instances where there is more than one landowner, please attach a list of landowners with their contact details to the back of this form.

A certified copy of the applicant's (if natural person), alternatively a director's (as defined), Identity Document must be attached to the application.

A certified copy of the title deed of the property/s on which the unlawful listed activity/ies has commenced must be attached to the application.

Municipality in whose area of jurisdiction the activity falls:	Theewaterskloof Local Municipality		
Contact person, if known:	Municipal manager - Mr Wilfred Solomons-Johannes (attention: Johan Viljoen)		
Postal address:	PO Box 24, Caledon, 7230		
		Postal code:	7230
Telephone	028 214 3300	Cell:	082 499 5024
E-mail:	johanvi@twk.org.za	Fax:	-

Please note:

In instances where there is more than one Municipality involved, please attach a list of Municipalities with their respective contact details to the form.

Property location(s):	The property is located approximately 15 kilometres northeast of Caledon and approximately 3 kilometres north of the N2 with access via a dirt road.		
Farm/Erf name(s) & number(s) including portion(s)	RE of Farm 225 Grootlei, Caledon		
Property size(s) (m ²)	311,15 ha		
Development footprint size(s) (m ²)	Approximately 61 024 m ²		
SG21 Digit code(s)	C013 000 000 000 225 000 00		

Property boundary:

Point	Latitude (S)	Longitude (E)
1	34°10'47.00"S	19°35'2.75"E
2	34°10'36.41"S	19°35'23.74"E

3	34°10'27.10"S	19°35'48.16"E
4	34° 9'56.23"S	19°35'52.31"E
5	34° 9'47.87"S	19°36'43.28"E
6	34°10'8.91"S	19°37'26.24"E
7	34°10'19.12"S	19°37'31.65"E
8	34°10'47.95"S	19°35'20.79"E

The co-ordinates for the boundary of unauthorised development footprint:

Point	Latitude (S)	Longitude (E)
1	34°10'37.01"S	19°35'26.76"E
2	34°10'35.82"S	19°35'31.60"E
3	34°10'37.14"S	19°35'32.01"E
4	34°10'36.30"S	19°35'35.62"E
5	34°10'41.75"S	19°35'37.29"E
6	34°10'42.66"S	19°35'33.36"E
7	34°10'44.90"S	19°35'34.45"E
8	34°10'46.24"S	19°35'28.42"E
9	34°10'43.68"S	19°35'27.26"E
10	34°10'39.59"S	19°35'26.53"E

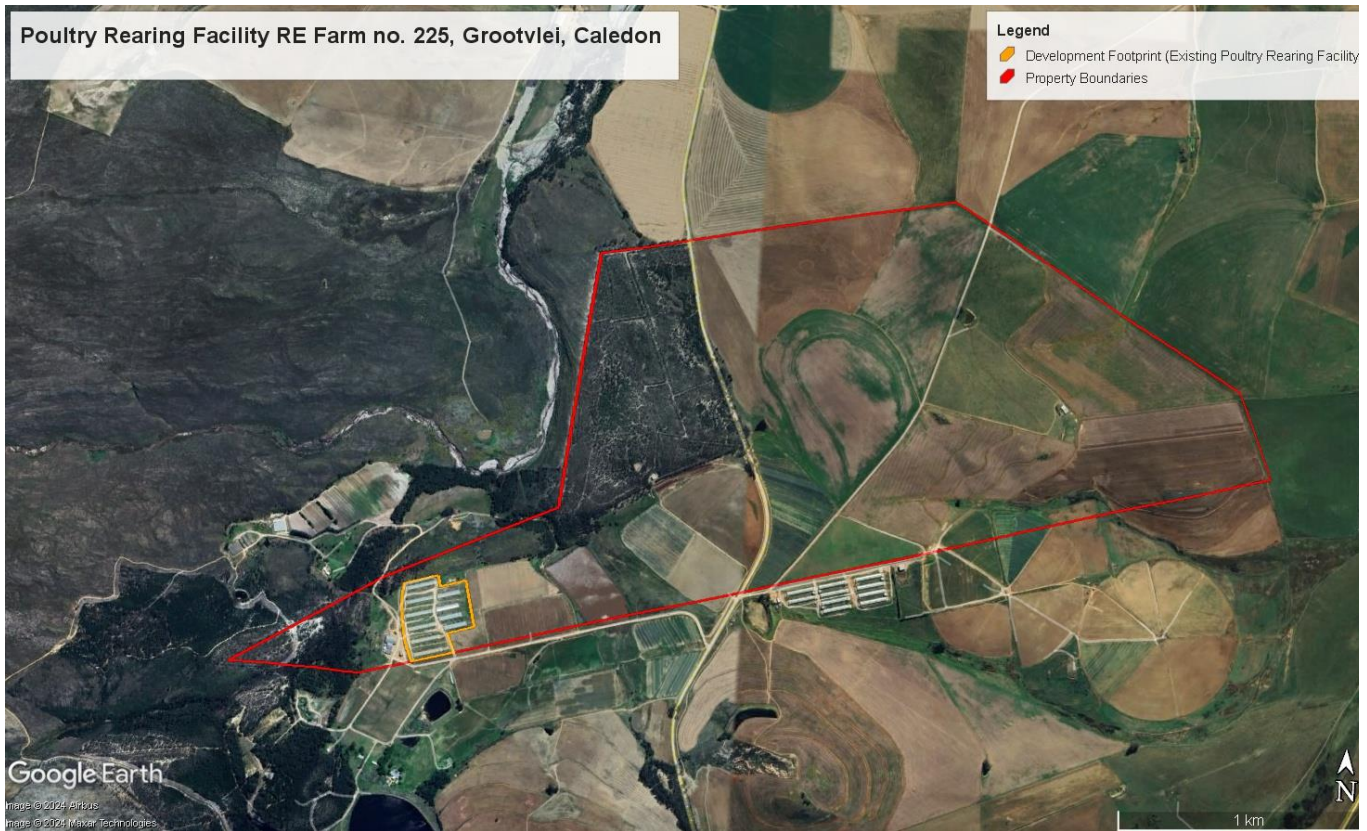


Figure 1: Property and Development Footprint Boundaries

Please note:

Where numerous properties/sites are involved (e.g. linear activities), attach a list of property descriptions and street addresses to the consultation form.

Street address:	Remainder of Farm 225 (Grootvlei), Caledon. (The farm is located approximately 15 kilometres northeast of Caledon and approximately 3 kilometres north of the N2 via a dirt access road).
Magisterial District or Town:	Caledon

Closest City/Town:	Caledon	Distance	Approx. 11 (km)
Zoning of Property:	Agricultural		

Please note:

In instances where there is more than one zoning applicable, please attach a list or map of the properties indicating their respective zoning to the Application Form.

Was the property rezoned after commencement of activities?		YES	NO X
If yes, what was the previous zoning?			
Is a rezoning application required?		YES	NO X
Is a consent use application required?		YES X	NO
In terms of the Theewaterskloof Municipality Zoning Scheme By-Law of 2020, a Consent Use on Agriculture for 'Intensive Animal Farming', is required.			
Locality map:	<p>A locality map must be attached to the Application Form as an appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following:</p> <ul style="list-style-type: none"> • an accurate indication of the project site position as well as the positions of the alternative sites, if any; • road names or numbers of all the major roads as well as the roads that provide access to the site(s) • a north arrow; • a legend; • the prevailing wind direction; and • GPS co-ordinates (Indicate the position of the proposed activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection) 		
Landowner(s) Consent:	<p>If the applicant is not the owner or person in control of the land on which the activity has been undertaken, he/she must obtain written consent from all landowners or persons in control of the land (of the site and all alternative sites). This must be attached to this document as Appendix G. Such consent must indicate whether or not the owner or person in control of the land would support approval of the application and that the land need not be rehabilitated.</p> <p>Note: The consent of the landowner or person in control of the land is not required for: a) linear activities; b) an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource; or c) strategic integrated projects ("SIPs") as contemplated in the <i>Infrastructure Development Act, 2014 (Act No. 23 of 2014)</i>.</p>		

2. APPLICATION HISTORY


(Cross out the appropriate box "☒" and provide a description where required).

Has any national, provincial or local authority considered any development applications on the property previously?	Yes	No X
If so, please give a brief description of the type and/or nature of the application/s as well as a reference number, if applicable: (In instances where there was more than one application, please attach a list of these applications)		
n/a		
Which authority considered the application:		
n/a		
Has <u>any</u> one of the previous application/s on the property been approved or refused? If so provide a list of the successful and unsuccessful application/s and the reasons for decision(s).	Yes	No
n/a		
Provide detail on the period of validity of decision and expiry dates of the above applications/ permits etc.		
n/a		


SECTION B: ACTIVITY INFORMATION

1. ACTIVITIES APPLIED FOR

I hereby apply in terms of section 24G of the National Environmental Management Act (Act 107 of 1998) for the regularisation of the unlawful commencement or continuation of the listed or waste management activities as specified in Section B:1 below.

Applicant (Full names): RONALD ROSS FAIRBAIRN PHILIP Signature: 

Place: CALEDON Date: 24/06/2024

EAP (Full names): Paul Slabbert Signature: 

Place: Hermanus Date: 25/06/2024

All listed activities associated with the development must be indicated below.

1.1 Applicable EIA listed activities

ECA EIA Contraventions: between 08 September 1997 and end of 09 May 2002			
Activities commenced with on or after 08 September 1997 and before end 09 May 2002: EIA regulations promulgated in terms of the ECA, Act 73 of 1989			
Government Notice No. ("GN") R1182 Activity No(s):	Describe the relevant/ies in writing as per GN No. 1182 of 1997	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None Applicable			

ECA EIA Contraventions: between 10 May 2002 and end of 02 July 2006			
Activities unlawfully commenced with on or after 10 May 2002 and before end 02 July 2006: EIA regulations promulgated in terms of the ECA, Act 73 of 1989,			
Government Notice No. ("GN") R1182 Activity No(s):	Describe the relevant listed activity/ies in writing as per GN No. 1182 of 1989	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Schedule 1 – Activity 3	<i>The concentration of livestock, aquatic organisms, poultry and game in a confined structure(s) for the purpose of commercial production, including aquaculture and mariculture.</i>	Construction of 4 new chicken pens for poultry production. Each pen houses up to 16 000 birds.	September 2005

NEMA EIA Contraventions: between 03 July 2006 and end of 01 August 2010			
Activities unlawfully commenced with on or after 03 July 2006 and before end 01 August 2010: EIA regulations promulgated in terms of the NEMA			
GN R386 Activity No(s): (Listing Notice 1 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 386 of 2006 ("NEMA 2006 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity

Activity 1	<p>(h) the concentration of animals for the purpose of commercial production in densities that exceed -</p> <p>(v) three square meters per head of poultry and more than 250 poultry per facility at any time excluding chicks younger than 20 days</p>	Construction of 4 new chicken pens for poultry production. Each pen houses up to 16 000 birds.	Between 2006 and 2009
------------	---	--	-----------------------

Government Notice No. R387 Activity No(s): (Listing Notice 2 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 387 of 2006 ("NEMA 2006 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
---	---	--	---

None Applicable

NEMA EIA Contraventions: between 02 August 2010 and end of 07 December 2014
Activities unlawfully commenced with on or after 02 August 2010 and before end 07 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,

GN No. R. 544 Activity No(s): (Listing Notice 1 of 2010)	Describe the relevant listed activity(ies) in writing as per GN No. R. 544 of 2010 ("NEMA 2010 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
--	---	--	---

Activity 32	<p>The expansion of facilities for the concentration of poultry, excluding chicks younger than 20 days, where the capacity of the facility will be increased by (ii) more than 5000 poultry per facility situated outside an urban area.</p>	Construction of 2 new chicken pens for poultry production. Each pen houses up to 16 000 birds.	Between 2009 and 2011
-------------	--	--	-----------------------

GN No. R. 545 Activity No(s): (Listing Notice 2 of 2010)	Describe the relevant listed activity/ies in writing as per GN No. R. 545 of 2010. (NEMA 2010 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
--	---	--	---

None Applicable

GN No. R. 546 Activity No(s): (Listing Notice 3 of 2010)	Describe the relevant listed Activity(ies) in writing as per GN No. R. 546 of 2010	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
--	--	--	---

None Applicable

NEMA EIA Contraventions: on or after 08 December 2014
Activities unlawfully commenced with on or after 08 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,

GN No. R. 327 Activity No(s): (Listing Notice 1 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
--	--	--	---

Activity 5	The development and related operation of facilities or infrastructure for the concentration of <i>(ii) more than 5 000 poultry per facility situated outside an urban area, excluding chicks younger than 20 days;</i>	This is a similarly listed activity - The onsite poultry rearing facility was initially established in 2005 with a total of 4 chicken pens. Each pen houses up to 16 000 birds.	September 2005
Activity 40	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- <i>(ii) More than 5000 poultry per facility situated outside an urban area.</i>	This is a similarly listed activity - The facility was expanded twice in the past with 4 additional pens being added between 2006 and 2009 and two additional pens being added between 2009 and 2011. Each pen houses up to 16 000 birds.	2006 – 2011

GN No. R. 325 Activity No(s): (Listing Notice 2 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None Applicable			

GN No. R. 324 Activity No(s): (Listing Notice 3 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None Applicable			

Please ensure that you have provided the similarly listed activities if they were commenced before the period the EIA Regulations came into effect, i.e. before 08 December 2014.

1.2 Applicable Waste Management Activities

List the relevant waste management activity/ies applied for:

Waste Management Activity Contraventions: On or after 03 July 2007 up to end of 28 November 2013			
Activities unlawfully commenced with in terms of GNR 718 of 03 July 2009 under the National Environmental Management Waste Act, Act 59 of 2008			
GN No. 718 – Category A Activity No(s):	Describe the relevant <u>Category A</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
None Applicable			

GN No. 718 – Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
None Applicable			

Waste Management Activity Contraventions: On or after 29 November 2013			
Activities unlawfully commenced with in terms of GNR 921 of 29 November 2013 under the National Environmental Management Waste Act, Act 59 of 2008,			
GN No. 921 - Category A Activity No(s):	Describe the relevant <u>Category A</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
None Applicable			

GN No. 921 – Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
None Applicable			

Please note:

The National Department of Environmental Affairs is the competent authority for activities regarded as hazardous waste. Such activities must be indicated as hazardous waste in the abovementioned lists.

Only those activities listed above shall be considered for authorisation. The onus is on the applicant to ensure that all applicable listed activities are included in the application. If a specific listed activity is not included in an Environmental Authorisation, an application for amendment or a new application for Environmental Authorisation will have to be submitted.

1.3 Activities listed similarly in terms of the EIA Regulations

Kindly indicate the listed activities in terms of the EIA Regulations that is listed similar to the unlawfully commenced activities. The descriptions provided below must clearly state why the activity/development is still similarly listed in terms of the EIA Regulations, 2014.

The similarly listed activities in terms of the EIA Regulations promulgated in terms of the NEMA, Act 107 of 1998,		
GN No. R. 327 Activity No(s): (Listing Notice 1 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
Activity 5	<i>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;</i>	This is a similarly listed activity. The onsite poultry rearing facility was initially established in September 2005 with a total of 4 chicken pens. Each pen houses up to 16 000 birds.
Activity 40	<i>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- (ii) More than 5000 poultry per facility situated outside an urban area.</i>	This is a similarly listed activity. The onsite poultry rearing facility was expanded between 2006 and 2009 with 4 additional pens being added. An additional 2 chicken pens were constructed between 2009 and 2011. Each pen houses up to 16 000 birds.

GN No. R. 325 Activity No(s): (Listing Notice 2 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
None Applicable		

GN No. R. 324 Activity No(s): (Listing Notice 3 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.
None Applicable		

Please note:

Where approvals for the activity have been obtained in terms of any other legislation (e.g. National Water Act, Act 36 of 1998), certified copies of such approvals must be attached to this form.

2. ACTIVITY DESCRIPTION

(Cross out the appropriate box "X" and provide a description where required).

Is/are the activity(ies) complete or is/are the activity(ies) still to be completed?	Completed X	Incomplete
(a) Is/was the project a new development or an upgrade of an existing development? Also indicate the date (e.g. 2 August 2010) when the activity commenced <u>as well as</u> the original date of commencement if the application is an upgrade.	New X	Upgrade

At the time of commencement, the project was a new development. The development of the poultry rearing facility on the Remainder of Farm 225, Grootvlei, Caledon, initially commenced in September 2005 and was subsequently expanded in 2006-2011. The facility currently comprises a total of 10 chicken houses in the southwestern portion of the site.

(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed and what still has to be completed.

Works already completed onsite:

- 1) Ten chicken houses of approximately 1200m² each with free range grazing between houses
- 2) Staff ablution facilities with a septic tank system
- 3) Office and administration building
- 4) Biosecurity access control point
- 5) Construction of roads -
 - o West of Unit 1 – Unit 6 (7,2m wide x 245m long; north-south orientation)
 - o West of Unit 7 – Unit 10 (7m wide x 150m long; north-south orientation)

(c) Please provide details of all components of the activity and attach diagrams (e.g. architectural drawings or perspectives, engineering drawings, process flow charts etc.).

Buildings	YES X	NO
Provide brief description:		
<u>The work already completed includes:</u>		
<ol style="list-style-type: none"> 1) Ten single sized chicken houses of approximately 1200m² each 2) Office and administration building 3) Staff ablution facilities with a septic tank system 		
Infrastructure (e.g. roads, power and water supply/ storage)	YES X	NO
Provide brief description:		
<p>Roads: Construction of additional roads:</p> <ul style="list-style-type: none"> • West of Unit 1-6 (±7,2m wide x ± 245m long) • Between Unit 1-5 and Unit 7-10(± 7m wide x ± 150m long) <p>Water Supply: Water supply to the chicken houses was established by tapping into an existing irrigation water line passing through the site. Additional pipes were installed to supply water to the use points within the development and the existing water purification plant was upscaled.</p> <p>Power Supply: The chicken houses are supplied with electricity from Eskom via existing infrastructure and are supplemented with generators. At the time of development, a cable was run from existing sheds located to the west of the development footprint to the poultry rearing facility.</p> <p>Sewage: The sewage infrastructure currently present at the chicken houses is a septic tank system.</p> <p>Biosecurity Access: Biosecurity washing facilities are present at the facility to disinfect vehicles entering the premises.</p>		
Processing activities (e.g. manufacturing, storage, distribution)	YES	NO X
Provide brief description:		
Storage facilities for raw materials and products (e.g. volume and substances to be stored)		
Provide brief description	YES	NO X
Storage and treatment facilities for solid waste and effluent generated by the project		
Provide brief description	Yes	NO X
<p>Manure will be managed by directing a portion thereof into the registered onsite composting facility. The remainder will be used directly in the agricultural industry as per the current operation. The composting facility is located approximately 800m northeast of the poultry rearing facility (refer Appendix A) and has been registered via a Norms and Standards process in terms of the National Environmental Management: Waste Act (refer Appendix F4).</p>		

(d) Other activities (e.g. water abstraction activities, crop planting activities)	Yes X	NO
Provide brief description		

Pastureland is planted between the chicken houses to serve as grazing for the chickens.

3. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical spatial size of the activity as well as associated infrastructure (footprints):	Approximately 61 024 m ²
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	Approximately 61 024m ²
Total area:	±61 024m²

4. SITE ACCESS

Was there an existing access road?	YES X	NO
If NO, what was the distance over which the new access road was built? Please indicate the length and width of the new road.	(Length)	m
	(width)	m
Describe the type of access road constructed:		

Please Note:

Indicate the position of the access road on the site plan (See Section 5 below)

5. SITE PHOTOGRAPHS

Colour photographs of the site and its surroundings (taken of the site and from the site), both before (if available) and after the activity commenced, with a description of each photograph, must be attached to this application. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide past and recent aerial photographs. It should be supplemented with additional photographs of relevant features on the site. Date and source of photographs must be included. Photographs must be attached as an **appendix** to this form.

Please note:

Should the relevant photographs not be included in the application, the application may be deemed insufficient and further information in this regard will be requested.

REFER APPENDIX D

6. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

Please list all legislation, policies and/or guidelines that were or are relevant to this activity.

LEGISLATION	ADMINISTERING AUTHORITY	TYPE Permit/ license/ authorisation/comment	DATE (if already obtained):
Regulations relating to the procedure to be followed and criteria to be considered when determining an appropriate fine in terms of S24G (GN 40994 dated 20 July 2017)	DEA&DP	For consideration	Pending this process
National Environmental Management Act 107 of 1998, as amended (NEMA)	DEA&DP	Environmental Authorisation	Pending this process

National Environmental Management Act, Environmental Impact Assessment Regulations	DEA&DP	Environmental Authorisation	Pending this process
National Environmental Management: Waste Act	DEA&DP (Directorate: Waste Management)	None	N/A
National Heritage Resources Act 25 of 1999 (NHRA)	HWC	Comment on NID	13 July 2023
National Water Act 36 of 1998 (NWA)	BGCMA	Certain water uses under the National Water Act, may be applicable to the development activities. All water uses will be clarified with BOCMA and the relevant applications/registrations undertaken.	Pending
Conservation of Agricultural Resources Act (CARA) – Act 43 of 1983	Department of Agriculture	None	N/A

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
Guidelines for EMP's (June 2015)	DEA&DP
Guidelines on Alternatives (March 2013)	DEA&DP
Guideline for involving Biodiversity Specialists in the EIA process (2005)	DEA&DP
Circular EADP 0028/2014: One Environmental Management System	DEA&DP
Western Cape Provincial Spatial Development Framework (PSDF) (2014)	DEA&DP
Guideline on Public Participation (2017)	DEA&DP
Guideline for involving a Heritage Specialist in an EIA process (2005)	DEA&DP
Guideline for the review of Specialist Input in the EIA process (June 2005)	DEA&DP
Guideline on Need and Desirability (2017)	DEA&DP
BGIS	SANBI
Theewaterskloof SDF (November 2019)	Theewaterskloof Local Municipality
Theewaterskloof IDP (2006 – 2010/11)	Theewaterskloof Local Municipality

7. APPLICATIONS IN TERMS OF NEMA AND SPECIFIC ENVIRONMENTAL MANAGEMENT ACTS (“SEMAs”)

If not specifically applied for in terms of this application, does the development require an application for a waste management license in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)?	YES	NO X
If yes, has an application been submitted to the licensing authority?	YES	NO
Does the proposed project require an application for a water use license in terms of the National Water Act, 1998 (Act No. 36 of 1998)? (Irrigation water rights in place.)	YES X	NO
If yes, has an application been submitted to the licensing authority?	YES	NO X
If no, please provide evidence of existing water use rights (if applicable) with this application form. See Attached in Appendix F1		
Does the proposed project require an application for an atmospheric emissions license in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)?	YES	NO X
If yes, has an application been submitted to the licensing authority?	YES	NO
Does the proposed project require an application in terms of the National Environmental Management: Integrated Coastal Management Act (“NEM: ICMA”)?	YES	NO X
If yes, has an application been submitted to the relevant competent authority?	YES	NO
If yes, provide more details of the application submitted/to be submitted in terms of the NEM: ICMA		

8. APPLICATIONS IN TERMS OF OTHER LEGISLATION

Is any permission, licence or other approval required in terms of any other legislation? (Please tick)	YES X	NO
---	--------------	----

if yes,
please

complete the table below:

Type of approval required (List the applicable legislation & approval required):	Name of the authority responsible for administering the applicable legislation	Application submitted (Yes / No)	Status of application (e.g. pending/ granted/ refused)
Consent Use for 'Intensive Animal Farming', is required on agricultural land.	Theewaterskloof Municipality	No	To be initiated

SECTION C1: DESCRIPTION OF RECEIVING ENVIRONMENT

Site/Area Description

For linear activities (pipelines, etc.) as well as activities that cover very large sites, it may be necessary to complete copies of this section for each part of the site that has a significantly different environment. In such cases please complete copies of Section C and indicate the area which is covered by each copy No. on the site plan.

Section C Copy No. (e.g. 1, 2, or 3):

1. THE GEOLOGICAL FORMATIONS UNDERLYING THE SITE (Tick the appropriate box)

GRANITE		QUARTZITE	
SHALE	X	DOLOMITE	
SANDSTONE	X	DOLERITE	
OTHER (specify)	quartz arenite & siltstone		

2. GRADIENT OF THE SITE

Indicate the general gradient of the site(s) (cross out the appropriate box).

Flat X	Flatter than 1:10	1:10 – 1:5	Steeper than 1:5
--------	-------------------	------------	------------------

3. LOCATION IN LANDSCAPE

Indicate the landform(s) that best describes the site (cross out ("X") the appropriate boxes).

Ridgeline	Plateau	Side slope of hill/mountain	Closed valley	Open valley	Plain	Undulating plain/low hills X	Dune	Sea-front	Other
If other, please describe									

4. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

4.1 GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE (PRE-COMMENCEMENT)

Is the site(s) located on or near any of the following (cross out ("X") the appropriate boxes)?

Shallow water table (less than 1.5m deep)	YES	NO X	UNSURE
Seasonally wet soils (often close to water bodies)	YES	NO X	UNSURE
Unstable rocky slopes or steep slopes with loose soil	YES	NO X	UNSURE
Dispersive soils (soils that dissolve in water)	YES	NO X	UNSURE
Soils with high clay content	YES	NO X	UNSURE
Any other unstable soil or geological feature	YES	NO X	UNSURE
An area sensitive to erosion	YES	NO X	UNSURE

4.2 GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE (POST-COMMENCEMENT)

Shallow water table (less than 1.5m deep)	YES	NO X	UNSURE
Seasonally wet soils (often close to water bodies)	YES	NO X	UNSURE
Unstable rocky slopes or steep slopes with loose soil	YES	NO X	UNSURE
Dispersive soils (soils that dissolve in water)	YES	NO X	UNSURE
Soils with high clay content	YES	NO X	UNSURE

Any other unstable soil or geological feature	YES	NO X	UNSURE
An area sensitive to erosion	YES	NO X	UNSURE

If any of the answers to the above are "YES" or "unsure", specialist input may be requested by the Department. (Information in respect of the above will often be available at the planning sections of local authorities. Where it does not exist, the 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used).

5. SURFACE WATER

5.1 SURFACE WATER (PRE-COMMENCEMENT)

Indicate the surface water present on and or adjacent to the site and alternative sites (cross out ("X") the appropriate boxes)?

Perennial River	YES	NO X	UNSURE
Non-Perennial River	YES	NO X	UNSURE
Permanent Wetland	YES	NO X	UNSURE
Seasonal Wetland	YES	NO X	UNSURE
Artificial Wetland	YES	NO X	UNSURE
Estuarine / Lagoonal wetland	YES	NO X	UNSURE

5.2 SURFACE WATER (POST-COMMENCEMENT)

Indicate the surface water present on and or adjacent to the site and alternative sites (cross out ("X") the appropriate boxes)?

Perennial River	YES	NO X	UNSURE
Non-Perennial River	YES	NO X	UNSURE
Permanent Wetland	YES	NO X	UNSURE
Seasonal Wetland	YES	NO X	UNSURE
Artificial Wetland	YES	NO X	UNSURE
Estuarine / Lagoonal wetland	YES	NO X	UNSURE

6. VEGETATION AND/OR GROUND COVER

Please note: The Department may request specialist input/studies depending on the nature of the biodiversity occurring on the site and potential impact(s) of the activity/ies. To assist with the identification of the biodiversity occurring on site and the ecosystem status consult <http://bgis.sanbi.org.za> or BGIShelp@sanbi.org.za. Information is also available on compact disc ("cd") from the Biodiversity-GIS Unit, Ph (021) 799 8738. This information may be updated from time to time and it is the applicant/ EAP's responsibility to ensure that the latest version is used. A map of the relevant biodiversity information (including an indication of the habitat conditions as per (b) below) and must be provided as an overlay map to the property/site plan as an **appendix** to this form.

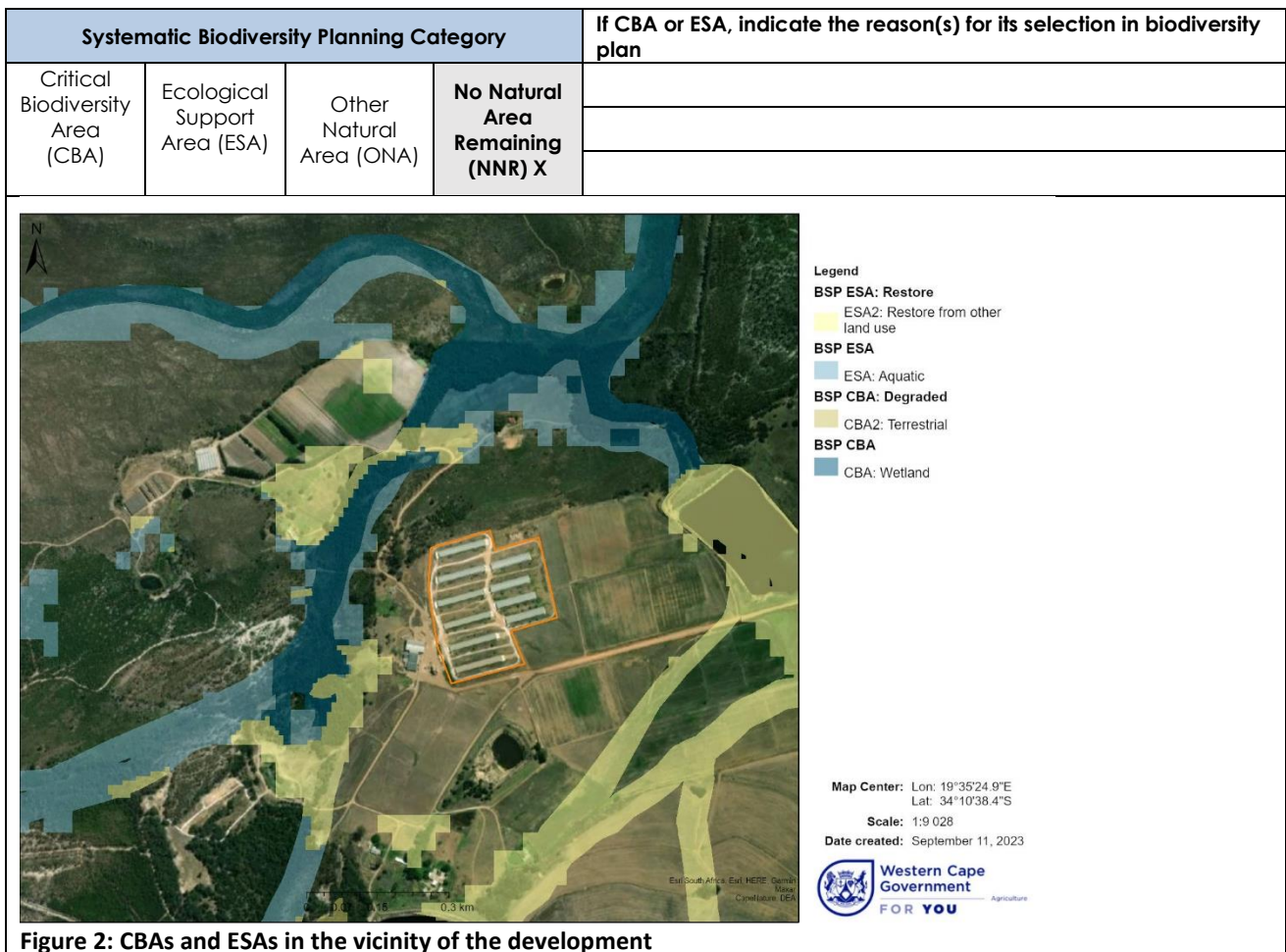
6.1 VEGETATION AND/OR GROUND COVER (PRE-COMMENCEMENT)

Cross out ("X") the block **and** describe (where applicable) the vegetation types / groundcover present on the site before commencement of the activity.

Indigenous Vegetation - good condition	Indigenous Vegetation with scattered aliens	Indigenous Vegetation with heavy alien infestation
Describe the vegetation type above:	Describe the vegetation type above:	Describe the vegetation type above:
Provide ecosystem status for above:	Provide ecosystem status for above:	Provide Ecosystem status for above:

Indigenous Vegetation in an ecological corridor or along a soil boundary / interface	Veld dominated by alien species	Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe
Bare soil	Building or other structure	Sport field
Other (describe below)	Cultivated land X The land area on which the chicken houses were developed was used as planted pastures prior to development. Aerial imagery indicates that this land portion had been under cultivation since before 1983.	Paved surface

(a) Highlight the applicable pre-commencement biodiversity planning categories of all areas on site and indicate the reason(s) provided in the biodiversity plan for the selection of the specific area as part of the specific category.



(b) Highlight and describe the habitat condition on site.

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	0%	n/a
Near Natural (includes areas with low to moderate level of alien invasive plants)	0%	n/a

Degraded (includes areas heavily invaded by alien plants)	0%	n/a
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	100% Approximately 6,1ha	The land area on which the chicken houses were developed was used as planted pastures prior to development. Aerial imagery indicates that this land portion had been under cultivation since before 1983.

- (c) Complete the table to indicate:
 (i) the type of vegetation, including its ecosystem status, that was previously present on the site; and
 (ii) whether an aquatic ecosystem was previously present on site.

Terrestrial Ecosystems		Aquatic Ecosystems								
Ecosystem threat status as per the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)	Critical - In accordance with NBA 2011 and 2018 map. However, no natural vegetation from these ecosystems was present on site prior to development	Wetland (including rivers, depressions, channelled and un-channelled wetlands, flats, seeps pans, and artificial wetlands)	Estuary	Coastline						
	Endangered									
	Vulnerable									
	Least Threatened									
		YES	NO X	UNSURE	YES	NO X	YES	NO X		

- (d) Please provide a description of the vegetation type and/or aquatic ecosystem present on site, including any important biodiversity features/information identified on site (e.g. threatened species and special habitats)

According to the SANBI Vegetation Map of 2018, two natural vegetation types - Overberg Sandstone Fynbos and Western Rûens Shale Renosterveld would historically have been present within the development footprint. At the time of development both these vegetation types were listed as 'Critically Endangered' in terms of NEMBA (Act No. 10 of 2004)[Overberg Sandstone Fynbos is currently gazetted as 'Endangered'].

It should however be noted that historic aerial imagery from the CD:NGI database indicates that the entire development footprint was cultivated since before 1983 (Figure 3). As such, no natural vegetation was present within the development footprint at the time of construction of the chicken houses. The entire development footprint was used as planted pastures immediately prior to development (Figure 4).



Figure 3: 1983 Aerial Imagery indicating existing cultivation– the approximate location of the chicken houses is indicated by the red circle.

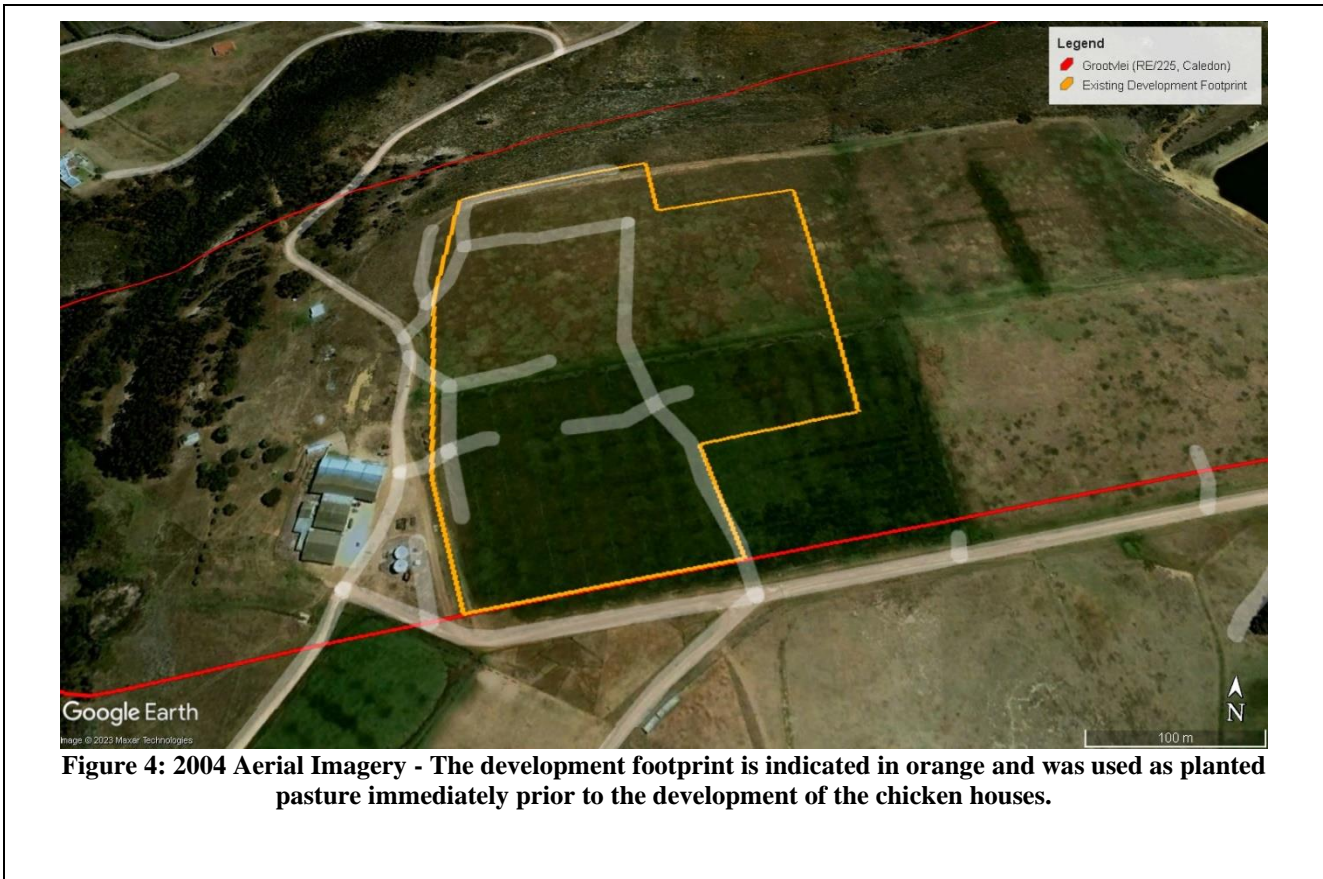


Figure 4: 2004 Aerial Imagery - The development footprint is indicated in orange and was used as planted pasture immediately prior to the development of the chicken houses.

6.2 VEGETATION AND/OR GROUNDCOVER (POST-COMMENCEMENT)

Cross out ("X") the block **and** describe (where required) the vegetation types / groundcover present on the site after commencement of the activity.

Indigenous Vegetation - good condition		Indigenous Vegetation with scattered aliens		Indigenous Vegetation with heavy alien infestation	
Describe the vegetation type above:		Describe the vegetation type above:		Describe the vegetation type above:	
Provide ecosystem status for above:		Provide ecosystem status for above:		Provide Ecosystem status for above:	
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface		Veld dominated by alien species		Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe	
Bare soil X Several roads		Building or other structure X Ten Chicken houses, staff ablution facilities and offices.		Sport field	
Other (describe below)		Cultivated land X Grazing pasture between chicken houses		Paved surface	

(a) Highlight and describe the post-construction habitat condition on site.

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
-------------------	---	--

Natural	0%	n/a
Near Natural (includes areas with low to moderate level of alien invasive plants)	0%	n/a
Degraded (includes areas heavily invaded by alien plants)	0%	n/a
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	100% Approximately 6,1ha	The development area currently comprises ten single sized chicken houses of 1200m ² each, associated infrastructure, internal dirt access roads and planted pastureland between the chicken houses for grazing purposes.

(b) How have the vegetation and/or aquatic ecosystem(s) present on site (including any important biodiversity features identified on site (e.g. threatened species and special habitats)) been affected by the commencement of the listed activity(ies)?

The commencement of the listed activities was in terms of the development of a poultry rearing facility. Historic aerial imagery from the CD:NGI database indicates that the entire development footprint was cultivated since before 1983 (Figure 3). As such, no natural vegetation was present within the development footprint at the time of construction and therefore no natural vegetation was impacted by the commencement of the listed activities.

The entire development footprint was used as planted pastures immediately prior to development (Figure 4). Planted pastures were reestablished between the chicken houses to serve as grazing for the chickens. The development footprint thus currently comprises a combination of planted pasture and built infrastructure.

No aquatic ecosystems are present within or adjacent to the development footprint.

6.3 VEGETATION / GROUNDCOVER MANAGEMENT

(a) Describe any mitigation/management measures that were adopted and the adequacy of these:

- No natural vegetation was removed for the establishment of the development.
- Vegetation removal onsite was undertaken for the express purpose of establishing chicken houses and no haphazard clearance took place.
- Vegetation clearing took place in a phased manner as required for construction purposes. This minimised the length of time that bare soil was exposed and thus limited any potential environmental impacts such as erosion and sedimentation.
- As part of the current application a comprehensive Environmental Management Plan (EMPr) has been developed that incorporates all relevant mitigation and management measures to ensure that any impacts associated with the development are suitably rectified and that going forwards any potential impacts are avoided and appropriately managed.
- The landowner has undertaken several alien clearing operations within the mountainous terrain to the west of the site where alien clearing can have a significantly positive ecological impact. Systematic clearing from upper catchment areas is essential to ensure sustainable removal of alien invasive vegetation.

7 LAND USE OF THE SITE (PRE-COMMENCEMENT)

Please note: The Department may request specialist input/studies depending on the nature of the land use character of the area and potential impact(s) of the activity/ies.

Untransformed area	Low density residential	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility

Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir X
Hospital/medical centre	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture X	River, stream or wetland X	Nature conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):	Alien invasive vegetation			

(a) Please provide a description.

The property on which the development activities took place comprises a working farm located approximately 15km north-east of Caledon and approximately 3km off the N2 with access via a minor dirt road. Prior to the commencement of the development activities, the property was used primarily for crop cultivation. The land area on which the chicken houses were developed was significantly disturbed by the previous agricultural activities. This land area has been under cultivation since before 1983 and at the time of unauthorized development activities taking place, the entire development footprint was in active use for cultivation of pasture.

8 LAND USE CHARACTER OF SURROUNDING AREA (PRE-COMMENCEMENT)

Cross out ("X") the block that reflects the past land uses and/or prominent features that occur/red within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site. **Please note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and impact(s) of the activity/ies.

Untransformed area	Low density residential X	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir X
Hospital/medical centre	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture X	River, stream or wetland X	Nature conservation area
Mountain, koppie or ridge X	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):	Alien invasive vegetation			

9 LAND USE CHARACTER OF SURROUNDING AREA (POST-COMMENCEMENT)

Cross out ("X") the block that reflects the current land uses and/or prominent features that occur(s) within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site. **Please note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and impact(s) of the activity/ies.

Untransformed area	Low density residential X	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir X
Hospital/medical centre	School	Tertiary education facility	Church	Old age home

Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture X	River, stream or wetland X	Nature conservation area
Mountain, koppie or ridge X	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):	Alien invasive vegetation			

10.1 SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT)

Describe the pre-commencement social and economic characteristics of the community in order to provide baseline information.

The poultry rearing facility located on the remainder of farm Grootvlei No.225 was developed between 2005-2011 with construction of the first 4 chicken houses commencing in September 2005. The Integrated Development Plan for the Theewaterskloof Municipality for the time period of 2006-2010/11 was therefore consulted to determine the pre-commencement social and economic characteristics of the community:

The remainder of the farm Grootvlei No.225 is situated within the Theewaterskloof Local Municipal region. The Theewaterskloof Local Municipality includes the towns of Botriver, Caledon/Myddleton, Genadendal, Grabouw, Greyton, Riviersonderend, Villiersdorp and Tesselaarsdal. The development site is located approximately 15km northeast of Caledon and approximately 13km south of Greyton within an agriculturally dominated landscape.

Demographic Profile:

In 2006 the population of the Theewaterskloof Local Municipality totalled 101 804 persons with a growth rate of 1,8% from 2001-2006. This growth rate is considerably lower than the district rate of 2,8%. It should also be noted that from 1996-2001 the region experienced a relatively high growth rate of 5,1%. The growth rate thus declined from the 1996-2001 to the 2001-2006 cycle and estimates suggest that the declining trend will continue. The region is steadily undergoing urbanisation which is resulting in a substantial increase in the urban population while the rural population is declining. In 2001 the age dependency ratio for the area was 49,38%, which is lower than the district average of 52,56%. The ratio was projected to decline marginally to 49,03% by 2006. Despite this, the dependency ratio can still be regarded as very high. It implies that almost half of the population of the area is either too young or too old to fend for themselves. This places a huge burden on both the working-age population and on the area's dependency on social grants.

Education:

In the Theewaterskloof municipal area, the average learner-teacher ratio for 2006 was estimated at 37:1 which is relatively high given that the recommended upper limits are 35:1-40:1. The illiteracy rate in the Theewaterskloof area is 32%, which is higher than the district average of 27%. Almost 40,3% of the age group 5 – 24 does not attend any educational facilities. Only 15% of the Theewaterskloof population aged 20+ have attained a matric certificate. This is considerably lower than the district rate of 19,4% and the provincial rate of 23,4%. An estimated 58% of the workers in the Theewaterskloof area are low-skilled individuals. The high percentage of low-skilled workers corresponds with high illiteracy rates registered in the area, as well as poor educational attainment. The dominance of the agricultural sector, which, in most cases, does not demand high skills, is one of the major reasons for the low skills levels in the area.

Poverty:

The Theewaterskloof area has low income levels compared to the district and provincial average. This is indicative of high levels of poverty. In 2001 31,09% of households received income of less than R9 600 per annum. This is higher than the district average of 28,3% of households in this income bracket. Furthermore, the proportion of households with no income at all was at 10,8% the highest in the Overberg district.

Employment:

Theewaterskloof had an unemployment rate of 18,6% in 2001 indicating a drastic increase in unemployment from 1996 during which time the unemployment rate was 8,9%. Between 1996 and 2001 the Theewaterskloof labour force increased by 10 432 people (an annual average rate of 5,7%), whereas the jobs created over the same period only reached 5 299 people. Employment creation thus did not keep pace with the labour force growth in the area. The major causes of unemployment are the shrinking agricultural sector, capital intensity of agricultural activities, poor labour absorption in the manufacturing sector, seasonal nature of employment in the agricultural sector and the low industrial base in some of the areas in the Theewaterskloof. The agricultural sector has been declining rapidly since 1996. From 1996 to 2001 the agricultural sector's share in employment dropped from 53,7% to 50,09 and although still high, the high reliance on this sector for employment poses a risk for the Theewaterskloof workforce and new immigrants.

Local Economy

Agriculture, as the major economic activity, contributed 34,95% of the total GDP of the Overberg in 2004. It is furthermore important to note that in 2004 agricultural activities in Theewaterskloof contributed a massive 67,9% of the total agrarian sector of the Overberg. Despite its high contribution to GDP, the agriculture and forestry sector projects one of the slowest growth rates (1,23% in 2001-2004). This poses a threat to the Theewaterskloof economy and again illustrates the sector's susceptibility to downside risks. The agricultural sector is extremely vulnerable to factors beyond the control of any person or institution. Droughts and other negative natural occurrences, exchange rate fluctuations and world market trend can have an immediate detrimental effect on the sector. As such diversification could play an important role in the long-term viability of the local agricultural sector.

10.2 SOCIO-ECONOMIC CONTEXT (POST-COMMENCEMENT)

Describe the post commencement social and economic characteristics of the community in order to determine any change. Where differences between pre- and post-commencement exist, state which are as a result of the activity(ies) for which rectification is being applied for.

The socio-economic context post-commencement remains much the same as that stated above although the development does allow for an increase in the number of both temporary and permanent job opportunities available onsite during the construction and operational phases of the development. The characteristics of the community have not been affected by the commencement of activities, nor are any negative changes anticipated as a result of the activities. The establishment of the poultry rearing facility on the already operational farm, resulted in the diversification of onsite agricultural practices thereby improving the overall resilience of the onsite farming operation and contributing to the sustainable growth of the local agricultural sector. The establishment of a poultry rearing facility on the property has increased the income generating opportunity of the property and will contribute to the overall economic viability and overall resilience of agricultural operations on the farm. The development has also contributed to social upliftment by generating new permanent job opportunities within the local rural economy, which is generally dominated by seasonal employment. The property under evaluation is well positioned to contribute meaningfully to the agricultural sector of the economy as it has been under cultivation for several decades. The farm is also located close to Caledon which is recognised as the administrative service centre for the region.

11 HISTORICAL AND CULTURAL ASPECTS

- (a) Please be advised that every application for Environmental Authorisation including an application for a Waste Management Licence, must include, where applicable the investigation, assessment and evaluation of the impact of any proposed listed or specified activity on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii) of that Act.

Please be further advised that if section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), is applicable to your application, then you are requested to furnish this Department with written comment from Heritage Western Cape as part of your public participation process. Section 38 of the Act states as follows: "38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as-

- (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
 - (b) the construction of a bridge or similar structure exceeding 50m in length;
 - (c) any development or other activity which will change the character of a site-
 - (i) exceeding 5 000 m² in extent; or
 - (ii) involving three or more existing erven or subdivisions thereof; or
 - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
 - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
 - (d) the re-zoning of a site exceeding 10 000 m² in extent; or
 - (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development."
- (b) The impact on any national estate referred to in section 3(2), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii), of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), must also be investigated, assessed and evaluated. Section 3(2) states as follows: "3(2) Without limiting the generality of subsection (1), the national estate may include—
- (a) places, buildings, structures and equipment of cultural significance;
 - (b) places to which oral traditions are attached or which are associated with living heritage;
 - (c) historical settlements and townscapes;
 - (d) landscapes and natural features of cultural significance;
 - (e) geological sites of scientific or cultural importance;
 - (f) archaeological and palaeontological sites;
 - (g) graves and burial grounds, including—

- (i) ancestral graves;
- (ii) royal graves and graves of traditional leaders;
- (iii) graves of victims of conflict;
- (iv) graves of individuals designated by the Minister by notice in the Gazette;
- (v) historical graves and cemeteries; and
- (vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- (h) sites of significance relating to the history of slavery in South Africa;
- (i) movable objects, including—
 - (i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
 - (ii) objects to which oral traditions are attached or which are associated with living heritage;
 - (iii) ethnographic art and objects;
 - (iv) military objects;
 - (v) objects of decorative or fine art;
 - (vi) objects of scientific or technological interest; and
 - (vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996)."

Is section 38 of the National Heritage Resources Act, 1999, applicable to the development?		YES X	NO
UNCERTAIN			
If YES, explain:	<p>S38 (1) (c) any development or other activity which will change the character of a site- (i) exceeding 5 000m² in extent</p> <p>A Heritage Screener and Notice of Intent to Develop (NID) was submitted to HWC and comment received confirmed that no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.</p>		
Did/does the development impact on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999?		YES	NO X
UNCERTAIN			
If YES, explain:			
Was any building or structure older than 60 years affected in any way?		YES	NO X
UNCERTAIN			
If YES, explain:			

Please Note: If uncertain, the Department may request that specialist input be provided. If, yes, a copy of the Notice of Intent submitted to Heritage Western Cape must be submitted with this form.

12 COASTAL ASPECTS (SEAFRONT/SEA ENVIRONMENT)

- (a) Is the site(s) located within any of the following areas? (highlight the appropriate boxes).
If the site or alternative site is closer than 100m to such an area, please provide the approximate distance in (m).

AREA	YES	NO	UNSURE	If "YES": Distance to nearest area (m)
An area within 100m of the high water mark of the sea	YES	NO X	UNSURE	
An area within 100m of the high water mark of an estuary/lagoon	YES	NO X	UNSURE	
An area within the littoral active zone	YES	NO X	UNSURE	
An area in the coastal public property	YES	NO X	UNSURE	
Major anthropogenic structures	YES	NO X	UNSURE	
An area within a Coastal Protection Zone	YES	NO X	UNSURE	
An area seaward of the coastal management line	YES	NO X	UNSURE	
An area within the high risk zone (20 years)	YES	NO X	UNSURE	
An area within the medium risk zone (50 years)	YES	NO X	UNSURE	
An area within the low risk zone (100 years)	YES	NO X	UNSURE	
An area below the 5m contour	YES	NO X	UNSURE	
An area within 1km from the high water mark of the sea	YES	NO X	UNSURE	
A rocky beach	YES	NO X	UNSURE	
A sandy beach	YES	NO X	UNSURE	

- (b) If any of the answers to the above is "YES" or "UNSURE", specialist input may be requested by the Department. (The 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used).

13 REGIONAL PLANNING CONTEXT

Is the activity permitted in terms of the property's existing land use rights?	YES X	NO	Please explain
Yes, the property is zoned Agriculture I and is currently operated as a working farm. The development is well aligned with the existing onsite land use.			
Will the activity be in line with the following?			
Provincial Spatial Development Framework (PSDF)	YES X	NO	Please explain
<p>The Western Cape PSDF is a planning document that guides district and local spatial initiatives such as IDP's and SDF's. It aims to create a coherent framework for the province's urban and rural areas. The PSDF aims to guide the location and form of public investment in the Western Cape's urban and rural areas. Whilst it cannot influence private sector investment patterns, it has an important contribution in terms of reducing business risk by providing clarity and certainty on where public infrastructure investment will be targeted, thereby opening new economic opportunities in these areas. The current economic state with increasing levels of unemployment, and recent job losses in agriculture, all add to the high levels of rural poverty and unemployment. The Provincial SDF emphasizes the importance and need for economic growth, job creation and poverty alleviation. The development currently under evaluation has created new direct and indirect, temporary and permanent job opportunities during the construction and operational phase of the development.</p> <p>The PSDF promotes sustainable development which requires that economic, social, and environmental aspects relating to a development proposal are considered. Agricultural output is foundational to the rural economy in the Western Cape. However, there is limited suitable land available for the expansion of agricultural activities and using these land areas without compromising biodiversity, heritage, and scenic resources, remains a key challenge. The property on which the development activities have been undertaken, is a working farm located in a broader agricultural landscape. The location of the poultry rearing facility is on old agricultural fields, set back from public roads, does not coincide with archaeological and cultural heritage resources and given the development location, it is unlikely that any palaeontological resources will be impacted. There are existing water use rights for the property and sufficient water is available to support the desired agricultural activities.</p> <p>The development has played an important role in increasing the agricultural potential of the property and the long-term economic viability of the existing farming operation – which will help to sustain existing and future employment opportunities. Furthermore, through implementation of suitable mitigation and management measures, potential environmental impacts related to the ongoing operation of the development can be suitably addressed. As such, all three pillars of sustainability can be incorporated into the development. The development activity is thus in line with the PSDF in that it has facilitated economically, socially and environmentally sustainable expansion of agriculture within the Western Cape.</p>			
Urban edge / Edge of Built environment for the area	YES	NO	Please explain
Not applicable			
Integrated Development Plan of the Local Municipality	YES X	NO	Please explain
<p>The Theewaterskloof Municipality IDP encourages local economic development with a focus on creating employment opportunities for residents. Agricultural development is one of the 4 strategic pillars that has been outlined to support local economic development. The objective for agriculture within the region is to improve agricultural diversity, including participants and offerings. The IDP recognises that employment within the agricultural sector is largely seasonal and recently, the sector has been affected by drought (& at a macro level, climate change). The main commodities in the region include fruit (apples, pears & grapes), vegetables and grains. The development site is a working farm located within an agriculturally dominated landscape. The location of the property is thus suitable for the expansion of agricultural activities that will support local economic development and generate employment opportunities within the agricultural sector. Furthermore, the agricultural activity developed onsite (poultry production) is not currently a main commodity in the region and has assisted in diversifying the local agricultural sector. The current agricultural development also runs year-round and provides more permanent job opportunities compared to the traditional forms of agriculture in the region. Lastly, poultry rearing facilities produce a valuable byproduct in the form of nutrient rich manure which can be used in the existing vegetable and grain farming on the property thereby facilitating the implementation of sustainable, circular agricultural practices. The development is thus well aligned with the IDP of the local municipality.</p>			
Spatial Development Framework of the Local Municipality	YES X	NO	Please explain

The Theewaterskloof SDF states that the agricultural sector is the largest source of employment in the Theewaterskloof Municipality and this sector has traditionally been the basis of economic development within the region. Objectives of the SDF therefore include the following as is relevant to the development:

- Protect agriculture as the primary land use in the rural landscape,
- Protect, maintain, and enhance viable agricultural units and encourage sustainable farming practices,
- Improve the economic viability of farms through the intensification and diversification of agricultural production and improve enterprise opportunities within the food system.

From the SDF it is clear that agricultural development is encouraged. However, it is also clear that the development should be both economically viable and environmentally sustainable. The development site was already a working farm and the addition of a poultry rearing facility on non-productive land within the farm assisted in maintaining, enhancing, and diversifying, sustainable onsite agricultural activities. The chicken houses have proven to be economically viable and sustainable agricultural practices (e.g. composting and re-use of chicken manure onsite) have already been developed and implemented within the current operation. The development thus aligns well with the objectives outlined in the Theewaterskloof SDF.

Approved Structure Plan of the Municipality	YES X	NO	Please explain
---	--------------	----	----------------

Agriculture is one of the largest economic activities in the municipal area and the Theewaterskloof SDF and IDP encourages further agricultural development with an objective of maintaining agriculture as the primary land use in the rural landscape.

An Environmental Management Framework (EMF) adopted by the Department	YES X	NO	Please explain
---	--------------	----	----------------

While no specific EMF has been outlined for the region, several strategic documents for the area include environmental management aspects. The Theewaterskloof IDP outlines sustainable environmental management as an important planning objective. The development has allowed for intensification of agricultural practices on non-productive agricultural land within an existing farm and thus minimised the transformation of additional land, whilst protecting and promoting food production.

The Theewaterskloof IDP also highlights the importance of alien invasive vegetation clearing. The owner of the property contributes substantially to clearing efforts and has carried out numerous alien vegetation clearing operations within the mountainous terrain to the west of the development site. Systematic clearing from upper catchment areas is essential to ensure sustainable removal of alien invasive vegetation.

The Environmental Management Policy for the Overberg District Municipality also highlights the importance of Alien Invasive Species Monitoring, Control and Eradication to which the property owner is already contributing. This policy also highlights the importance of addressing waste management challenges in the district. A registered composting facility is present onsite and has been designed to accept and process a portion of the waste generated by the poultry rearing facility in an environmentally sustainable manner. The remainder of the waste will be used onsite or by contracted farmers as fertilizer as per the current operation. As such no additional pressure will be placed on the public waste management facilities.

Any other Plans	YES X	NO	Please explain
-----------------	--------------	----	----------------

The Overberg District Municipality Integrated Waste Management Plan (3rd Generation) drives the minimisation of disposal at landfill sites. The primary objective of integrated waste management planning is to integrate and optimise waste management, in order to maximise efficiency and minimise the associated environmental impacts and financial costs and to improve the quality of life of all residents within the Overberg District. A registered composting facility is located on the development site. A portion of the organic byproducts from the poultry rearing facility are composted within this facility and the compost is used within the onsite grain and vegetable cultivation or sold to local farmers. The remainder of the manure is used directly onsite or by contracted farmers as fertilizer as per the current operation. The onsite practice of composting and recycling initiatives and the re-use of manure on the farm and adjacent properties will reduce the need for disposal at certified landfill sites.

SECTION D: NEED AND DESIRABILITY

Please Note: Before completing this section, first consult this Department's *Guideline on Need and Desirability* (March 2013) available on the Department's website (<http://www.capegateway.gov.za/eadp>).

1. Was the activity permitted in terms of the property's land use rights at the time of commencement?	YES X	NO	Please explain
Yes, the property is zoned Agriculture I and is currently operated as a working farm. In the past the property was primarily used for crop cultivation. The development is well aligned with and complements the onsite land use.			

2. Was the activity in line with the following?			
(a) Provincial Spatial Development Framework (PSDF)	YES X	NO	Please explain
<p>The Western Cape PSDF is a planning document that guides district and local spatial initiatives such as IDP's and SDF's. It aims to create a coherent framework for the province's urban and rural areas. The PSDF aims to guide the location and form of public investment in the Western Cape's urban and rural areas. Whilst it cannot influence private sector investment patterns, it has an important contribution in terms of reducing business risk by providing clarity and certainty on where public infrastructure investment will be targeted, thereby opening new economic opportunities in these areas. The current economic state with increasing levels of unemployment, and recent job losses in agriculture, all add to the high levels of rural poverty and unemployment. The Provincial SDF emphasizes the importance and need for economic growth, job creation and poverty alleviation. The development currently under evaluation will create new direct and indirect job opportunities during the construction and operational phase of the development.</p> <p>Agricultural output is foundational to the rural economy in the Western Cape. However, there is limited suitable land available for the expansion of agricultural activities and using these land areas without compromising biodiversity, heritage, and scenic resources, remains a key challenge. The property on which the development activities have been undertaken is a working farm located in a broader agricultural landscape. The poultry rearing facility has been developed on old agricultural fields, set back from public roads, do not coincide with archaeological and cultural heritage resources and given the development location, it is unlikely that any palaeontological resources will be impacted. There are existing water use registrations for the property and sufficient water is available to support the existing agricultural activities. The development activity is thus in line with the PSDF in that it will allow feasible expansion of agriculture within the Western Cape and facilitate job creation within this sector.</p> <p>Furthermore, the PSDF promotes sustainable development which requires that economic, social, and environmental aspects relating to a development proposal are considered. The development will play an important role in increasing the agricultural potential of the property and the long-term economic viability of the existing farming operation – which will help to sustain existing and future employment opportunities. Through implementation of suitable mitigation and management measures, the establishment and operation of the development will also not negatively impact the natural environment or surrounding land users. As such, all three pillars of sustainability can be promoted within the development.</p>			
(b) Urban edge / Edge of Built environment for the area	YES	NO	Please explain
Not applicable			
(c) Integrated Development Plan and Spatial Development Framework of the Local Municipality (e.g. would the approval of this application have compromised the integrity of the existing approved and credible municipal IDP and SDF?).	YES X	NO	Please explain
<p>The Theewaterskloof Municipality IDP encourages local economic development with a focus on creating employment opportunities for residents. Agricultural development is one of the 4 strategic pillars that has been outlined to support local economic development. The objective for agriculture within the region is to improve agricultural diversity, including participants and offerings. The IDP recognises that employment within the agricultural sector is largely seasonal and recently, the sector has been affected by drought (& at a macro level, climate change). The main commodities in the region include fruit (apples, pears & grapes), vegetables and grains. The development site is a working farm located within an agriculturally dominated landscape. The location of the property is thus suitable for the expansion of agricultural activities that will support local economic development and generate employment opportunities within the agricultural sector. Furthermore, the agricultural activities (poultry production) are not currently a main commodity in the region and will assist in diversification of the local agricultural sector. The development will also run year-round and provide more permanent job opportunities than the traditional forms of agriculture in the region. Lastly, poultry rearing facilities produce a valuable byproduct in the form of nutrient rich manure which</p>			

can be used in the existing vegetable and grain farming on the property thereby facilitating sustainable, circular agricultural practices. The development activities are thus well aligned with the IDP of the local municipality.

The Theewaterskloof SDF states that the agricultural sector is the largest source of employment in the Theewaterskloof Municipality and this sector has traditionally been the basis of economic development within the region. Objectives of the SDF therefore include the following as is relevant to the development:

- Protect agriculture as the primary land use in the rural landscape,
- Protect, maintain, and enhance viable agricultural units and encourage sustainable farming practices,
- Improve the economic viability of farms through the intensification and diversification of agricultural production and improve enterprise opportunities within the food system.

From the SDF it is clear that agricultural development is encouraged. However, it is also clear that the development should be both economically viable and environmentally sustainable. The development site is already a working farm and the addition of a poultry rearing facility on non-productive land within the farm will maintain, enhance, and diversify, sustainable onsite agricultural activities. The chicken houses have proven to be economically viable and sustainable agricultural practices (e.g. composting and reuse of chicken manure onsite) have already been developed and implemented within the operation. The development thus aligns well with the objectives outlined in the Theewaterskloof SDF.

(d) Approved Structure Plan of the Municipality	YES X	NO	Please explain
Agriculture is also one of the largest economic activities in the municipal area and the Theewaterskloof SDF and IDP encourages further agricultural development with an objective of maintaining agriculture as the primary land use in the rural landscape.			

(e) An Environmental Management Framework (EMF) adopted by the Department (e.g. Would the approval of this application have compromised the integrity of the existing environmental management priorities for the area and if so, can it be justified in terms of sustainability considerations?)	YES X	NO	Please explain
<p>While no specific EMF has been outlined for the region, several strategic documents for the area include environmental management aspects. The Theewaterskloof IDP outlines sustainable environmental management as an important planning objective. The development allows for intensification of agricultural practices on non-productive land within an existing farm and thus minimises the transformation of additional land, whilst protecting food production.</p> <p>The Theewaterskloof IDP also highlights the importance of alien invasive vegetation clearing. The owner of the property contributes substantially to clearing efforts and has carried out numerous alien vegetation clearing operations within the mountainous terrain to the west of the development site. Systematic clearing from upper catchment areas is essential to ensure sustainable removal of alien invasive vegetation.</p> <p>The Environmental Management Policy for the Overberg District Municipality also highlights the importance of Alien Invasive Species Monitoring, Control and Eradication to which the property owner is already contributing. This policy also highlights the importance of addressing waste management challenges in the district. Given the onsite presence of a registered composting facility that is able to accept and process a portion of the waste generated by the poultry rearing facility and the usability of the remaining manure for fertiliser onsite and by contracted growers, no additional pressure will be placed on the public waste management facilities.</p>			
(f) Any other Plans (e.g. Guide Plan)	YES X	NO	Please explain
<p>The Overberg District Municipality Integrated Waste Management Plan (3rd Generation) drives the minimisation of disposal at landfill sites. The primary objective of integrated waste management planning is to integrate and optimise waste management, in order to maximise efficiency and minimise the associated environmental impacts and financial costs and to improve the quality of life of all residents within the Overberg District. A registered composting facility is located on the development site. Manure will be managed by directing a portion thereof into the registered onsite composting facility (Appendix F4) and the remainder will be used directly in the agricultural industry as per the current operation. The on-site practice of composting and recycling initiatives and the use of manure as fertiliser on the farm will reduce disposal at certified landfill sites.</p>			

3. Was the land use (associated with the activity for which rectification is sought) considered within the timeframe intended by the existing approved Spatial Development Framework (SDF) agreed to by the relevant environmental authority (i.e. was the development in line with the projects and programmes identified as priorities within the relevant IDP)?	YES X	NO	Please explain
--	--------------	----	----------------

The poultry rearing facility located on the remainder of farm Grootvlei No.225 was developed between 2005-2011. The 2006-2011 IDP for the Theewaterskloof Municipality recognises agricultural development as one of the 4 strategic pillars to facilitate local economic development. The objective for agriculture within the region during this time was to improve agricultural diversity, including participants and offerings. The current IDP and SDF for the Theewaterskloof Local Municipality also recognises the importance of the agricultural sector and its importance to stimulate the local economy in addition to job creation. The purpose of the development activities undertaken is to diversify onsite agriculture and sustainably increase the agricultural potential of the property. The development activities are thus well aligned to the priorities of the relevant IDPs.

4. Should development, or if applicable, expansion of the town/area concerned in terms of this land use (associated with the activity being applied for) have occurred here when activities commenced?	YES X	NO	Please explain
--	-------	----	----------------

The site on which the development activities have taken place is zoned Agriculture I with existing crop cultivation. The property is located within an agriculturally dominated landscape and has been under cultivation since before 1983. An existing poultry rearing facility is located on the adjacent property near the southern boundary of the remainder of Erf 225. The development footprint of the unauthorised poultry rearing facility is located on non-productive land areas within a working farm. The purpose of the development activities is to diversify onsite agriculture and sustainably increase the agricultural potential of the property. The development creates a product (low-cost protein) for the market and creates temporary and permanent direct and indirect employment in a rural area. The site is also relatively well placed in terms of access to the N2 for transport of the product to economic offset areas. The agricultural activities are in line with the land use zoning and relevant SDP and IDP documents. The location of the property and the development footprint is therefore suitable for the nature of the development activities undertaken.

5. Did the community/area need the activity and the associated land use concerned (was it a societal priority)? (This refers to the strategic as well as local level (e.g. development is a national priority, but within a specific local context it could be inappropriate.)	YES X	NO	Please explain
--	-------	----	----------------

The development activities that commenced onsite are consistent with the character of the broader area (agricultural land use). The local economy is largely based on the agricultural sector which has the greatest capacity to generate employment opportunities. However, the agricultural industry provides primarily seasonal employment opportunities and is highly vulnerable to external impacts such as climate change, weather events and economic changes. The development proposal will play an important role in diversifying the onsite agricultural practices and allow for a sustainable increase in the agricultural potential of the property - which will help to generate and sustain much needed existing and future employment opportunities. The development also contributes towards sustainable food production in that it produces a low-cost protein for market.

6. Were the necessary services with adequate capacity available (at the time of commencement), or was additional capacity created to cater for the development? (Confirmation by the relevant Municipality in this regard must be attached to the Application Form / additional information as an appendix , where applicable.)	YES X	NO X	Please explain
--	-------	------	----------------

Water Supply: Existing water use allocation is available for the site with sufficient capacity to supply the poultry rearing facility (refer Appendix F1). 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 poultry rearing facility.

Power Supply: At the time of development of the poultry facility, the electrical network already extended to the sheds adjacent to the development site. Eskom electricity supply to the chicken houses was established by running a cable from the existing sheds to the development site. Eskom supply at the facility is currently supplemented with generators.

Sewage: A septic tank was installed at the chicken houses for staff ablution requirements.

Waste from site: Chicken manure originating from the poultry rearing facility will be fed into the registered onsite composting facility. The compost generated within this facility is used onsite and by contracted growers and local farmers. Manure that is not fed into the composting facility will be collected by local farmers and contracted growers or will be used onsite as fertiliser. Non-infectious mortalities are also composted onsite. Infected mortalities are managed and disposed of under strict guidance of the state veterinarian.

7. Is/was this development provided for in the infrastructure planning of the municipality, and if not what was/will the implication be on the infrastructure	YES	NO X	Please explain
---	-----	------	----------------

planning of the municipality (priority and placement of services and opportunity costs)? (Comment by the relevant Municipality in this regard must be attached to the Application Form / additional information as an appendix , where applicable.)			
This development does not form part of the infrastructure planning of the municipality. Agriculture is one of the largest economic activities in the municipal area and the Theewaterskloof SDF and IDP encourages further agricultural development.			

8. Was this project part of a national programme to address an issue of national concern or importance?	YES	NO X	Please explain
The project is well placed for local and provincial job creation. Food production and security is increasingly becoming a concern, and this project provides food to the local market, however this project in particular was not listed as part of a national programme.			

9. Did location factors favour this land use (associated with the activity applied for) at this place? (This relates to the contextualisation of the land use on this site within its broader context.)	YES X	NO	Please explain
The site on which the development activities have been undertaken is zoned Agriculture I with existing crop cultivation. This property is located within an agriculturally dominated landscape and has been under cultivation since before 1983. An existing poultry rearing facility is located on the adjacent property near the southern boundary of the remainder of Erf 225. The development of the unauthorised poultry rearing facility took place on non-productive land areas. The purpose of the development activities is to diversify onsite agriculture and sustainably increase the agricultural potential of the property. As can be seen from point 6 above, the necessary services were established and/or were made available for the development. The site is relatively well placed in terms of access to the N2 for transport of the product to economic offset areas.			

10. How did/does the activity or the land use associated with the activity applied for, impact on sensitive natural and cultural areas (built and rural/natural environment)?	YES	NO X	Please explain
<p>The poultry rearing facility was constructed on old agricultural lands that had been under cultivation since before 1983. Immediately prior to the development of the chicken houses (commenced in 2005), the land area was cultivated with planted pasture. Given the highly transformed nature of the development footprint prior to commencement of the listed activities, the vegetation present was of no botanical sensitivity and had no conservation value. As such, no natural areas have been affected by the commencement of the listed activities.</p> <p>A Heritage Screener and Notice of Intent to Develop (NID) was submitted to HWC and comment received saw no possible impact on heritage resources from the development – refer to Appendix F2 and Appendix F3.</p>			

11. How did/does the development impact on people's health and wellbeing (e.g. in terms of noise, odours, visual character and sense of place, etc.)?	YES	NO X	Please explain
<p>The nearest residential dwelling is >200m from the poultry rearing facility (separated by relief and screened by semi-natural vegetation with scattered alien invasive trees). As the landowners' offices and houses are located in relatively close proximity to the facility. It is in their own interest to maintain a clean environment as per strict cleaning and maintenance schedule. Chicken manure will be cleaned out from the units and transported to the onsite composting facility or re-used as fertiliser once every two months minimising the chance of odours from the facility.</p> <p>The land use of the property and surrounding area is primarily agricultural in nature. The existing structures are visually identical to the authorised structures on farm no. 226 which borders the development site (farm no. 225) to the south. The authorised chicken houses on farm no. 226 are located immediately south of the development site's southern boundary. The existing structures on farm no. 225 are not visually intrusive within the agricultural landscape and the development is also not visually intrusive given the topography of the landscape.</p> <p>Noise from inside the units will be largely contained as the units are completely enclosed. Noise from agricultural activities on site is deemed acceptable in the current setting. The land use is agricultural and is compatible with the surrounding rural/ agricultural area.</p> <p>No notable noise or odour was observed at the facility during the site assessment.</p>			

12. Did/does the proposed activity or the land use associated with the activity applied for, result in unacceptable opportunity costs?	YES	NO X	Please explain
--	-----	-------------	----------------

The identified site is a working farm with existing crop cultivation. The land area on which the poultry rearing facility was developed are old agricultural fields which were no longer productive and did not support any natural vegetation prior to development.

13. What were the cumulative impacts (positive and negative) of the land use associated with the activity applied for?	YES	NO	Please explain
<p>Positive:</p> <ol style="list-style-type: none"> 1) Direct and indirect, temporary and permanent job creation 2) Training and skills transfer to new employees 3) Production of low-cost protein for the local market 4) Stimulation of local market during construction (accommodation, construction) and operation (passing commercial trade) 5) Productive utilisation of old agricultural lands <p>Negative:</p> <ol style="list-style-type: none"> 1) Increase in traffic off the N2 to and from the site 2) Intensified agricultural activities in the area 			

14. Is/was the development the best practicable environmental option for this land/site?	YES X	NO	Please explain
<p>The land use proposal is considered the best economic proposal for the property, as it is an existing agricultural area with existing crop cultivation. The development is located on old agricultural fields and thus does not result in undue environmental impacts. The addition of the poultry rearing facility not only generates new economic opportunities, it also generates an opportunity to implement circular agricultural practices onsite as manure from the poultry rearing facility can be composted within the registered onsite facility and used directly within the onsite agricultural fields. The addition of the development facilitates sustainable increase in the agricultural potential of the farm.</p>			

15. What are/were the benefits to society in general and to the local communities?	Please explain
<ol style="list-style-type: none"> 1) Direct and indirect, temporary, and permanent job creation through construction and operational phases 2) Supply of low-cost source of protein into the market 3) Stimulation of local market during construction (accommodation, construction) and operation (passing commercial trade) 4) Training and skills transfer to new employees 5) Upliftment through employment and training 	

16. Any other need and desirability considerations related to the activity?	Please explain
<p>The development activities that commenced on the property do not impact or restrict surrounding landowners to exercise their legal rights. The development activity is in line with the existing land use of the property and allows for the diversification and expansion of the existing agricultural potential on the site. The overall farming operation onsite which currently includes grain and vegetable cultivation, poultry rearing facility and a registered composting facility allow for the implementation of circular agricultural practises which improves the overall sustainability of the project. A portion of the chicken manure generated onsite is composted within the registered onsite facility and utilised within the onsite grain and vegetable cultivation activities.</p>	

17. Please describe how the general objectives of Integrated Environmental Management as set out in section 23 of NEMA were taken into account:

The purpose of Section 23 of NEMA to promote the application of appropriate environmental management tools in order to ensure the integrated environmental management of activities. This report investigates, assesses, and communicates all existing and potential impacts of the project. All potential impacts are identified and rated, and any suitable alternatives to mitigate, manage or eliminate these impacts will be explored. Impacts to the environment and socio-economic aspects are assessed for the alternative options. A detailed, site-specific Environmental Management Programme (EMPr) that includes all required mitigation and management activities has been compiled. Implementation of the EMPr will be carried out onsite and will ensure ongoing management of the operation in line with suitable environmental practices.

A public participation process (PPP) will be implemented as per the EIA Regulations 2014 and DEA&DP's guidelines on PPP which allows sufficient opportunity for public consultation. An advertisement will be placed in a newspaper, informing members of the public of the application and available information. Details on how members of the public can register as interested and affected parties (I&APs) will be included. Other stakeholders (ward councillor, local authorities, adjacent landowners, organs of state, state departments, etc.) will be identified and will be notified of the process. A site notice will be placed on site.

18. Please describe how the **principles of environmental management** as set out in section 2 of NEMA were taken into account:

The aim of the principles of environmental management as set out in section 2 of NEMA is to guide stakeholders to undertake a holistic evaluation of the proposed development activities and to ensure that the precautionary principle is applied to encourage socially, environmentally, and economically sustainable development. The aim of the current project is to facilitate the diversification and expansion of agricultural production within the existing farming operation by optimally making use of the available non-productive land within the working farm and minimising the potential environmental impacts through suitable location and management of the development. The impact assessment process undertaken takes all three spheres of sustainability, namely economic, social, and environmental sustainability into account. Impacts related to each of these aspects are assessed and suitably addressed.

The poultry rearing facility has existing impacts. The existing impacts relating to the development and operation of the facility as well as potential impacts that may arise from the ongoing operation were considered, and mitigation measures were proposed. An EMPr has been developed which will guide suitable future management of the facility throughout the operation of the development to prevent and/or minimize any potential environmental impacts.

The poultry rearing facility is economically successful and well managed. The development provides economic and social benefits not only to the owner of the facility but also to the local economy and rural community through economic stimulus, job creation and food production.

According to the heritage screening report compiled for the development (Appendix J), it is unlikely that any cultural / heritage aspects were/will be disturbed as a result of the development of the poultry rearing facility.

The impact assessment process undertaken will consider people and their needs through affording interested and affected parties the opportunity to comment during the public participation process(ess). The development will play an important role in increasing the agricultural potential of the property which will help to sustain existing and future employment opportunities.

SECTION E: ALTERNATIVES

Please Note: Before completing this section, first consult this Department's *Guideline on Alternatives* (March 2013) available on the Department's website (<http://www.capegateway.gov.za/eadp>).

"Alternatives", in relation to an activity, means different means of meeting the general purposes and requirements of the activity, which may include alternatives to –

- (a) the property on which, or location where, it is to undertake the activity/the activity was undertaken;
- (b) the type of activity to be undertaken;
- (c) the design or layout of the activity;
- (d) the technology to be used in the activity;
- (e) the operational aspects of the activity; and
- (f) the option of not implementing the activity.

The NEMA prescribes that the procedures for the investigation, assessment and communication of the (potential) consequences or impacts of activities on the environment must, *inter alia*, with respect to every application for environmental authorisation –

- ensure that the general objectives of integrated environmental management laid down in NEMA and the National Environmental Management Principles set out in NEMA are taken into account; and (where applicable)
- include an investigation of the potential consequences or impacts of the alternatives to the activity on the environment and assessment of the significance of those potential consequences or impacts, including the option of not implementing the activity.

The general objective of integrated environmental management is, *inter alia*, to "identify, predict and evaluate the actual and potential impact on the environment, socio-economic conditions and cultural heritage, the risks and consequences and alternatives and options for mitigation of activities, with a view to minimising negative impacts, maximising benefits, and promoting compliance with the principles of environmental management" set out in NEMA.

1. In the sections below, please provide a description of any considered alternatives and alternatives that were found to be feasible and reasonable.

Please note:

- Detailed written proof of the investigation of alternatives must be provided. If no reasonable or feasible alternative exists, a motivation must be provided.
 - Alternatives considered for a Section 24G application are used to determine if the development was the best practicable alternative (environmentally, socially and economically) for the site or property.
 - In respect of a section 24 application, the option of not implementing the activity ("no-go"), includes the option of ceasing the activity, not implementing continuation of the activity, refusal of the commenced activity and complete rehabilitation of the affected site.
- (a) Property and location/site alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

The site on which the development activities were undertaken is a working farm. Prior to the development of the chicken houses, the farm was used for crop cultivation. The chicken houses were developed on old agricultural fields. At the time of commencement, the following factors were taken considered in order to identify a suitable development site within the property:

- Presence of existing access roads
- Presence of existing service infrastructure
- Nature of the land use
- Productivity levels of the fields
- Predominant wind direction
- Proximity to neighbours
- Proximity to natural land areas and watercourses
- Site topography

Taking these factors into consideration, the current development site was selected. The location and layout of the current facility is preferred as the development area was previously significantly disturbed and therefore no vegetation or ecosystems of conservation significance were present at the time of construction. The surrounding areas were also degraded due to agricultural activities and existing access road and service infrastructure was present. Given that the chicken houses have already been developed and the applicable listed activities have therefore already been undertaken at the existing location, no location alternatives for the existing development are currently available for consideration.

(b) Activity alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

There are no activity alternatives. The development comprises a poultry rearing facility developed on low productivity agricultural fields. The development of a poultry rearing facility on the site diversifies and complements the existing agricultural activities undertaken within the property without resulting in undue environmental impacts.

(c) Design or layout alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

The chicken houses have already been developed. At the time of development, due consideration was given to the layout, design, and orientation of the chicken houses in relation to the prevailing wind direction to allow for optimal ventilation while minimising potential odour and noise impacts. The landowner's office and house are in close proximity to the development, it was therefore in their own interest to optimise the design to minimise unpleasant impacts. The chicken houses are operational. The design and layout have thus been finalised. As such, the current layout and design thereof is the only feasible and reasonable design and layout alternative available for investigation.

(d) Technology alternatives (e.g. to reduce resource demand and resource use efficiency) to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts or detailed motivation if no reasonable or feasible alternatives exist:

The technology used within the poultry rearing facility is being upgraded as technology improves to ensure all resources are used as efficiently as possible. High pressure hoses are used for cleaning the chicken houses after every 2-month cycle. This ensures minimal water usage. The applicant is investigating the feasibility of potentially installing solar to supplement the existing power supply.

(e) Operational alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

There are no operational alternatives. The development site is a working farm. The chicken houses were developed to diversify the existing onsite agricultural activities and improve self-sufficiency of the existing farming operation as the chicken manure is used to fertilise crop fields. The applicant wishes to continue to utilize the existing chicken houses for their intended purposes.

The following aspects will however be incorporated into the operation of the poultry rearing facility to avoid and mitigate potential negative impacts:

- Pens will be dry swept to minimise water usage for washing purposes.
- Wash water from the units will be suitably contained and disposed of to prevent contamination of stormwater.
- Sweepings will be suitably contained and disposed of to the onsite composting facility or suitably re-used.
- Onsite recycling and waste separation will be maximised, and no waste will be burnt onsite.
- Workers will be educated regarding the onsite recycling and waste minimisation measures.
- Chicken manure will be removed directly to the onsite composting facility or suitable re-use location according to a strict schedule to ensure a clean environment is maintained onsite.
- Non-infectious mortalities will be removed directly to the onsite composting facility according to a strict schedule to ensure a clean environment is maintained onsite.
- All manure will be covered during transport and mortalities (not infectious) will be transported in sealed containers.
- Infected mortalities arising from the onsite poultry rearing facility will be managed and disposed of under strict guidance of the state veterinarian. Safe disposal certificates for hazardous waste removed from the facility will be kept on record for a minimum period of 5 years.
- Working hours will be restricted to weekdays and half day Saturday and no work (apart from vital tasks) will be undertaken on Sundays and public holidays.
- Suitable vegetation will be established within any bare areas onsite.
- Dust will be shielded from roads and adjacent land users and will be dissipated with water if needed.
- Trees will be planted to increase the visual absorption capacity.

(f) The option of ceasing the activity (the refusal of the activity(ies) and/or rehabilitation of the site):

The 'No-Go' option, where the poultry rearing facility is decommissioned, the development site is converted back to an agricultural field was evaluated. This alternative would result in the loss of positive socio-economic opportunities in the form of income generating and employment opportunities. Furthermore, there is a growing demand in the market for affordable protein. Decommissioning the existing (successful) facility and re-establishing a similar facility to meet the demand is not economically feasible. The company would thus like to continue its existing poultry rearing operations to sustainably meet this demand. The applicant therefore opted to apply for a retrospective environmental authorisation for the existing facility by means of this Section 24G application process.

(g) Any other alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

N/a

(h) Please provide a summary of the alternatives investigated and the outcomes of such investigation:

Please note: If no feasible and reasonable alternatives exist, the description and proof of the investigation of alternatives, together with motivation of why no feasible or reasonable alternatives exist, must be provided.

The chicken houses are operational. The design and layout have thus been finalised. As such, the current layout and design of thereof is the only feasible and reasonable design and layout alternative available for investigation.

At the time of development, several alternatives were considered in terms of location, design and layout of the development. All development alternatives would have occupied approximately the same footprint area, would have had the same capacity, and would have been operated in the same manner. All alternatives would thus have had similar environmental impacts.

The location and layout of the facility onsite was informed by the following considerations:

- Productive value of the agricultural land.
- Conservation value of the land.
- Site accessibility.
- Biosecurity considerations.
- Orientation of the site in relation to prevailing wind directions (noise and odour minimisation through formation of natural barriers)
- Proximity to service provision.
- The units are required to be placed a certain distance from each other for biosecurity and grazing allowances.

There were no reasonable and feasible alternatives identified at the time in terms of location or operational aspects. The property is a working farm and the development footprint is well located from an environmental, economic, and social perspective. Furthermore, measures have been and will be put in place throughout the operation of the development to ensure that any environmental impacts associated with the operation of the facility is avoided and/or minimised as far as possible. The technology used within the poultry rearing facility is being and will continue to be upgraded as technology improves to ensure all resources are used as efficiently as possible.

SECTION F: IMPACT ASSESSMENT, MANAGEMENT, MITIGATION AND MONITORING MEASURES

Please note, the impacts identified below refer to general impacts commonly associated with development activities. The list below is not exhaustive and may need to be supplemented. Where required, please append the information on any additional impacts to this application.

Please note: The information in this section must be duplicated for all the feasible and reasonable alternatives (where relevant).

1. PLEASE DESCRIBE THE MANNER IN WHICH THE DEVELOPMENT HAS IMPACTED ON THE FOLLOWING ASPECTS:

(a) Geographical and physical aspects:

Transformation of additional land with built up units – intensification of agricultural activities on site.

(b) Biological aspects:

Has the development impacted on critical biodiversity areas (CBAs) or ecological support areas (ESAs)?	YES	NO X
If yes, please describe:		
While the WCBSP indicates several CBAs and ESAs within the property, no CBAs or ESAs are indicated within the development footprint (Figure 2). Due to the nature of the development activities, impacts can be confined to the development footprint and therefore no CBAs or ESAs will be impacted.		
Has the development impacted on terrestrial vegetation, or aquatic ecosystems (wetlands, estuaries or the coastline)?	YES	NO X
If yes, please describe:		
The poultry rearing facility was developed within an old agricultural field. Historic aerial imagery from the CD:NGI database indicates that the entire development footprint has been used for agricultural purposes since before 1983 (Figure 3). The land area on which the chicken houses were developed was used as planted pastures immediately prior to development (Figure 4). As a result, no natural vegetation was present within the development footprint prior to the chicken houses being developed.		
No aquatic ecosystems are indicated to coincide with the development footprint. This was confirmed onsite.		
No terrestrial vegetation or aquatic ecosystems were impacted by the development.		
Has the development impacted on any populations of threatened plant or animal species, and/or on any habitat that may contain a unique signature of plant or animal species?	YES	NO X
If yes, please describe:		
The poultry rearing facility was developed on old agricultural fields as per aerial photography proof. No natural vegetation occurred within the development footprint at the time of development and thus it is improbable that populations of threatened floral or faunal species would have been present on the development site.		
Please describe the manner in which any other biological aspects were impacted:		
n/a		

(c) Socio-Economic aspects:

What was the capital value of the activity on completion?	±R10M
What is the (expected) yearly income or contribution to the economy that is/will be generated by or as a result of the activity?	±R47M
Has/will the activity have contributed to service infrastructure?	YES NO X
How many new employment opportunities were/will be created in the construction phase of the activity?	±60
What was the value of the employment opportunities during the construction phase?	±R0.9M
What percentage of this accrued to previously disadvantaged individuals?	±80%
How was this ensured and monitored (please explain):	
The contractors will supply their labour numbers and verify their wages with management, which will allow for monitoring.	

How many permanent new employment opportunities were/will be created during the operational phase of the activity?	±16
What is the current/expected value of the employment opportunities during the first 10 years?	±R12 918 931
What percentage of this accrued/will accrue to previously disadvantaged individuals?	±80%
How was/will this be ensured and monitored (please explain):	
The Applicant must ensure that records are kept of employees to record appointment of previously disadvantaged individuals in terms of the Labour Law requirements. Monitoring should be done by the Department of Labour.	
Any other information related to the manner in which the socio-economic aspects was/will be impacted:	
Impacts on socio-economic aspects: <ul style="list-style-type: none"> ➤ Potentially negative impacts <ul style="list-style-type: none"> • Possible increase in visual intrusion within the agricultural landscape • Impact on traffic flows and road infrastructure • Nuisance factors (noise, dust) during construction • Infrastructure requirements increased (electricity, sewage disposal) ➤ Potentially positive impacts <ul style="list-style-type: none"> • Knock-on effect for trade in local economy in Caledon • Provision of more affordable protein to local markets • Direct and indirect employment opportunities (temporary and permanent) • Skills transfer to new employees 	

(d) Cultural and historic aspects:

A NID (Appendix F2 and screener (Appendix J)) has been submitted to HWC for comment. Comment received from HWC confirmed that no Heritage resources are likely to occur on site and that no further studies will be required. A chance fossil finds procedure will however be implemented onsite. The response received from HWC is attached in Appendix F3.

2. WASTE AND EMISSIONS

(a) Waste (including effluent) management

Did the activity produce waste (including rubble) during the construction phase?	YES X	NO
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	Unknown m ³ (General Construction waste)	

Does the activity produce waste during its operational phase?	YES X	NO
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	Approximately 450m ³ of manure every two months.	

Where and how was/will the waste be treated / disposed of (describe)?

- 1) Chicken Manure will be treated as a nutrient rich by-product and not waste. As per currently practices, a portion of the chicken manure produced onsite will feed into the registered onsite composting facility while the remainder will be used directly in the agricultural industry.
- 2) Non-infectious mortalities will also feed into the onsite composting facility. The SOP for avian flu infections will be implemented if needed.
- 3) The sewage system at the chicken houses is in the form of septic tanks, as no wastewater treatment works is located nearby.
- 4) Domestic waste - Biodegradable materials will be composted within the onsite composting facility, plastic containers will be recycled, and the remainder of the waste will be buried in a demarcated camped off area as per the current operation. Given the size of the area in use (<50m²), the volume of waste disposed of (<500kg per month) and the location of the disposal site, this activity does not trigger the NEMA or NEM:WA.

Has the municipality or relevant authority confirmed that sufficient capacity exists for treating / disposing of the waste (to be) generated by this activity(ies)? If yes, provide written confirmation from Municipality or relevant authority. n/a – no waste will be disposed of off site or as part of the municipal waste stream.	YES	NO
Does/will the activity produce waste that is/will be treated and/or disposed of at another facility other than into a municipal waste stream? Registered onsite composting facility, agricultural lands & buried.	YES X	NO

If yes, has this facility confirmed that sufficient capacity exists for treating / disposing of the waste (to be) generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility. The onsite composting facility was developed for the purposes of processing a portion of the waste developed within the onsite poultry facility. Manure will be managed by directing a portion thereof into the registered onsite composting facility, the remainder will be used directly in the agricultural industry as per the current operation.		YES X	NO
Does the facility have an operating license? (If yes, please attach a copy of the license.) (Appendix F4)		YES X	NO
Facility name: Zonderend Composting			
Contact person: Ross Philip / Hennie du Plessis			
Postal address: PO BOX 599, Caledon			
		Postal code:7280	
Telephone: 021 200 9928		Cell: 083 273 8376 / 083 787 0432	
E-mail: rossphilip@mweb.co.za / grootvleiadmin@kuross.co.za		Fax: n/a	

Describe the measures that were/will be taken to reduce, reuse or recycle waste:

The overall management of the property has a strong focus on implementing circular agricultural practices and thereby ensures that as little waste as possible is produced and that wherever possible all waste/by-products are reused or recycled.

Manure will be managed by directing a portion thereof into the registered onsite composting facility, the remainder will be used directly in the agricultural industry as per the current operation. The compost generated will be used in the existing onsite crop cultivation onsite as well as by nearby landowners/contracted growers.

Composting of the non-infectious mortalities within the onsite composting facility will prevent the disposal of chicken mortalities to a landfill.

Biodegradable domestic waste generated onsite will be composted and all plastic containers will be recycled.

(b) Emissions into the atmosphere

Does/will the activity produce emissions that will be disposed of into the atmosphere?	YES	NO X
If yes, does it require approval in terms of relevant legislation?	YES	NO
Describe the emissions in terms of type and concentration and how it is/will be treated/mitigated:		

3. WATER USE

Please indicate the source(s) of water for the activity by ticking the appropriate boxes)

Municipal	Water board	Groundwater X	River, Stream, Dam or Lake	Other	The activity did/does/will not use water
-----------	-------------	----------------------	----------------------------	-------	--

If water was extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate the volume that was extracted per month:	Approximately 639m ³ /month
---	--

Please provide proof of assurance of water supply (e.g. Letter of confirmation from municipality / water user associations, yield of borehole) **See Letter attached in Appendix F1 for supply of water – water for the chicken houses is sourced from WU 4 in water use register number 29017625.**

Did/does the activity require a water use permit / license from DWA?	YES X	NO
--	-------	----

If yes, please submit a certified copy of the water use permit/license or submit the necessary application to Department of Water Affairs and attach proof thereof to this application, whichever is applicable.

Describe the measures that were/ will be taken to reduce water demand, and measures to reuse or recycle water:

The following measures are in place on site to minimise usage of water on site:

- Chicken pens are dry swept rather than washed with water.
- When the pens are washed down it is done with a high-pressure hose and minimal water usage.
- The biosecurity washdown gate and its associated showers use water saving devices to minimise the use of water on site.
- Irrigation of free-range pastureland is undertaken using water saving methods and equipment.

4. POWER SUPPLY

Please indicate the source of power supply e.g. Municipality / Eskom / Renewable energy source

Eskom supply is currently used supplemented with generators when needed.

If power supply is not available, where will power be sourced from?
n/a

5. ENERGY EFFICIENCY

Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:
The units have been orientated such to ensure that they fully make use of the natural elements for cooling and heating. For this reason, the roofs of the units are not painted to enable them to reflect the sunlight and minimise the need for cooling inside.

Describe how alternative energy sources have been taken into account or been built into the design of the activity, if any:
No alternative energy sources are currently included within the poultry rearing facility.

6. DESCRIPTION AND ASSESSMENT OF THE SIGNIFICANCE OF IMPACTS prior to and after MITIGATION

Please note:

- While sections are provided for impacts on certain aspects of the environment and certain impacts, the sections should also be copied and completed for all other impacts.
 - Mitigation measures that were implemented and mitigation measures that are to be implemented should be clearly distinguished.
- (a) **Impacts that resulted from the planning, design and construction phases (briefly describe and compare the impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that occurred as a result of the planning, design and construction phases.**

Impacts on geographical and physical aspects:	
Nature of impact:	Higher intensity agriculture - increased hardened surfaces within the agricultural landscape.
Extent and duration of impact:	Local; medium term
Probability of occurrence:	Highly probable
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Unlikely
Cumulative impact prior to mitigation:	Higher intensity agriculture, increased runoff and potential erosion and sedimentation
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	MEDIUM (-ve)
Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	Already implemented: <ul style="list-style-type: none"> - Prevent unnecessary exposure of bare ground (vulnerable to erosion) by minimising the area to be cleared around each unit and clearing land areas in phases as required for construction. - Establish planted pastures and boundary landscaping around developed area.
Cumulative impact post mitigation:	Slight increase in site runoff and potential erosion

Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)
--	------------------

Impact on biological aspects:	
Nature of impact:	Potential surface water pollution from contaminated runoff (e.g. accidentally spilled cement or construction chemicals)
Extent and duration of impact:	Local; short term
Probability of occurrence:	Not likely
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Not likely
Cumulative impact prior to mitigation:	Water quality of nearby watercourses (>32m) potentially affected (localised)
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)
Degree to which the impact can be mitigated:	Likely
Proposed mitigation:	N/A - construction phase has already been completed
Cumulative impact post mitigation:	Water quality potentially temporarily affected.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)

Impacts on socio-economic aspects:	
Nature of impact:	Employment opportunities during the construction phase - the development led to temporary employment opportunities during construction.
Extent and duration of impact:	Local; short term
Probability of occurrence:	Highly probable
Degree to which the impact can be reversed:	Not required
Degree to which the impact may cause irreplaceable loss of resources:	Not likely
Cumulative impact prior to mitigation:	Job creation amongst low-income families
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	MEDIUM (+ve)
Degree to which the impact can be mitigated:	Not required
Proposed mitigation:	Not required
Cumulative impact post mitigation:	Social upliftment in local community
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	MEDIUM (+ve)

Waste impacts:	
Nature of impact:	Waste generation from construction activities – general construction waste.
Extent and duration of impact:	Local short term (during construction phase)
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	Loss of landfill space due to increased disposal
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)
Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	Already implemented: - Maximise recycling of waste from construction activities.

Cumulative impact post mitigation:	Recyclable materials used on site and less disposal off site
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)

Dust impacts:	
Nature of impact:	A degree of dust would have been generated during construction.
Extent and duration of impact:	Local; short term
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	Nuisance to surrounding land users during the construction phase
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)
Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	<p>Already implemented:</p> <ul style="list-style-type: none"> - Minimise area to be cleared around each unit to prevent unnecessary exposure of bare ground. - Clear land areas in phases as required for construction purposes to minimize unnecessary exposure of bare ground. - Establish planted pastures and boundary landscaping. - Impact occurred in an agricultural context on a large farm, not possible to reach receptors.
Cumulative impact post mitigation:	No impact anticipated
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	VERY LOW (-ve)

Impacts on cultural-historical aspects:	
Nature of impact:	None anticipated as confirmed by HWC
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

Noise impacts:	
Nature of impact:	A degree of noise would have been generated during construction.
Extent and duration of impact:	Local; short term
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Low

Cumulative impact prior to mitigation:	Nuisance on land users in the immediate vicinity during the construction phase
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)
Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	<p>Already implemented:</p> <ul style="list-style-type: none"> - Impact occurred in an agricultural context on a large farm, not likely to reach receptors.
Cumulative impact post mitigation:	No impact anticipated
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)

Visual impacts / Sense of Place:	
Nature of impact:	Possible increase in visual intrusion within the agricultural landscape
Extent and duration of impact:	Local; long term (extends into operational phase)
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Low
Degree to which the impact may cause irreplaceable loss of resources:	Unlikely
Cumulative impact prior to mitigation:	Units visible from internal farm roads.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW-MEDIUM (-ve)
Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	<p>Already implemented:</p> <ul style="list-style-type: none"> - Minimise additional area to be cleared around each unit to prevent cleared areas being noticeable. - The developed area is surrounded by vegetation and trees, ensuring that the site is not visible on the skyline. - The development took place on a large farm with limited to no direct receptors. <p>To be implemented:</p> <ul style="list-style-type: none"> - Plant trees for additional visual absorption in the landscape.
Cumulative impact post mitigation:	Potential visual intrusion for land users that make use of the farm's internal access roads.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)

(b) **Impacts that result from the operational phase (briefly describe and compare impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that are likely to occur as a result of the operational phase.**

Impacts on geographical and physical aspects:	
Nature of impact:	Intensified use of access roads
Extent and duration of impact:	Local; long term
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Unlikely
Cumulative impact prior to mitigation:	Road degradation and erosion
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)
Degree to which the impact can be mitigated:	Possible

Proposed mitigation:	To be implemented: <ul style="list-style-type: none"> - Maintain all onsite roads in a good condition. - Regularly monitor roads for damage or erosion. - Should damage or erosion be noted it must be addressed immediately.
Cumulative impact post mitigation:	None anticipated
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)

Impact on biological aspects:	
Nature of impact:	Potential surface water pollution from contaminated runoff (e.g. unit wash water)
Extent and duration of impact:	Local; long term
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Not likely
Cumulative impact prior to mitigation:	Water quality of watercourses in the vicinity of the facility (>32m) affected (localised)
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	MEDIUM (-ve)
Degree to which the impact can be mitigated:	Likely
Proposed mitigation:	To be implemented: <ul style="list-style-type: none"> - Implement stormwater management as per EMPr <ul style="list-style-type: none"> o Dry-sweep pens and minimise usage of water inside units for washing. Units are to be washed (with high pressure hoses) only once dry matter has been removed. o No ingress of stormwater into units to protect runoff quality. o No wash water from inside units to reach outside environment and possibly pollute stormwater. o No water used during washing of units to be re-used on site. o Contain all sweepings and dispose of to the onsite composting facility or relevant re-use location. - Refuelling or maintenance of vehicles may only take place on designated, bunded surfaces.
Cumulative impact post mitigation:	No impact anticipated
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)

Waste impacts:	
Nature of impact:	Waste generation from operational phase
Extent and duration of impact:	Local; long term
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	Less space at landfill due to increased disposal
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW-MEDIUM (-ve)

Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	<p>Already implemented:</p> <ul style="list-style-type: none"> - Dispose of a portion of manure and all non-infectious mortalities to the onsite composting facility. Remaining manure to be used onsite or by contracted farmers. - No manure stored onsite prior to removal to composting facility or use locations. - Compost biodegradable domestic waste generated onsite and recycle all plastic containers. <p>To be implemented:</p> <ul style="list-style-type: none"> - Minimise new materials brought on site. - Reuse existing materials where possible. - Maximise recycling and waste separation onsite. - No burning of waste on site. - Worker awareness on site regarding waste minimisation and recycling
Cumulative impact post mitigation:	Minimal waste disposal to landfill; increased recycling on site
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)

(Hazardous) Waste impacts:	
Nature of impact:	Infectious mortalities may occur during the operational phase
Extent and duration of impact:	Local; short term
Probability of occurrence:	Improbable
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	High
Cumulative impact prior to mitigation:	Biosecurity risk within and outside the farm
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	MEDIUM (-ve)
Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	<p>Already implemented:</p> <ul style="list-style-type: none"> - Infected mortalities arising from the onsite poultry rearing facility are managed and disposed of under strict guidance of the state veterinarian. - Safe disposal certificates for hazardous waste removed from the facility must be kept on record for a minimum period of 5 years.
Cumulative impact post mitigation:	No impact anticipated
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)

Nuisance factors (odour) impacts:	
Nature of impact:	Odour generated from chicken pens
Extent and duration of impact:	Local; short term
Probability of occurrence:	Improbable
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	Nuisance to surrounding land users during removal of manure/mortalities

Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)
Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	<p>Already implemented:</p> <ul style="list-style-type: none"> - Removal of manure directly to the onsite composting facility where it is suitably processed or to suitable re-use location. - All manure is covered during transport and non-infectious mortalities are transported in sealed containers. - No odour was observed during the site assessment, the landowners' offices and houses are in close proximity to the facility, therefore it is in their own interest to maintain a clean environment as per strict cleaning schedule.
Cumulative impact post mitigation:	No impact anticipated
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)

Impacts on the socio-economic aspects:	
Nature of impact:	Employment opportunities from expanded onsite agricultural operations
Extent and duration of impact:	Local; long term
Probability of occurrence:	Highly probable
Degree to which the impact can be reversed:	Not required
Degree to which the impact may cause irreplaceable loss of resources:	Not likely
Cumulative impact prior to mitigation:	Job creation within low-income families and social upliftment within the local community
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	MEDIUM (+ve)
Degree to which the impact can be mitigated:	Not required
Proposed mitigation:	Not required
Cumulative impact post mitigation:	Job creation within low-income families and social upliftment within the local community
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	MEDIUM (+ve)

Impacts on the cultural-historical aspects:	
Nature of impact:	None anticipated as confirmed by HWC
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

Noise & dust impacts	
Nature of impact:	Noise and dust generated from operational activities on site
Extent and duration of impact:	Local; short term
Probability of occurrence:	Improbable
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	Nuisance to resident in the immediate vicinity.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)
Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	<p>Already implemented:</p> <ul style="list-style-type: none"> - The operation is part of a large farm with neighbours a considerable distance away. <p>To be implemented:</p> <ul style="list-style-type: none"> - Restrict working hours to weekdays and half day Saturday and no work (except for vital tasks) on Sundays and public holidays. - Awareness on site of workers to keep noise levels down outside of working hours. - Establish suitable vegetation within any bare areas onsite. - Shield dust blowing onto roads and adjacent land users. - Dissipate dust with water if needed.
Cumulative impact post mitigation:	No impact anticipated
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)

Visual impacts / Sense of Place:	
Nature of impact:	Increase in visual intrusion within the agricultural landscape
Extent and duration of impact:	Local; long term
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Low
Degree to which the impact may cause irreplaceable loss of resources:	Unlikely
Cumulative impact prior to mitigation:	Units visible from internal farm roads.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW - MEDIUM (-ve)
Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	<p>Already implemented:</p> <ul style="list-style-type: none"> - The operation is part of a large farm with neighbours a considerable distance away. - The development is amongst trees that allow for visual absorption.
Cumulative impact post mitigation:	Potential visual intrusion for land users that make use of the farm's internal access roads.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)

- (c) **Impacts that may result from the decommissioning and closure phase (briefly describe and compare the potential impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that are likely to occur as a result of the decommissioning and closure phase.**

Potential impacts on the geographical and physical aspects:	
Nature of impact:	Infrastructure and land left derelict post closure
Extent and duration of impact:	Local; long term
Probability of occurrence:	Improbable
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Possible
Cumulative impact prior to mitigation:	Visual impact from buildings degrading
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	MEDIUM (-ve)
Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	To be implemented: Upon closure the developed area should be returned to arable use and infrastructure re-used elsewhere; what cannot be re-used should be sent to landfill for disposal
Cumulative impact post mitigation:	Alien invasive vegetation encroaches site if not maintained
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW(-ve)

Potential impacts on the socio-economic aspects:	
Nature of impact:	Job losses from closure
Extent and duration of impact:	Local; long term
Probability of occurrence:	Possible
Degree to which the impact can be reversed:	Unlikely
Degree to which the impact may cause irreplaceable loss of resources:	Unlikely
Cumulative impact prior to mitigation:	Social degradation of local labour force
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	MEDIUM (-ve)
Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	Re-skill labour force to be able to find alternative employment in the Western Cape. Intensive feed farming is increasing due to market demand; therefore closure is unlikely
Cumulative impact post mitigation:	Social degradation due to job losses and people moving away even with additional new skillset
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW (-ve)

7. SPECIALIST INPUTS/STUDIES AND RECOMMENDATIONS

Please note: Specialist inputs/studies that will be undertaken as part of this application. These specialist inputs/studies must take into account the Department's relevant Guidelines on the Involvement of Specialists in EIA Processes available on the Department's website (<http://www.capegateway.gov.za/eadp>). A summary of all the specialist inputs/studies must be provided with the additional information.

Specialist inputs/studies and recommendations:

HERITAGE:

While the DEA screening tool assigned a 'low' sensitivity rating to the Archaeological and Cultural Heritage theme for the development site, a 'very high' sensitivity rating was assigned to the Paleontology theme. As such CTS Heritage was commissioned to draft a heritage screener for the site. The heritage screener found that "it is unlikely that the development will negatively impact on significant heritage resources on condition that the attached Chance Fossil Finds Procedure is implemented". Based on this finding an NID was submitted to HWC along with the screener 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.

A chance fossil finds procedure as outlined in the heritage screener will be implemented onsite as included in the EMPr.

8. IMPACT ASSESSMENT SUMMARY

Briefly describe the impacts (as appropriate), significance rating of impacts, mitigation and significance rating of impacts of the activity. This must include an assessment of the significance of all impacts.

Impacts	Significance rating of impacts after mitigation (Low, Medium, Medium-High, High, Very High):
IMPACTS DURING PLANNING, DESIGN & CONSTRUCTION PHASES	
Higher intensity agriculture - increased hardened surfaces within the agricultural landscape.	LOW -
Potential surface water pollution from contaminated runoff (e.g. accidentally spilled cement or construction chemicals)	LOW -
Employment opportunities created by construction activities	MEDIUM +
Waste generation from construction activities – general construction waste.	LOW -
Dust generation from construction activities	VERY LOW -
Noise generated from construction activities	LOW -
Increase in visual intrusion within the agricultural landscape	LOW -
IMPACTS DURING OPERATIONAL PHASE	
Intensified use of access roads	LOW -
Potential surface water pollution from contaminated runoff (e.g. unit wash water)	LOW -
Waste generation from operational phase	LOW -
Hazardous waste – infections mortalities	LOW -
Odour generated from chicken pens	LOW -
Employment opportunities from expanded onsite agricultural operations	MEDIUM +
Noise & dust generation from operational phase	LOW -
Increase in visual intrusion within the agricultural landscape	LOW -
IMPACTS DURING DECOMMISSIONING AND CLOSURE PHASES	

Infrastructure and land left derelict post closure	LOW -
Job losses from closure	LOW -

9. SUMMARY OF THE CONSEQUENCES OF/ IMPACTS OF THE UNLAWFULLY COMMENCED ACTIVITY/IES

Please provide a detailed summary of the consequences/impacts of commencement of the activity/ies on the environment.

Summary:

The unlawfully commenced activities relates to the development of a facility for the concentration of poultry for the purpose of commercial production. A total of 10 chicken pens, each approximately 1200m² in size and housing up to 16 000 birds were developed between 2005-2011.

All development activities took place within highly disturbed agricultural fields that had been under cultivation since before 1983 (Figure 3). Immediately prior to the development of the poultry rearing facility, the land area was cultivated with planted pasture (Figure 4). Given the highly transformed nature of the development footprint prior to commencement of the listed activities, the vegetation present was of no botanical significance and had no conservation value. No natural vegetation was impacted by the commencement of the listed activities.

The commencement of the listed activities took place on a large farm within an agriculturally dominated landscape. As such there are limited to no direct receptors for potential impacts. Operational phase impacts can be avoided through suitable management of the facility.

10. OTHER MANAGEMENT, MITIGATION AND MONITORING MEASURES

(a) Over and above the mitigation measures described above, please indicate any additional management, mitigation and monitoring measures.

- A detailed OEMPr has been developed that incorporates all outlined mitigation and management measures for implementation during the operational phase of the development. The EMPr will serve to guide the operation of the development and thereby ensure that no environmental degradation results from the ongoing operation of the facility.
- No further development should be undertaken onsite without suitable environmental authorisation.
- Outcome of public participation and stakeholder engagement processes will help determine any other applicable management or mitigation measures that should be considered

(b) Describe the ability of the applicant to implement the management, mitigation, and monitoring measures.

- The applicant is able to implement the management, mitigation and monitoring measures as prescribed by the EAP in this document and the accompanying EMPs.
- The implementation of the recommended management, mitigation and monitoring measures will benefit and not detract from the development objectives.
- The applicant has both displayed a willingness to comply and is financially able to implement the requirements.

Please note: A draft **ENVIRONMENTAL MANAGEMENT PROGRAMME** must be attached to this application as **Appendix I**.

SECTION G: ASSESSMENT METHODOLOGIES AND CRITERIA, GAPS IN KNOWLEDGE, UNDERLYING ASSUMPTIONS AND UNCERTAINTIES

(a) Please describe adequacy of the assessment methods used.

<p>Assessment methods used include the following:</p> <ul style="list-style-type: none"> - Site visits to determine the nature and sensitivity of the site and the surrounding environment. - Consulting with the Applicant to gain an understanding of the need for the development activity. - Consideration of the applicable Legislation, Guidelines and Policies. - Consideration of the district and provincial IDPs, SDFs in order to understand the socio-economic context of the development. - Obtaining input from HWC. <p>It is the opinion of the EAP that the assessment methods used were adequate. After ranking of the evaluation of the components (variables) on a scale for each potential impact, the significance of each potential impact was calculated.</p>

(b) Please describe the assessment criteria used.

<p>IMPACT RATING METHODOLOGY</p> <p>THE SIGNIFICANCE OF EACH IMPACT IDENTIFIED WAS ASSESSED ACCORDING TO THE FOLLOWING VARIABLES (EVALUATION COMPONENTS): SIGNIFICANCE IS THE PRODUCT OF PROBABILITY AND SEVERITY. PROBABILITY DESCRIBES THE LIKELIHOOD OF THE IMPACT ACTUALLY OCCURRING, AND IS RATED AS FOLLOWS:</p> <p>PROBABILITY</p> <table border="1"> <thead> <tr> <th colspan="3">PROBABILITY</th> </tr> </thead> <tbody> <tr> <td>IMPROBABLE</td> <td>LOW POSSIBILITY OF IMPACT TO OCCUR EITHER BECAUSE OF DESIGN OR HISTORIC EXPERIENCE.</td> <td>RATING = 1</td> </tr> <tr> <td>PROBABLE</td> <td>DISTINCT POSSIBILITY THAT IMPACT WILL OCCUR.</td> <td>RATING = 2</td> </tr> <tr> <td>HIGHLY PROBABLE</td> <td>MOST LIKELY THAT IMPACT WILL OCCUR.</td> <td>RATING = 3</td> </tr> <tr> <td>DEFINITE</td> <td>IMPACT WILL OCCUR, IN THE CASE OF ADVERSE IMPACTS REGARDLESS OF ANY PREVENTION MEASURES.</td> <td>RATING = 4</td> </tr> </tbody> </table> <p>THE SEVERITY FACTOR IS CALCULATED FROM THE FACTORS GIVEN TO "INTENSITY" AND "DURATION". INTENSITY AND DURATION FACTORS ARE AWARDED TO EACH IMPACT, AS DESCRIBED BELOW.</p> <p>THE INTENSITY FACTOR IS AWARDED TO EACH IMPACT ACCORDING TO THE FOLLOWING METHOD:</p> <table border="1"> <thead> <tr> <th colspan="3">INTENSITY FACTOR</th> </tr> </thead> <tbody> <tr> <td>LOW INTENSITY</td> <td>NATURAL AND MAN-MADE FUNCTIONS NOT AFFECTED.</td> <td>FACTOR 1</td> </tr> <tr> <td>MEDIUM INTENSITY</td> <td>ENVIRONMENT AFFECTED BUT NATURAL AND MAN-MADE FUNCTIONS AND PROCESSES CONTINUE.</td> <td>FACTOR 2</td> </tr> <tr> <td>HIGH INTENSITY</td> <td>ENVIRONMENT AFFECTED - NATURAL OR MAN-MADE FUNCTIONS ARE ALTERED TO THE EXTENT THAT IT WILL TEMPORARILY OR PERMANENTLY CEASE OR BECOME DYSFUNCTIONAL.</td> <td>FACTOR 3</td> </tr> </tbody> </table> <p>DURATION IS ASSESSED AND A FACTOR AWARDED IN ACCORDANCE WITH THE FOLLOWING:</p> <table border="1"> <thead> <tr> <th colspan="3">DURATION</th> </tr> </thead> <tbody> <tr> <td>SHORT TERM</td> <td><1 TO 5 YEARS</td> <td>FACTOR 1</td> </tr> <tr> <td>MEDIUM TERM</td> <td>5 TO 15 YEARS</td> <td>FACTOR 2</td> </tr> <tr> <td>LONG TERM</td> <td>IMPACT WILL ONLY CEASE AFTER THE OPERATIONAL LIFE OF THE ACTIVITY, EITHER BECAUSE OF NATURAL PROCESS OR BY HUMAN INTERVENTION</td> <td>FACTOR 3</td> </tr> </tbody> </table>			PROBABILITY			IMPROBABLE	LOW POSSIBILITY OF IMPACT TO OCCUR EITHER BECAUSE OF DESIGN OR HISTORIC EXPERIENCE.	RATING = 1	PROBABLE	DISTINCT POSSIBILITY THAT IMPACT WILL OCCUR.	RATING = 2	HIGHLY PROBABLE	MOST LIKELY THAT IMPACT WILL OCCUR.	RATING = 3	DEFINITE	IMPACT WILL OCCUR, IN THE CASE OF ADVERSE IMPACTS REGARDLESS OF ANY PREVENTION MEASURES.	RATING = 4	INTENSITY FACTOR			LOW INTENSITY	NATURAL AND MAN-MADE FUNCTIONS NOT AFFECTED.	FACTOR 1	MEDIUM INTENSITY	ENVIRONMENT AFFECTED BUT NATURAL AND MAN-MADE FUNCTIONS AND PROCESSES CONTINUE.	FACTOR 2	HIGH INTENSITY	ENVIRONMENT AFFECTED - NATURAL OR MAN-MADE FUNCTIONS ARE ALTERED TO THE EXTENT THAT IT WILL TEMPORARILY OR PERMANENTLY CEASE OR BECOME DYSFUNCTIONAL.	FACTOR 3	DURATION			SHORT TERM	<1 TO 5 YEARS	FACTOR 1	MEDIUM TERM	5 TO 15 YEARS	FACTOR 2	LONG TERM	IMPACT WILL ONLY CEASE AFTER THE OPERATIONAL LIFE OF THE ACTIVITY, EITHER BECAUSE OF NATURAL PROCESS OR BY HUMAN INTERVENTION	FACTOR 3
PROBABILITY																																									
IMPROBABLE	LOW POSSIBILITY OF IMPACT TO OCCUR EITHER BECAUSE OF DESIGN OR HISTORIC EXPERIENCE.	RATING = 1																																							
PROBABLE	DISTINCT POSSIBILITY THAT IMPACT WILL OCCUR.	RATING = 2																																							
HIGHLY PROBABLE	MOST LIKELY THAT IMPACT WILL OCCUR.	RATING = 3																																							
DEFINITE	IMPACT WILL OCCUR, IN THE CASE OF ADVERSE IMPACTS REGARDLESS OF ANY PREVENTION MEASURES.	RATING = 4																																							
INTENSITY FACTOR																																									
LOW INTENSITY	NATURAL AND MAN-MADE FUNCTIONS NOT AFFECTED.	FACTOR 1																																							
MEDIUM INTENSITY	ENVIRONMENT AFFECTED BUT NATURAL AND MAN-MADE FUNCTIONS AND PROCESSES CONTINUE.	FACTOR 2																																							
HIGH INTENSITY	ENVIRONMENT AFFECTED - NATURAL OR MAN-MADE FUNCTIONS ARE ALTERED TO THE EXTENT THAT IT WILL TEMPORARILY OR PERMANENTLY CEASE OR BECOME DYSFUNCTIONAL.	FACTOR 3																																							
DURATION																																									
SHORT TERM	<1 TO 5 YEARS	FACTOR 1																																							
MEDIUM TERM	5 TO 15 YEARS	FACTOR 2																																							
LONG TERM	IMPACT WILL ONLY CEASE AFTER THE OPERATIONAL LIFE OF THE ACTIVITY, EITHER BECAUSE OF NATURAL PROCESS OR BY HUMAN INTERVENTION	FACTOR 3																																							

PERMANENT	MITIGATION, EITHER BY NATURAL PROCESS OR BY HUMAN INTERVENTION, WILL NOT OCCUR IN SUCH A WAY OR IN SUCH A TIME SPAN THAT THE IMPACT CAN BE CONSIDERED TRANSIENT	FACTOR 4
-----------	---	----------

THE **SEVERITY RATING** IS OBTAINED FROM CALCULATING A SEVERITY FACTOR AND COMPARING THE SEVERITY FACTOR TO THE RATING IN THE TABLE BELOW. FOR EXAMPLE:

$$\begin{aligned}
 \text{THE SEVERITY FACTOR} &= \text{INTENSITY FACTOR X DURATION FACTOR} \\
 &= 2 \times 3 \\
 &= 6
 \end{aligned}$$

A **SEVERITY FACTOR** OF SIX (6) EQUALS A SEVERITY RATING OF MEDIUM SEVERITY (RATING 3) AS PER TABLE BELOW:

RATING	FACTOR
LOW SEVERITY (RATING 2)	CALCULATED VALUES 2 TO 4
MEDIUM SEVERITY (RATING 3)	CALCULATED VALUES 5 TO 8
HIGH SEVERITY (RATING 4)	CALCULATED VALUES 9 TO 12
VERY HIGH SEVERITY (RATING 5)	CALCULATED VALUES 13 TO 16
SEVERITY FACTORS BELOW 3 INDICATE NO IMPACT	

A **SIGNIFICANCE RATING IS CALCULATED BY MULTIPLYING THE SEVERITY RATING WITH THE PROBABILITY RATING.**

THE **SIGNIFICANCE RATING** SHOULD INFLUENCE THE DEVELOPMENT PROJECT AS DESCRIBED BELOW:

SIGNIFICANCE RATING		
LOW SIGNIFICANCE	CALCULATED SIGNIFICANCE RATING 4 TO 6	POSITIVE IMPACT AND NEGATIVE IMPACTS OF LOW SIGNIFICANCE SHOULD HAVE NO INFLUENCE ON THE PROPOSED DEVELOPMENT PROJECT.
MEDIUM SIGNIFICANCE	CALCULATED SIGNIFICANCE RATING >6 TO 15	POSITIVE IMPACT: SHOULD WEIGH TOWARDS A DECISION TO CONTINUE NEGATIVE IMPACT: SHOULD BE MITIGATED TO A LEVEL WHERE THE IMPACT WOULD BE OF MEDIUM SIGNIFICANCE BEFORE PROJECT CAN BE APPROVED.
HIGH SIGNIFICANCE	CALCULATED SIGNIFICANCE RATING 16 AND MORE	POSITIVE IMPACT: SHOULD WEIGH TOWARDS A DECISION TO CONTINUE, SHOULD BE ENHANCED IN FINAL DESIGN. NEGATIVE IMPACT: SHOULD WEIGH TOWARDS A DECISION TO TERMINATE PROPOSAL, OR MITIGATION SHOULD BE PERFORMED TO REDUCE SIGNIFICANCE TO AT LEAST MEDIUM SIGNIFICANCE RATING.

THE IMPACTS WERE ASSESSED FOR THE PREFERRED AND ALTERNATIVE AND FOR THE “NO - GO” OPTION, WITH AND WITHOUT THE IMPLEMENTATION OF PROPOSED MITIGATION MEASURES.

CUMULATIVE IMPACT: IN RELATION TO AN ACTIVITY, MEANS THE PAST, CURRENT AND REASONABLY FORESEEABLE FUTURE IMPACT OF AN ACTIVITY, CONSIDERED TOGETHER WITH THE IMPACT OF ACTIVITIES ASSOCIATED WITH THAT ACTIVITY THAT IN ITSELF MAY NOT BE SIGNIFICANT, BUT MAY

BECOME SIGNIFICANT WHEN ADDED TO THE EXISTING AND REASONABLY FORESEEABLE IMPACTS EVENTUATING FROM SIMILAR OR DIVERSE ACTIVITIES.

(c) Please describe the gaps in knowledge.

No gaps in knowledge pertaining to the activities exist at this time, however, should any be identified, they will be communicated in an open and transparent manner and documented in the S24G application report.

(d) Please describe the underlying assumptions.

The following assumptions apply to this report:

- It is assumed that all information on which this report is based is both correct and truthful and without omission.
- It is assumed that all impacts associated with the development activities have been identified.
- It is assumed that all relevant mitigation measures specified in this report will be fully implemented and complied with on a long-term basis, in order to ensure that the impact on the surrounding environment is minimized, to an acceptable level.

Should any additional assumptions be required, it will be made public knowledge.

(e) Please describe the uncertainties.

No uncertainties exist at this stage.

SECTION H: RECOMMENDATIONS OF THE EAP

In my view (EAP), the information contained in the Application and the documentation attached hereto is sufficient to make a decision in respect of the activity applied for.	YES X	NO
If "NO", list the aspects that should be further assessed through additional specialist input/assessment:		
If "YES", please indicate below whether in your opinion the applicant should be directed to cease the activity or if it should be authorised:		
Applicant should be directed to cease the activity:	YES	NO X
Please provide reasons for your opinion		
<p>The commencement of listed activities took place on a working farm within an already degraded agricultural field and the therefore did not result in detrimental impacts to the natural environment. The nature of the operational and construction phase impacts associated with the development activities are all within the low to medium range prior to implementation of mitigation measures. Through implementation of feasible mitigation measures, all identified impacts can be reduced to within the 'low' significance range.</p> <p>The development activities were undertaken for the purpose of diversifying and improving the sustainability of the existing farming operation. Diversification plays a key role in ensuring the ongoing economic viability of farming operations. The addition of a poultry rearing facility will play an important role in increasing the agricultural potential of the property and improving the long-term economic viability of the existing farming operation – which will help to sustain existing and future employment opportunities. In addition to improving the agricultural diversity and economic viability of the existing farming operation, the addition of the poultry rearing facility has improved the overall sustainability of the onsite agriculture. The farm is primarily used for crop cultivation and prior to the development of the onsite poultry rearing facility, chicken manure was obtained from an external facility for use on croplands. By establishing the onsite poultry rearing facility and associated composting facility, circular agriculture, which aims to close nutrients loops, could be implemented onsite. The establishment of poultry rearing facility on the site thus allows the onsite agricultural operation to remain self-sufficient.</p> <p>Furthermore, given the growing demand in the market for affordable protein it would not make sense to cease and rehabilitate the affected area. As this facility is still required to meet societal needs, a new application would likely be lodged at a later stage with time and money wasted on rehabilitation of the affected areas. The location and operation of the poultry rearing facility is appropriate from an environmental, economic, and social point of view and will result in sustained societal and economic benefits in the form of both a supply of protein and generation of job opportunities.</p>		
If you are of the opinion that the activity should be authorised, then please provide any conditions, including mitigation measures that should in your view be considered for inclusion in an authorisation.		
<p>All mitigation and management measures outlined in this report and the accompanying EMPr should be implemented onsite. In summary the required mitigation measures should include:</p> <ul style="list-style-type: none"> - Prevent unnecessary exposure of bare ground (vulnerable to erosion) by minimising the area to be cleared around each unit and clearing land areas in phases as required for construction. - Establish pastureland and boundary landscaping as soon as possible after clearing. - Implement stormwater management as per EMPr <ul style="list-style-type: none"> o Dry-sweep pens and minimise usage of water inside units for washing. Units are to be washed with high pressure hoses only once dry matter has been removed. o No ingress of stormwater into units to protect runoff quality. o No wash water from inside units to reach outside environment and possibly pollute stormwater. o No water used during washing of units to be re-used on site. o Contain all sweepings and dispose of to the onsite composting facility or suitable re-use location. - Refuelling or maintenance of vehicles may only take place on designated, bunded surfaces. - Minimise new materials brought on site. - Reuse existing materials where possible. - Shield dust blowing onto roads and adjacent land users. - Dissipate dust with water if needed. 		

- A suitable speed limit (20-40km/h) must be enforced on all access roads.
- Restrict working hours to weekdays and half day Saturday and no work (except for vital tasks) on Sundays and public holidays.
- Awareness of workers onsite to keep noise levels down outside of working hours.
- All transport vehicles and machinery/equipment used onsite must be regularly maintained and kept in good working order to prevent excessive noise.
- Plant trees for visual absorption in the landscape.
- Maintain all onsite roads in a good condition.
- Regularly monitor roads for damage or erosion.
- Should damage or erosion be noted it must be addressed immediately.
- Remove manure directly to the onsite composting facility or for reuse on lands as relevant.
- No storage of manure onsite prior to removal to composting facility or relevant use locations.
- Compost biodegradable domestic waste generated onsite and recycle all plastic containers.
- Maximise recycling and waste separation onsite.
- No burning of waste on site.
- Facilitate worker awareness on site regarding waste minimisation and recycling.
- Infected mortalities arising from the onsite poultry rearing facility must be managed and disposed of under strict guidance of the state veterinarian.
- Safe disposal certificates for hazardous waste removed from the facility must be kept on record for a minimum period of 5 years.
- All manure must be covered during transport.
- Mortalities (not infectious) must be transported in sealed containers.
- Removal as per schedule to ensure clean environment.
- Establish suitable vegetation within any bare areas onsite.

As a condition of environmental authorization, clarification, application, and/or registration of all relevant water uses with BOCMA should be completed following the Section 24G application:

- Sufficient registered water is available on-site and has been used for more than 10 years in order to sustain the development. However, due to the nature of this use, a sector change is required. This sector change is administrative and should be submitted through the appropriate channels to the competent authority.
- The EAP is knowledgeable and understands that additional 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). It was clarified with DEADP that this S24G application must be undertaken first whereafter the expansion application can be lodged in the form of a BAR. The additional proposed development will potentially trigger similar additional water uses as for the existing facility. Accordingly, all water uses related to the existing and proposed operations should be clarified with the BOCMA and consolidated into a single, integrated water use application which should commence in parallel with the BAR process in 2025.

Further management and mitigation of impact is included in the EMPr attached to this application.

SECTION I: REPRESENTATIONS – RESPONSE TO AN INCIDENT OR EMERGENCY SITUATION

This section is only applicable to instances where Section 49A (2) of NEMA applies. Please list all steps that were taken in response to the incident or emergency situation.

Not applicable

Please note:

Section 30 of NEMA deals with the procedures to be followed for the control of emergency incidents and Section 30A deals with procedures to be followed in the case of emergency situations.

SECTION J: PUBLIC PARTICIPATION

1. PUBLIC PARTICIPATION PROCESS TO BE FOLLOWED

1.1 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF THE SECTION 24G FINE REGULATIONS, 2017

Regulation 8 of the Section 24G Fine Regulations require that all applicants must conduct public participation **prior to submission** of a section 24G application (as outlined in Annexure A of the Section 24G Fine Regulations - Section D: Preliminary Advertisement).

"The applicant must place a preliminary advertisement in-

(1) A local newspaper in circulation in the area in which the activity was, or activities were, commenced; and on the applicant's website, if any.

(2) This advertisement must comply with the requirements set out in Annexure A, Section D of the Section 24G Fine Regulations, 2017.

(3) The applicant must open and maintain a register of interested and affected parties.

(4) The **register must be attached to the application form and included in the report**, or form part of the information submitted in terms of section 24G(1) of the Act, which the register must, as a minimum, contain the names, contact details and addresses of-

(a) all persons who, as a consequence of the public participation process conducted in respect of the application, have submitted written comments or attended meetings with the applicant or any environmental assessment practitioner or other specialist appointed by the applicant to assist with the application;

(b) all persons who have requested the applicant, in writing, to place their names on the register; and

(c) all organs of state that have jurisdiction in respect of the activity to which application relates."

Please provide a summary of the steps followed where public participation was undertaken in accordance with Regulation 8 prior to submission of this Application Form. Ensure that proof of compliance with Regulation 8 is submitted with this Application Form, including, *inter alia*, proof of preliminary advertisement in a local newspaper.

Pre-application PPP undertaken included the following:

- The comment period was from 27 June 2024 up to and inclusive of 26 July 2024
- An advertisement (in English) was published in the local newspaper, the Hermanus Times on the 26th of June with the comment period indicated as starting on 27 June 2024 up to and including 26 July 2024, and referring to the PHS website for further communications on the possible extension of the comment period.
- The applicant does not have a website of their own so all documentation was available on the PHS Consulting website.
- All documentation was placed on the PHS website for the duration of the comment period (including the possible extension period).
- A site notice was placed at the entrance to the site in English with the comment period indicated as starting on 27 June 2024 up to and including 26 July 2024 and referring to the PHS website for further communications on the possible extension of the comment period. The site notice will only be removed when the comment period (including any possible extension thereof) ends.
- All identified IAPs were notified by email/mail of the project and the availability of the documentation for comment.

Planned in-process PPP includes the following:

- A 30-day commenting period will be allowed.
- The applicant does not have a website of their own so all documentation will be available on the PHS Consulting website.
- All registered IAPs will be notified of the proposed project and the availability of the documentation for comment.

- All documentation will be placed on the PHS website for the duration of the comment period (including the possible extension period).		
Proof of public participation to be submitted with final document to DEA&DP.		
Please indicate whether the applicant has a website (please tick relevant box):	YES	NO X
If yes, please note that the application information as specified above must have been advertised on such website and proof thereof must accompany this application.		
The applicant does not have its own website.		

Please note: Annexure A: Section D attached to this Application form must be strictly adhered to.

1.2 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF NEMA EIA REGULATIONS, 2014

As the applicant, you may be directed to conduct the public participation process that fulfils the requirements outlined in Chapter 6 of the EIA Regulations, 2014. In doing so, you must take into account any applicable guidelines published in terms of Section 24J of NEMA, the Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 as well as any other guidance provided by the Department. Note that the public participation requirements are applicable to all proposed sites.

Please highlight the appropriate box below to indicate the public participation process that has been or will be undertaken to give notice of the application to all potential interested and affected parties, including deviations that may be agreed to by the competent authority:

1. In terms of regulation 41 of the EIA Regulations, 2014 -			
(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -			
(i) the site where the activity to which the application relates is or is to be undertaken; and	YES X	DEVIATION	
(ii) any alternative site (Not applicable)	YES	DEVIATION	
(b) giving written notice, in any manner provided for in section 47D of the NEMA, to -			
(i) the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES X	DEVIATION	N/A
(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES X	DEVIATION	
(iii) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;	YES X	DEVIATION	
(iv) the municipality (Local and District Municipality) which has jurisdiction in the area;	YES X	DEVIATION	
(v) any organ of state having jurisdiction in respect of any aspect of the activity; and	YES X	DEVIATION	
(vi) any other party as required by the Department;	YES X	DEVIATION	N/A
(c) placing an advertisement in -			
(i) one local newspaper; or	YES X	DEVIATION	
(ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	YES	DEVIATION	N/A X
(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken	YES	DEVIATION	N/A X
(e) using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to— (i) illiteracy; (ii) disability; or (iii) any other disadvantage.	YES	DEVIATION	N/A X
If you have indicated that "DEVIATION" applies to any of the above, then Section 2, below must be completed.			
NOTE: 2. The NEM: WA requires that a notice must be placed in at least two newspapers. N/A			
If applicable, have/will an advertisement be placed in at least two newspapers?	YES	NO	
If "NO", then an application for exemption from the requirement must be applied for.			

1. Provide a list of all the state departments that has been / will be consulted:		
List of State Depts.	Comment obtained (YES/NO)	If not, provide reasons

DEADP Directorate Environmental Governance (Rectification)	No	Notified but not comment provided.
DEA&DP Directorate: Law Enforcement	No	Notified but not comment provided.
Cape Nature	Yes	
Western Cape Government Department of Agriculture	No	Notified but not comment provided.
Department Transport and Public Works	No	Notified but not comment provided.
DEA&DP Directorate: Waste Management	No	Notified but not comment provided.
DEA&DP Directorate: Pollution and Chemical Management	No	Notified but not comment provided.
Provincial Dept Agriculture: Veterinary Services	No	Notified but not comment provided.
Heritage Western Cape	Yes	
BOCMA	No	Notified but not comment provided.
Overberg District Municipality	No	Notified but not comment provided.
Theewaterskloof Local Municipality	No	Notified but not comment provided.
Ward Counsellor - Ward 1	No	Notified but not comment provided.

2. Provide a summary of the issues raised by I&APs and an indication of the manner in which the issues raised were incorporated, or the reasons for not being incorporated or addressed. (The details of the outcomes of this process, including supporting information must be included in the Comments and Report to be attached to this application as Appendix H.)

Please refer to the Comments and Response Report provided in Appendix H2

3. Provide a summary of any conditional aspects identified / highlighted by any Organs of State, which have jurisdiction in respect of any aspect of the relevant activity.

Please refer to the Comments and Response Report provided in Appendix H2

Please note:

- A list of all the potential interested and affected parties, including the organs of State must be opened, maintained and made available to any person requesting access, in writing, to the register.
- All comments of interested and affected parties on the Application Form and Additional Information must be recorded, responded to and included in the Comments and Responses Report attached as Appendix H to the Application. The Comments and Responses Report must also include a description of the Public Participation Process followed.
- The minutes of any meetings held by the EAP with interested and affected parties and other role players which record the views of the participants must also be submitted as part of the public participation information to be attached to the additional information/Environmental Impact Report as Appendix H.
- Proof of all the notices given as indicated, as well as of notice to the interested and affected parties of the availability of the Application Form/Additional Information must be submitted as part of the public participation information to be attached to the application as Appendix H.

2. REPRESENTATIONS REGARDING DEVIATION FROM PUBLIC PARTICIPATION REQUIREMENTS IN TERMS OF THE EIA REGULATIONS, 2014

Please provide detailed reasons (representations) as to why it would be appropriate not direct you to comply with all of the requirements and to deviate from the requirements of regulation 41 as indicated above.

N/A

3. LIST OF STATE DEPARTMENTS

Section 24(O)(2) obliges the relevant authority to consult with every State department that administers a law relating to a matter affecting the environment when such authority considers an application for an environmental authorisation.

Provide a list of all the State departments that will be/have been consulted, including the name and contact details of the relevant official.			
State Department	Name of person	Contact details	
DEADP DIRECTORATE: ENVIRONMENTAL GOVERNANCE (RECTIFICATION)	Zaidah Toefy & Shafeeq Mallick	Tel	021 483 2701 // 021 483 2991
		Fax	n/a
		E-mail	Zaidah.Toefy@westerncape.gov.za // Shafeeq.Mallick@westerncape.gov.za
DEA&DP DIRECTORATE: LAW ENFORCEMENT	Najah Ben Jeddou	Tel	021 483 8314
		Fax	n/a
		E-mail	Najah.BenJeddou@westerncape.gov.za
CAPE NATURE	Rhett Smart	Tel	087 087 8017
		Fax	n/a
		E-mail	rsmart@capenature.co.za
WESTERN CAPE DEPARTMENT OF AGRICULTURE	Mr Cor van der Walt	Tel	021 808 5099
		Fax	021 808 5092
		E-mail	CorvdW@elsenburg.com
DEPARTMENT TRANSPORT AND PUBLIC WORKS	Mr Schalk Carstens	Tel	021 483 2203
		Fax	n/a
		E-mail	schalk.carstens@westerncape.gov.za
DEA&DP DIRECTORATE: WASTE MANAGEMENT	Mr Lance McBain-Charles	Tel	(021) 483 2705 / 021 483 8378
		Fax	021 483 4425
		E-mail	Lance.McBain-Charles@westerncape.gov.za
DEA&DP DIRECTORATE: POLLUTION AND CHEMICAL MANAGEMENT	Arabel McClelland	Tel	021 483 2660
		Fax	n/a
		E-mail	Arabel.McClelland@westerncape.gov.za
PROVINCIAL DEPT AGRICULTURE: VETERINARY SERVICES	Dr L Hon	Tel	021 808 5111 / 083 642 0606
		Fax	021 808 5210
		E-mail	llewellynh@elsenburg.com
HERITAGE WESTERN CAPE	Notified via NID	Tel	021 483 9543
		Fax	n/a
		E-mail	Ceoheritage@westerncape.gov.za
BOGCMA	Nolutando Ndlumbini	Tel	023 346 8000
		Fax	n/a
		E-mail	nndlumbini@bocma.co.za/ info@bocma.co.za
OVERBERG DISTRICT MUNICIPALITY	Rulien Volschenk	Tel	028 425 1157
		Fax	n/a
		E-mail	rvolschenk@odm.org.za
THEEWATERSKLOOF LOCAL MUNICIPALITY	M. Duthie-Surtie	Tel	n/a
		Fax	n/a
		E-mail	melanydu@twk.gov.za
WARD COUNCELLOR	Piet Stander	Tel	068 184 1507
		Fax	n/a
		E-mail	pietstander68@gmail

Please note:

A State department consulted in terms of Section 24O(2) of NEMA and Regulations 3(4) and 43(2) must within 30 days from the date of the Department/EAP's request for comment, submit such comment in writing to the Department. The applicant/EAP is therefore required to inform this Department in writing when the application/relevant information is submitted to the relevant State Departments. Upon receipt of this confirmation, this Department will in accordance with Section 24O (2) & (3) of the NEMA inform the relevant State Departments of the commencement date of the 30-day commenting period.

PART 2 – ANNEXURE A TO THE SECTION 24G APPLICATION FORM

SECTION A: DIRECTIVES

Section 24G(1) of NEMA provides that on application by a person who has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1); or a person who has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20(b) of the National Environment Management: Waste Act, 2008 (Act 59 of 2008) ("NEM:WA") the Minister, the Minister responsible for mineral resources or the MEC concerned (or the official to which this power has been delegated), as the case may be, may direct the applicant to-

i	<i>immediately cease the activity pending a decision on the application submitted in terms of this subsection</i>	
ii	<i>investigate, evaluate and assess the impact of the activity on the environment</i>	
iii	<i>remedy any adverse effects of the activity on the environment</i>	
iv	<i>cease, modify or control any act, activity, process or omission causing pollution or environmental degradation</i>	
v	<i>contain or prevent the movement of pollution or degradation of the environment</i>	
vi	<i>eliminate any source of pollution or degradation</i>	
vii	<i>compile a report containing-</i>	
	aa	<i>a description of the need and desirability of the activity</i>
	bb	<i>an assessment of the nature, extent, duration and significance of the consequences for or impacts on the environment of the activity, including the cumulative effects and the manner in which the geographical, physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity</i>
	cc	<i>a description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity</i>
	dd	<i>a description of the public participation process followed during the course of compiling the report, including all comments received from interested and affected parties and an indication of how the issues raised have been addressed</i>
	ee	<i>an environmental management programme</i>
viii	<i>provide such other information or undertake such further studies as the Minister, Minister responsible for mineral resources or MEC, as the case may be, may deem necessary.</i>	

You are hereby provided with an opportunity to make representations on any or all of the abovementioned instructions including where you are of the opinion that any of these instructions are not relevant for the purposes of your application setting out the reasons for your assertion. Kindly note further that after taking your representation into account a final directive may be issued.

Please Note:

Notwithstanding the above, subsequent to submission of the application form to the Department, you may be issued with a specific directive in terms of section 24G(1)(i) to (viii), and you will therefore be provided with an opportunity to make further representations as to the specific directive.

The appointed Environmental Assessment Practitioner, on behalf of the applicant, may be directed to compile and submit a report that meets the requirements of section 24G(vii)(aa)-(ee) as specified above.

SECTION B: DEFERRAL OF THE APPLICATION

Section 24G(7) of the NEMA provides that if at any stage after the submission of an application it comes to the attention of the Minister, the Minister responsible for mineral resources or the MEC, that the applicant is under criminal investigation for the contravention of, or failure to comply with, section 24F(1) of the NEMA or section 20(b) of the NEM:WA, the Minister, Minister responsible for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time as the investigation is concluded and-

- (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
- (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of which such contravention or failure has been instituted; or
- (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.

Kindly answer the following questions:

<i>Are you, the applicant, being investigated for a contravention of section 24F(1) of the NEMA in respect of a matter that is <u>not subject to this application</u> and in any province in the Republic?</i>	YES _____	NO X _____	UNCERTAIN _____
<i>If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.</i>			
<i>Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that is <u>not subject to this application</u> and in any province in the Republic?</i>	YES _____	NO X _____	UNCERTAIN _____
<i>If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.</i>			
<i>Are you, the applicant, being investigated for an offence in terms of section 24F(1) of the NEMA or section 20(b) of the NEMWA <u>in terms of which this application directly relates?</u></i>	YES _____	NO X _____	UNCERTAIN _____
<i>If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.</i>			

If you have answered yes or uncertain to any of the above questions, you are hereby provided with an opportunity to make representations as to why the Minister, Minister responsible for mineral resources or MEC, as the case may be, should not defer the application as he or she is entitled to do under section 24G(7).

SECTION C: QUANTUM OF THE SECTION 24G FINE

In terms of section 24G(4) of the NEMA, it is mandatory for an applicant to pay an administrative fine as determined by the competent authority before the Minister, Minister responsible for mineral resource or MEC may take a decision on whether or not to grant an *ex post facto* environmental authorisation or a waste management licence as the case may be. The quantum of this fine may not exceed R5 million.

Having regard to the factors listed below, you are hereby afforded with an opportunity to make representations in respect of the quantum of the fine and as to why the competent authority should not issue a maximum fine of R5 million.

Please note that Part 1 of this section must be completed by an independent environmental assessment practitioner after conducting the necessary specialist studies, copies of which must be submitted with this completed application form.

Please also include in your representations whether or not the activities applied for in this application (if more than 1) are in your view interrelated and provide reasons therefor.

PART 1: THE IMPACTS OR POTENTIAL IMPACTS OF THE ACTIVITY/ACTIVITIES

Index	Socio Economic Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is not giving, has not given and will not give rise to any negative socio-economic impacts	X
	The activity is giving, has given, or could give rise to negative socio-economic impacts, but highly localised	
	The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts	
	The activity is resulting, has resulted or could result in wide-scale negative socio-economic impacts.	
	Motivation: The development activity gives rise to positive socio-economic impacts in the form of enhanced and sustainable agricultural activities with associated job creation (both short term during the construction phase and long term during the operational phase). The nature of the development also allows for year-round employment opportunities within the local rural economy which is generally dominated by seasonal employment. The establishment of the poultry rearing facility allows for diversification of onsite agricultural practices thereby improving the overall resilience of the onsite farming operation and associated employment opportunities. The development activities produce affordable protein for market and thus enable enhanced food security in the distribution areas and stimulate local economic development.	

Index	Biodiversity Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is not giving, has not given and will not give rise to any impacts on biodiversity	X
	The activity is giving, has given or could give rise to localised biodiversity impacts	
	The activity is giving, has given or could give rise to significant biodiversity impacts	
	The activity is, has or is likely to permanently / irreversibly transform/ destroy a recognised biodiversity 'hot-spot' or threaten the existence of a species or sub-species.	
	Motivation: All development activities took place within existing agricultural lands that have been under cultivation since before 1983. Immediately prior to the development of the chicken houses, the land area was cultivated with planted pasture. Given the highly transformed nature of the development footprint prior to commencement of the listed activities, the vegetation present was of no botanical significance and had no conservation	

value. No natural vegetation or associated habitat aspects impacted by the commencement of the listed activities. No aquatic ecosystems are present within or adjacent to the development footprint. Any potential operational phase impacts can be suitably avoided through implementation of appropriate management action.

Index	Sense of Place Impact and / or Heritage Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is in keeping with the surrounding environment and / or does not negatively impact on the affected area's sense of place and /or heritage	X
	The activity is not in keeping with the surrounding environment and will have a localised impact on the affected area's sense of place and/or heritage	
	The activity is not in keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
	The activity is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
<p>Motivation:</p> <p>The development is located on an established farm within a broader agricultural landscape and a similar poultry facility is located on the neighbouring farm. As such the development has not impacted the sense of place within the region. A Heritage Screener and Notice of Intent to Develop (NID) was submitted to HWC and comment received confirmed that there is no reason to believe the development will impact on any heritage resources.</p>		

Index	Pollution Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is not giving, has not given and will not give rise to any pollution	X
	The activity is giving, has given or could give rise to pollution with low impacts.	
	The activity is giving, has given or could give rise to pollution with moderate impacts.	
	The activity is giving, has given or could give rise to pollution with high impacts.	
	The activity is giving, has given or could give rise to pollution with major impacts.	
<p>Motivation:</p> <p>The facility has not given rise to any pollution to date. It is in their own biosecurity interest not to pollute, and the manure is seen as a valuable commodity to be composted and/or used in agricultural operations. Desktop resources indicate that the developed facility is located more than 100m from drainage lines but within 500m of potential wetlands. The impact assessment for the facility identified possible surface water pollution from contaminated runoff (e.g. unit wash water). Nevertheless, through implementation of suitable management measures, this potential impact can be avoided.</p> <p>The following measures are to be implemented:</p> <ul style="list-style-type: none"> - Implement stormwater management as per EMPr <ul style="list-style-type: none"> o Dry-sweep pens and minimise usage of water inside units for washing. Units are to be washed (with high pressure hoses) only once dry matter has been removed. o No ingress of stormwater into units to protect runoff quality. o No wash water from inside units to reach outside environment and possibly pollute stormwater. o No water used during washing of units to be re-used on site. o Contain all sweepings and dispose of to the onsite composting facility or reuse on agricultural land. 		

- Refuelling or maintenance of vehicles may only take place on designated, bunded surfaces

PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT

Index Previous administrative action (i.e. administrative enforcement notices) issued to the applicant in respect of a contravention of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate box
Description of variable	
Administrative action was previously taken against the applicant in respect of the abovementioned provisions.	
No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	X
Administrative action was not previously taken against the applicant in respect of the abovementioned provisions.	
<p>Explanation of all previous administrative action taken in respect of the above:</p> <p>No previous administrative action has been taken against the applicant, Bapchix (Pty) Ltd.</p> <p>One of the directors Mr Ross Philip of Bapchix (Pty) Ltd is also a director of TWK Chicks (Pty) Ltd. TWK Chicks (Pty) Ltd initiated a Basic Assessment application for the expansion of the authorised chicken rearing and laying facility located on Farm Avontuur no. 238, Stormsvlei. The initial application was for environmental authorisation of listed activities in terms of the EIA Regulations, 2014. However, prior to the conclusion of this application, vegetation clearance took place by the contractor on the site and an unintended technical oversight resulted in accidental clearance, leading to a contravention of NEMA regulations and necessitating the change from a Basic Assessment to the submission of a Section 24G application. In 2020 TWK Chicks (Pty) Ltd was granted environmental authorisation to continue with the listed activities as specified – refer to Appendix P.</p>	

Index Previous Convictions in terms of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate box
Description of variable	
The applicant was previously convicted in terms of either or both of the abovementioned provisions.	
No previous convictions have been secured against the applicant but a conviction has been secured against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time; or a conviction was secured against a director of the applicant in his or her personal capacity.	
The applicant has not previously been convicted in terms of either or both of the abovementioned provisions.	X
<p>Explanation of all previous convictions in respect of the above:</p>	

Index Number of section 24G applications previously submitted by the applicant	Place an "x" in the appropriate box
Description of variable	
Previous applications in terms of section 24G of NEMA were submitted by the applicant.	
No previous applications have been submitted by the applicant but a previous application(s) have been submitted by a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time.	X
No previous applications have been submitted by the applicant but the applicant sat on the board of a firm that previously submitted an application.	
<p>Explanation in respect of all previous applications submitted in terms of section 24G:</p>	

One of the directors Ross Philip of Bapchix (Pty) Ltd (the applicant) is also a director of TWK Chicks (Pty) Ltd. TWK Chicks (Pty) Ltd initiated an application for the expansion of the authorised chicken rearing and laying facility located on Farm Avontuur no. 238, Stormsvlei. The initial Basic Assessment application was for environmental authorisation of listed activities in terms of the EIA Regulations, 2014. However, prior to the submission of this application, vegetation clearance took place on the site and an unintended technical oversight resulted in accidental clearance, leading to a contravention of NEMA regulations and necessitating the withdrawal of the Basic Assessment and submission of a Section 24G application. In 2020 TWK Chicks (Pty) Ltd was granted environmental authorisation to continue with the listed activities as specified – refer to Appendix P.

PART 3: APPLICANT'S PERSONAL CIRCUMSTANCES

Index	Applicant's legal persona	Place an "x" in the appropriate box
Description of variable		
	The applicant is a natural person.	
	The applicant is a firm.	X
	Describe the firm: The applicant is Bapchix (Pty) Ltd Bapchix (Pty) Ltd comprises two directors, Ross Philip and Chad Philip	

Index	Any other relevant information that the applicant would like to be considered.
	Motivate and explain fully: The applicant would appreciate if DEA&DP can consider that the unlawful units were commenced with pre the NEMA Regulations and the activities didn't result in unacceptable environmental impacts over the years. Furthermore, consideration of the economic climate of the last few years, where investment and expansion has not always been easy, and the amount of jobs this facility creates in the local economy would be appreciated. Add to this the pressure of increasing productivity within the limits of available resources, and not always being up to date with the latest changes in legislation. The applicant has shown through their contribution to the alien removal work in the nearby mountains that it is conservation minded. The applicant has, of their own accord, initiated this voluntary disclosure and wants to comply with the relevant legislation when aware of it.

NOTE: An explanation as to why the applicant did not obtain an environmental authorisation and/or waste management licence must be attached to this application.

Explanation as to why the applicant did not obtain an EA:

The development activities commenced in 2005 under the Environmental Conservation Act 73 of 1989 (ECA), which was the prevailing environmental legislation at the time. However, there was a lack of widespread understanding regarding this legislation and the implementation thereof. Seeking compliance, the applicant approached the local municipality to ascertain the necessary procedures for establishing the proposed poultry rearing facility. Regrettably, the municipality did not inform the applicant of the ECA legislation and given that the applicant owned the neighbouring farms and believed that the development would not adversely affect others, they were advised that they could proceed.

The poultry rearing facility was subsequently established onsite. Given the timeframe across which the development took place, the NEMA Environmental Impact Assessment (EIA) regulations which entered into law in 2006 were also triggered. It's important to note that at that time, awareness of this legislation in the agricultural sector was also limited. However, over time, with the assistance of farmers' associations nationwide, farmers became more informed about NEMA legislation and its implications. Unfortunately, by the time the applicant learned about the requirement for Environmental Authorization for such developments, the poultry rearing facility had been completed and was operational. Therefore, the initial development proceeded without awareness of the relevant legislation.

Given current awareness of the applicable legislation, the applicant would like to apply for retrospective environmental authorisation to legalise the development.

- **SECTION D: PRELIMINARY ADVERTISEMENT**

When submitting this application form, the applicant must attach proof that the application has been advertised in at least one local newspaper in circulation in the area in which the activity was commenced, and on the applicant's website, if any.

The advertisement must state that the applicant commenced a listed or specified activity or activities or waste management activity or activities without the necessary environmental authorisation and/or waste management licence and is now applying for *ex post facto* approval. It must include the following:

- the date;
- the location;
- the applicable legislative provision contravened; and
- the activity or activities commenced with without the required authorisation.

Interested and affected parties must be provided with the details of where they can register as an interested and affected party and / or submit their comment. At least 20 days must be provided in which to do so.

This advertisement shall be considered as a preliminary notification and the competent authority may direct the applicant to undertake further public participation and advertising after receipt of this application form.

NOTE: Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. This application must be attached to any documentation or information submitted by an applicant further to section 24G(1).

First pre-application PPP was run from 27 June 2024 to 26 July 2024

PART 3 -

APPENDICES

The following appendices must, where applicable, be attached to this form:

Appendix		Tick the box if Appendix is attached
Appendix A:	Locality map	✓
Appendix B:	B1: Spatial development Plan	✓
	B2: Site plan showing unauthorised activities	✓
Appendix C:	Building plans (if applicable)	n/a
Appendix D:	Photo Report	✓
Appendix E:	Biodiversity overlay maps	✓
Appendix F:	Permit(s) / license(s) from any other organ of state including service letters from the municipality:	
	F1: National Register of Water Use Registration	✓
	F2: NID submitted to HWC 2023	✓
	F3: NID response from HWC 2023	✓
	F4: Composting Facility Registration	✓
Appendix G	Landowner Consent	✓
Appendix H:	H1: Public participation information	✓
	H2: Comments and Response Report	✓
Appendix I:	I1: OEMPr – Poultry Rearing Facility	✓
	I2: EMPr – Composting Facility	✓
Appendix J:	Heritage Screener	✓
Appendix K:	Supporting documents relating to compliance/enforcement history of the applicant, including but not limited to, Pre-compliance/compliance notices, Pre-directives/directives etc.:	
	K1: NEMA S24G Voluntary Disclosure November 2023	✓
	K2: Applicant 24G Consultation Acknowledgement	✓
	K3: Pre-Application – Information Requirements letter	✓
	K4: Acknowledgement of S24G Application	✓
Appendix L:	Certified ID document of the applicant	✓
Appendix M:	Title deed for RE225, Caledon	✓
Appendix N:	N1: Screening Report	✓
	N2: Site Sensitivity Verification Report	✓
Appendix O	Conceptual Building Designs	✓
Appendix P	TWK Chicks (Pty) Ltd EA	✓

Where an application has been made in terms of the waste management activities, please complete and annex Annexure 1 as in the following: **N/A**

Annexures for waste listed activity/ies supporting information		Tick the box if Annexure is attached
Annexure 1	Waste listed activities supporting information (as in prescribed attached form)	
Other	(please list accordingly)	

DECLARATIONS

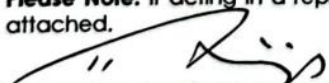
THE APPLICANT

Note: Duplicate this section where there is more than one applicant

- I ROSS PHILIP in my personal capacity or duly authorised as DIRECTOR (state capacity) by BARCHIX (PTY) LTD thereto hereby declare/affirm that all the information contained in this application to be true and correct, and that I:
 - am fully aware of my responsibilities in terms of the National Environmental Management Act of 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations") in terms of NEMA, the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM:WA") and all relevant specific environmental management Act(s), and that failure to comply with these requirements may constitute an offence in terms of the environmental legislation;
 - appointed the environmental assessment practitioner as indicated above, which meet all the requirements in terms of Regulation 13 of the EIA Regulations to act as the independent Environmental Assessment Practitioner for this application;
 - have provided the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
 - am aware that I may be issued with a directive and that I must comply with such a directive;
 - am fully aware of the administrative fine to be paid before a decision, with respect to the continuation of the listed activity(ies), will be made;
 - will be responsible for the costs incurred in complying with the environmental legislation including but not limited to
 - o costs incurred in connection with the appointment of the environmental assessment practitioner or any specialist appointed in terms of Regulation 13 of the EIA Regulations);
 - o costs incurred in respect of the undertaking of any process required in terms of this application;
 - o costs in respect of any prescribed fee payable in respect of this application;
 - o costs in respect of specialist reviews, if the competent authority decides to recover costs;
 - o the provision of security to ensure compliance with the applicable management and mitigation measures; and
 - o fine costs
 - am responsible for complying with the conditions that might be attached to any decision(s) issued by the competent authority;
 - have the ability to implement the applicable management, mitigation and monitoring measures; and
 - hereby indemnify, the government of the Republic of South Africa, the competent authority and all its officers, agents and employees, from any liability arising out of, inter alia, the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible.

am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations, 2014 (

Please Note: If acting in a representative capacity, a certified copy of the resolution or power of attorney must be attached.


 Signature of the applicant:

RONALD ROSS FAIRBAIRN PHILIP
 Name:

BARCHIX (PTY) LTD
 Name of Firm (if applicable):

24/06/2024
 Date:

THE INDEPENDENT ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

IPaul Slabbert....., as the appointed independent environmental practitioner ("EAP") hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that I:

- act/ed as the independent EAP in this application;
- regard the information contained in this application to be true and correct, and
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the the National Environmental Management Act of 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations") in terms of NEMA, the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM:WA") and the relevant specific environmental management Act(s);
- have and will not have any vested interest in the proposed activity proceeding;
- have disclosed, to the applicant and competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the NEMA, the EIA Regulations, the NEM:WA and any specific environmental management Act(s);
- am able to meet the responsibilities in terms of NEMA, the EIA Regulations (specifically in terms of Regulation 13 of the EIA Regulations, 2014) and any specific environmental management Act, and am fully aware that failure to comply with these requirements may constitute and result in disqualification;
- have ensured that information containing all relevant facts in respect of the application was distributed or made available to interested and affected parties and the public and that participation by interested and affected parties was facilitated in such a manner that all interested and affected parties were provided with a reasonable opportunity to participate and to provide comments;
- have ensured that the comments of all interested and affected parties were considered, recorded and submitted to the competent authority in respect of the application;
- have kept a register of all interested and affected parties that participated in the public participation process; and
- have provided the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not.
- am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations

Note: The terms of reference must be attached.



Signature of the environmental assessment practitioner:

PHS Consulting

Name of company:

24/06/2024

Date:

PART 4 – N/A

ANNEXURE B - SUPPORTING INFORMATION WHERE THE ACTIVITY BEING APPLIED FOR IS A LISTED WASTE MANAGEMENT ACTIVITY/IES (IF RELEVANT)

1. WASTE QUANTITIES

Indicate or specify types of waste and list the estimated quantities (expected to be) managed daily (should you need more columns; you are advised to add more)

Note: In this case of hazardous waste, the National Department of Environmental Affairs is the relevant competent authority to consider the 24G application.

Non-hazardous waste	Total waste handled (tonnes per day)

Source of information supplied in the table above Mark with an "X"

Determined from volumes

Determined with weighbridge/scale

Estimated

1.1. Recovery, Reuse, Recycling, treatment and disposal quantities:

Indicate the applicable waste types and quantities expected to be disposed of and salvaged annually:

TYPES OF WASTE	MAIN SOURCE (NAME OF COMPANY)	QUANTITIES		ON-SITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE DISPOSAL
		Tons/ Month	M ³ / Month	Method & Location	Method & Location and Contractor details	

2. GENERAL

Prevailing wind direction (e.g. NWW)

November – April

May - October

The size of population to be served by the facility:

	Mark with "X"	Comment
0-499		
500-9,999		
10,000-199,999		
200,000 upwards		

LANDFILL PARAMETERS (If applicable)

The method of disposal of waste:

Land-building Land-filling Both

The dimensions of the disposal site in metres

	At commencement	After rehabilitation

The total volume for the disposal of waste on the site:

Volume Available	Mark with "X"	Source of information (Determined by surveyor/ Estimated)
Up to 99		
100-34 999		
35 000- 3,5 million		
>3,5 million		

The total volume already used for waste disposal on the site:

(a) Will the waste body be covered daily	Yes	No
(b) Is sufficient cover material available	Yes	No
(c) Will waste be compacted daily	No	No

If the answers (a) and/or (b) are No, what measures will be employed to prevent the problems of burning or smouldering of waste and the generation of nuisance?

The Salvage method

Mark with an "X" the method to be used.

At source	<input type="checkbox"/>
Recycling installation	<input type="checkbox"/>
Formal salvaging	<input type="checkbox"/>
Contractor	<input type="checkbox"/>
No salvaging planned	<input type="checkbox"/>

Fatal flaws for the site:

Indicate which of the following apply to the facility for a waste management activity:

Within a 3000m radius of the end of an airport landing strip	Yes	No
Within the 1 in 50-year flood line of any watercourse	Yes	No
Within an unstable area (fault zone, seismic zone, dolomitic area, sinkholes)	Yes	No
Within the drainage area or within 5 km of water source	Yes	No
Within the drainage area or within 5 km of water source	Yes	No
Within an area adjacent to or above an aquifer	Yes	No
Within an area with shallow bedrock and limited available cover material	Yes	No

Within 100 m of the source of surface water	Yes	No
Within 1km from the wetland	Yes	No

Indicate the distance to the boundary of the nearest residential area
 Indicate the distance to the boundary of the industrial area

metres
metres

Wettest six months of the year

November- April	
May -October	

For the wettest six-month period indicated above, indicate the following for the preceding 30 years

	Total rainfall for 6 months	Total rainfall for 6 months	Total rainfall for 6 months
For the 1st wettest year			
For the 2nd wettest year			
For the 3rd wettest year			
For the 4th wettest year			
For the 5th wettest year			
For the 6th wettest year			
For the 7th wettest year			
For the 8th wettest year			
For the 9th wettest year			
For the 10th wettest year			

Location and depth of ground water monitoring boreholes:

Codes of the boreholes	Borehole locality	Depth (m)	Latitude	Longitude
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "

Location and depth of landfill gas monitoring test pit:

Codes of the boreholes	Borehole locality	Latitude	Longitude
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "

		o i II	o i II
--	--	--------	--------
