



REFERENCE: 16/3/3/6/7/1/B2/32/1251/25

DATE: 26 JUNE 2025

The Board of Directors
EFRC Agri Operations (Pty) Ltd
PO Box 1176
GRABOUW
7160

Attention: Mr. Jaco Viljoen

Cell.: 071 687 2246
Email: jacov@efrc.co.za

Dear Sir

COMMENT ON THE NOTICE OF INTENT ("NOI") TO SUBMIT AN APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS 2014, (AS AMENDED) FOR PROPOSED DEVELOPMENT OF A FREE-RANGE POULTRY BROILER FACILITY ON REMAINDER OF FARM NO. 563, FARM NO. 564, FARM NO. 565 AND FARM KLEINFONTEIN NO. 954, WORCESTER

1. The electronic copy of the NOI received by the Directorate: Development Management (Region 1) ("this Directorate") on 19 June 2025, refers.
2. Following the review of the information submitted to this Directorate, the following is noted:
 - 2.1 The proposal entails the proposed development of a free-range poultry broiler facility. The facility will consist of 20 broiler houses (approximately 87m x 12m each), each housing approximately 17 000 birds.
 - 2.2 An ablution facility, guard house, spray race and refrigerated container will be located at the entrance to the site. Furthermore, an additional ablution facility and residential dwelling will be located at the broiler facility.
 - 2.3 An existing access road will be utilised and numerous internal roads (6m width required) will be upgraded and realigned where applicable for biosecurity reasons, to improve traffic flow and safety, and to improve river crossings.
 - 2.4 A Water Treatment Plant ("WTP") is proposed to treat the water from the existing boreholes (BH1 & BH2) which will be fed via a pipeline from the boreholes to the WTP. Thereafter, treated water will be sent to two proposed reservoirs (300kl each) on site. Water will be sent from the main reservoir directly to the broiler houses. Water storage tanks will be located at each chicken house (1 x 5000L & 1 x 1000L).
 - 2.5 Underground collection/treatment tanks will be located at all ablution and domestic houses to manage domestic sewerage. Chicken Manure will be collected by surrounding farmers for crop fertilisation. Cold storage will be utilised as temporary storage for mortalities which will then be disposed of at a bio-approved landfill site.

2.6 Eskom is the electricity service provider and there is insufficient capacity to service the proposed development. RenEnergy was therefore tasked to design a plan where renewable energy is used to supply the electricity needs of the project.

Process

3. Having considered the information contained in the Nol, this Directorate concurs that the proposed development constitutes listed activities as defined in terms of the NEMA EIA Regulations, 2014.
4. Should the facility for the generation of electricity from a renewable resource exceed the relevant threshold for a facility located outside an urban area, Activity 1 of Listing Notice 1 of the EIA Regulations, 2014 (as amended) will be applicable and must be included, assessed and addressed.
5. Activity 48 of Listing Notice 1 may be triggered by the required road upgrades. If applicable, it must be included in the list of activities being applied for.
6. It is noted that the development will be located on fallow agricultural land. Please note the definition of indigenous vegetation in terms of the EIA Regulations, 2014 (as amended). Therefore, if the development footprint was fallow for 10 years or more and contains the mapped indigenous vegetation (Critically Endangered Breede Shale Renosterveld and Endangered Greyton Shale Fynbos), Activity 12 of Listing Notice 3 of the EIA Regulations, 2014 (as amended) may be triggered. If applicable, it must be included, assessed and addressed.
7. Based on the information provided to date, a Basic Assessment process must be followed to apply for Environmental Authorisation. Only the activities applied for shall be considered for authorisation. The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the pre-application and the formal EIA application process. Failure to include any applicable listed activity may invalidate the application.
8. Section F 2.3 of the Nol form notes that a General Authorisation or Water Use Licence ("WUL") in terms of the National Water Act, 1998 (Act No. 36 of 1998) ("NWA") is required. Proof of submission of the WUL Application and the WULA information must be included in the Basic Assessment Report.
9. A Notice of Intent to Develop ("NID") was submitted to Heritage Western Cape ("HWC") since the proposal triggers Section 38(1) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA"). A final comment must be obtained from HWC and included in the Basic Assessment Report.
10. You are advised that when undertaking the Basic Assessment process, you must take into account the applicable guidelines including the guidelines developed by the Department. The Department's guidelines can be downloaded from the Department's website (<http://eadp-westerncape.kznshf.gov.za/your-resource-library>). In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following:
 - Guideline for the Review of Specialist Input in the EIA process (June 2005).
 - Guideline for Environmental Management Plans (June 2005).
 - Guideline on Alternatives (March 2013).
 - Guideline on Need and Desirability (March 2013).
11. Please ensure the Basic Assessment Report and Environmental Management Programme contain all information requirements outlined in Appendices 1 and 4 respectively of EIA Regulations, 2014. Omission of any required information may result in the application for Environmental Authorisation being refused.

Screening Tool

12. The "Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation" ("the Protocols") were published on 20 March 2020 (Government Notice No. 320 as published in Government Gazette No. 43110 on 20 March 2020) and it is noted that some of the Protocols are applicable to your proposed development. According to the Protocols, before commencing with a specialist assessment, the current use of the land and environmental sensitivity of the site under consideration identified by the screening tool must be confirmed by undertaking a site sensitivity verification. The outcome of the site sensitivity verification must be recorded in the format of a report and must be appended to the Basic Assessment Report.
13. This Directorate notes that the Screening Report (dated 30 May 2025) has identified several specialist studies to be conducted. Confirmation of the relevant specialist studies and a motivation as to why the majority of these specialist studies will not be conducted have been included in a Site Sensitivity Verification Report ("SSVR"). The SSVR must conform to the reporting requirements outlined in the Protocols and must also be appended to the Basic Assessment Report circulated for comment.
14. The motivation why the selected specialist study will be conducted is noted and acknowledged. **Please note that should any authority that have jurisdiction in respect of any aspect of the proposed development request that further specialist studies be conducted, and where the request is supported by this Directorate, this must take precedence.** Where a specialist assessment is required and a specific environmental theme protocol has been prescribed, the requirement of Appendix 6 of the EIA Regulations, 2014 are replaced by the Protocols. The relevant specialist assessments must therefore comply with the requirements of the Protocols.

Public Participation

15. This Directorate agrees that the proposed Public Participation Process methodology for this application would be appropriate and compliant with regulation 41 of the NEMA EIA Regulations (2014), as amended.
16. A public participation process ("PPP") that meets the requirements of Regulation 41 of the EIA Regulations, 2014 must be undertaken. You are advised that public participation may be undertaken prior to the submission of the application, although this is not mandatory. It is the Environmental Assessment Practitioner's discretion at what stage the requirements of Regulation 41 are met, whether during the proposed application (pre-application) process or formal application process. You are reminded that a period of at least 30 days must be provided to all potential or registered interested and affected parties to submit comment on the BAR.
17. Should a public participation process, which includes the circulation of the pre-application BAR for comment, be undertaken prior to submission of an Application Form to this Directorate, in terms of Regulation 40, the pre-application BAR may also be submitted to this Directorate for commenting purposes. Please ensure that an electronic copy of the pre-application BAR is submitted to this Directorate for commenting purposes.
18. In terms of Section 24O (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014, any State Department that administers a law relating to a matter affecting the environment relevant to the application must be requested to comment within 30 days. **Please note that the Environmental Assessment Practitioner ("EAP") is responsible for such consultation.** Therefore, it is requested that the

EAP include proof of such notification to the relevant State Departments in terms of Section 24O (2) and (3) of NEMA in the BAR, where appropriate.

19. This Directorate awaits the submission of the Application Form as prescribed by the EIA Regulations, 2014. Please note that an electronic copy of the Application Form must be submitted.
20. Please note that it is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for undertaking it. Failure to comply with the requirements of Section 24F of the NEMA shall result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.
21. Be advised that the pre-application consultation is an advisory process and does not pre-empt the outcome of any future application which may be submitted to this Directorate.
22. No information provided, views expressed and/or comments made by officials during the pre-application consultation should in any way be seen as an indication or confirmation:
 - that additional information or documents will not be requested;
 - of the outcome of the application.
23. This Directorate reserves the right to revise or withdraw initial comments or request further information from you based on any information received.

Yours faithfully

pp HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: (1) Mr. P Slabbert (PHS Consulting (Pty) Ltd)
(2) Mr. R Swart (Ralph Trust)
(3) Mr. J de Villiers (BreedeValley Municipality)

Email: paul@phsconsulting.co.za
Email: ralphswart59@gmail.com
Email: jdevilliers@bvm.gov.za