

**Application form for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity in terms of section 24G of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended.**

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**Kindly note that:**

1. This application form must be completed for all applications in terms of S24G of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended.
2. It is the responsibility of the Applicant / Environmental Assessment Practitioner (EAP) to ascertain whether subsequent versions of the application form have been published or produced by the relevant competent authority.
3. This application form is structured as follows:

**PART 1**

Section A: Application Information  
Section B: Activity Information  
Section C: Description of Receiving Environment  
Section D: Preliminary Impact Assessment  
Section E: Landfill Parameters  
Section F: Proposed Public Participation Process  
Section G: Alternatives  
Section H: Appendices

**PART 2**

Section A: Directive  
Section B: Deferral  
Section C: Quantum of the fine

**PART 3**

Section A: Declarations  
Annexures

4. An independent EAP must be appointed to complete Part 1 as well as Part 2 Section C Part I of the application form on behalf of the applicant. The applicant must complete the remainder of Part 2 (i.e. excluding Section C part I). Both the EAP and Applicant must sign Part 3.
5. The declaration of independence must be completed by the independent EAP and submitted with the application.
6. 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 extends as each space is filled with typing. A legible font type and size must be used when completing the form. The font size should not be smaller than 10pt (e.g. Arial 10).
7. The use of "*not applicable*" in the application form must be done with circumspection.

8. No faxed or e-mailed applications will be accepted. This application form must be submitted by hand or mailed to the relevant competent authority.
9. Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. Upon request, any interested and affected party must be provided with the information contained in and attached to this application form.
10. This application form constitutes the initiation of the S24G application process.

Kindly note further that:

11. Section 24G of the NEMA, without affecting any criminal liability of a person who has acted in contravention of the above, makes provision for that person to submit an application to the relevant MEC/Minister, which, if successful, will enable that person lawfully to continue with the listed activity and/or legalise an otherwise unlawful structure.
12. Before the Minister/MEC may take a decision in respect of the application, the applicant is required to pay an appropriate administrative fine, determined by the competent authority, which fine may not exceed five million Rand (R 5 000 000.00) per listed activity unlawfully commenced or per application where the activities are interrelated.
13. It is the responsibility of the applicant to familiarise himself/herself/itself with all the possible consequences associated with the submission of this application including, but not limited to, the following:
  - This application (including a positive decision in respect hereof) in no way affects any criminal liability that the applicant may have incurred in respect of the activities which were commenced, undertaken and/or conducted unlawfully as listed in paragraph 1 above, and in respect of which this application relates.
  - The processing of this application may be deferred pending the outcome of criminal proceedings, should criminal proceedings be instituted against the applicant in respect of the abovementioned activities; or where criminal proceedings are pending against the applicant in respect of a similar contravention of section 24F of NEMA or section 20(b) of NEM:WA.
  - Before the competent authority may take a decision on the application, an administrative fine determined by the competent authority must be paid, in full, by the applicant.
  - That neither the submission of this application, nor the payment of the administrative fine implies that authorisation will be issued for the continuation of an activity/activities that commenced, undertaken and/or conducted unlawfully. This decision will depend on the merits of the application itself.
14. Activities which result in detrimental impacts to the environment are considered in a serious light by the competent authority and accordingly applicants must understand that by lodging an application for the continuation of an activity/ activities that commenced/ was undertaken or conducted unlawfully does not necessarily imply that the activity will be authorised. In terms of the NEMA the Minister/MEC may either refuse to issue an environmental authorisation/waste management licence; conditionally authorise the activity or direct you, the applicant, to provide further information or take further steps prior to making a decision.

#### DEPARTMENTAL DETAILS

Applications must be submitted to the Department of Economic Development Environmental Affairs and Tourism Regional Office in the applicable district where the activity, the subject of the application took place. The addresses for the Regional Offices are:

	Postal	Physical
<b>Alfred Nzo Region</b>	Control Environmental Officer: Compliance and Enforcement Department of Economic Development Environmental Affairs and Tourism Alfred Nzo Region P/Bag X3513 Kokstad 4700	Control Environmental Officer: Compliance and Enforcement Department of Economic Development Environmental Affairs and Tourism 206 Magistrates Street Old College of Education Maluti

	<p>Department of Economic Development  Ntshahla Mfingwana 030 256 0216 / 083 968 4634</p>	
<b>Amathole Region</b>	<p>Control Environmental Officer: Compliance and Enforcement  Department of Economic Development Environmental Affairs and Tourism  Amathole Region  P/Bag X9060  East London  5200</p> <p>Given Ndabambi 043 707 4128 / 083 968 3167</p>	<p>Control Environmental Officer: Compliance and Enforcement  Department of Economic Development Environmental Affairs and Tourism  Alderwood House  Palm Square Business Park  Bonza Bay Road  Beacon Bay  5241</p>
<b>Chris Hani Region</b>	<p>Control Environmental Officer: Compliance and Enforcement  Department of Economic Development Environmental Affairs and Tourism  Chris Hani Region  P/Bag X9636  Queenstown  5320</p> <p>Ruaan Botha 045 808 4016 / 071 865 3820</p>	<p>Control Environmental Officer: Compliance and Enforcement  Department of Economic Development Environmental Affairs and Tourism  Komani Office Park  Block E  Komani Hospital  Queenstown  5320</p>
<b>Joe Gqabi Region</b>	<p>Control Environmental Officer: Compliance and Enforcement  Department of Economic Development Environmental Affairs and Tourism  Joe Gqabi Region  P/Bag X1016  Aliwal North  9750</p> <p>Sipho Goge 051 633 2901 / 072 330 5039</p>	<p>Control Environmental Officer: Compliance and Enforcement  Department of Economic Development Environmental Affairs and Tourism  Old Library Building  27 Queens Terrace  Aliwal North  9751</p>
<b>OR Tambo Region</b>	<p>Control Environmental Officer: Compliance and Enforcement  Department of Economic Development Environmental Affairs and Tourism  OR Tambo Region  P/Bag X5029  Mthatha  5099</p> <p>Sithembiso Ndlovu 047 531 1191 / 063 402 9061</p>	<p>Control Environmental Officer: Compliance and Enforcement  Department of Economic Development Environmental Affairs and Tourism  5 Floor  Botha Sigcau Building  Corner Owen and Leeds Street  Mthatha  5099</p>
<b>Sarah Baartman Region</b>	<p>Control Environmental Officer: Compliance and Enforcement  Department of Economic Development Environmental Affairs and Tourism  Sarah Baartman  P/Bag X5001  Greenachers  6057</p> <p>Dayalan Govander 041-508 5811 / 082 – 854 5395</p>	<p>Control Environmental Officer: Compliance and Enforcement  Department of Economic Development Environmental Affairs and Tourism  Corner Athol Fugard Terrace and Castle Hill Lane  Central  Port Elizabeth  6001</p>

**PART 1**

**SECTION A: APPLICATION INFORMATION**

**1. APPLICANT PROFILE INDEX**

Cross out the appropriate box "☒".

1.1	The applicant is an individual	YES	NO
1.2	The applicant is a company	YES ✓	NO
1.3	The applicant is a state-owned enterprise or municipality	YES	NO
1.4	Other (specify)	YES	NO
1.5	There is more than one individual / company responsible for the unlawful commencement of listed activities / listed waste management activities.	YES	NO

Name of Project applicant:	Quantum Foods (Pty) Ltd												
RSA Identity number:	6	3	0	2	1	9	5	2	7	7	0	8	6
Contact person:	Ronald Jones												
Position in company	OHSE Manager												
Registered Name of Company/ Closed Corporation	Quantum Foods (Pty) Ltd												
Trading name (if any):													
Registration number	2012/124966/07												
Postal address:	11 Main Road												
	Wellington						Postal code:	7655					
Telephone:	+27 (0) 21 864 8600						Cell:	+27 (0) 83 251 6111					
E-mail:	Ronald.Jones@quantumfoods.co.za						Fax:	+27 (0) 21 873 5619					
<b>Please Note:</b> In instances where there is more than one individual / company responsible for the unlawful commencement of listed activities / waste management activities, please attach a list of with all contact details to the back of this page.													

Environmental Assessment Practitioner (EAP):	Cape Environmental Assessment Practitioner (Pty) Ltd												
Contact person:	Louise-Mari van Zyl												
Postal address:	PO Box 2070												
	George						Postal code:	6530					
Telephone:	044-8740365						Cell:	0716034132					
E-mail:	louise@cape-eaprac.co.za						Fax:	044-8740432					
EAP Qualifications	MA Geography & Environmental Studies, Stellenbosch University												
EAP Registrations/Associations	2019/1444												

Name of Landowner(s):	Same as Applicant												
Contact person(s):													
Postal address:													
							Postal code:						
Telephone:	( )						Cell:						
E-mail:							Fax:	( )					

**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 page.

Municipality in whose area of jurisdiction the activity falls:	Kouga Municipality		
Contact person:	Jacobus Marais (Head of Planning Department)		
Postal address:	16 Woltemade Street		
	Jeffreys Bay	Postal code:	6331
Telephone	( )	Cell:	0812057129
E-mail:	jmarais@kouga.gov.za	Fax:	( )

**Please Note:** In instances where there is more than one Municipality involved, please attach a list of Municipalities with their contact details to the back of this page.

Project title:	Egglad Thornhill				
Property location:	2km North-West from Thornhill in the Eastern Cape Province. Approximately 800m north of the N2/Thornhill interchange.				
Farm/Erf name & number (incl. portion):	<b>Farm 745</b> (Portion 1 of the Farm Diepkloof 429 & Portion 4 of the Farm Bergsig North 431 was consolidated on 22 July 2020 to form Farm 745 – Refer to Appendix H).				
SG21 Digit code:	C0760000000043100004				
Co-ordinates:	Latitude (S):			Longitude (E):	
	33°	53'	38.00"	25°	07' 44.76"

**Please Note:** Where a large number of properties are involved (e.g. linear activities), attach a list of property descriptions to the back of this page. Indicate the position of the activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates must be in degrees, minutes and seconds. The minutes must be given to at least three decimals to ensure adequate accuracy. The EAP is required to contact the relevant competent authority with regards to the projection that must be used.

Street address:	R331 Egglad
Magisterial District or Town:	Thornhill, Kouga Municipal District

**Please Note:** In instances where there is more than one town or district involved, please attach a list of towns or districts as well as complete physical address information for the entire area to the back of this page.

Closest City/Town:	Thornhill	Distance	2Km
Zoning of Property:	Agriculture Zone 1		

**Please Note:** In instances where there is more than one zoning, please attach a map clearly indicating the zoning of the different portions.

Was a rezoning application required?	YES	NO ✓
Was a consent use application required?	YES ✓	NO

**Please Note:** Where planning approvals have been granted please attach the relevant approvals.

Owners consent:	Landowner and Applicant = same entity
	Letters of consent from all landowners or a detailed explanation by the applicant explaining why such letters of consent are not furnished must be attached to the application form. .

## 2. APPLICATION HISTORY

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

Has any national, provincial or local authority considered any development / <del>waste management</del> applications on the property previously?	Yes ✓	No
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If so, please give a brief description of the type and/or nature of the application/s: (In instances where there were more than one application, please attach a list of these applications)		
Environmental Authorization (EA) for construction of a 150 000m <sup>3</sup> in-stream dam on Portion 4 of the Farm Bergsig North 431 (REF ZNO329/25/4/054-00), issued 16 October 2000. Refer to Appendix H2 for a copy of the approval.  Note that this property (with the dam) has since been consolidated with the neighbouring Portion 1 of the Farm Diepkloof 429 to make up the property subject to this application.		
Which authority considered the application(s):		
Provincial Department of Economic Affairs, Environment & Tourism, Eastern Cape		
Has any one of the previous application/s on the property been approved or rejected? If so provide a list of the successful and unsuccessful application/s and the reasons for decision/s.	Yes	No
Approved.		
Provide detail on the period of validity of decision(s) and expiry dates of the above applications / licences etc.		
Issued in 2000.		

I hereby apply in terms of Section 24G of the National Environmental Management Act (Act no 107 of 1998 as amended) for the regularisation of the unlawful commencement or continuation of the listed activity(ies) in Section B of the application form:	
Applicant (Full names)_____	Signature:_____
Place: _____	Date: _____
EAP (Full names)___Cape EAPrac (represented by Louise-Mari van Zyl)	Signature:_____
Place: __George_____	Date: _22 January 2021_____

## SECTION B: ACTIVITY INFORMATION

### 1. ACTIVITIES APPLIED FOR:

Applicants and EAPS are strongly advised to discuss the merits of a combined application (*if deemed applicable*) with the relevant competent authority prior to the completion of this application form and submission thereof.

The relevant competent authority will use its discretion in deciding to allow the submission of a single application for more than one NEMA section 24F(1) and / or NEM:WA section 20(b) contravention on one site.

All potential listed activities / waste management activities associated with the site must be indicated below. Only those activities for which the applicant applies will be considered.

The onus is on the applicant to ensure that all the applicable listed activities are included in the application.

**Listed activities applied for. Identify the relevant listed activities applied for below:**

<b>ECA EIA Contraventions : <del>Between 08 September 1997 end of day 09 May 2002</del></b>	
<del>Activities unlawfully commenced with on or after 08 September 1997 and before end 09 May 2002: EIA Regulations promulgated in terms of the ECA, Act No 73 of 1989, as amended</del>	
Listed Activity(ies)	Details of Activity(ies)

<b>ECA EIA Contraventions : Between 10 May 2002 and before end of day 02 July 2006</b>	
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 No 73 of 1989, as amended	
Listed Activity(ies)	Details of Activity(ies)
Schedule 1, GN1182, as amended by Government Notice No R1355 of 17 October 1997 and Government Notice No R448 of 27 March 1998, Activity 3	The concentration of livestock, aquatic organisms, poultry and game in a confined structure for the purpose of commercial production, including aquaculture and mariculture.  For expansion of the number of historic lay houses by increasing from 6x houses (+/- 200 000 hens) completed prior to 1996 with a packing station (completed in 1998), <b>by 2x more lay houses</b> (+/- 80 000 hens) <b>in 2004</b> , bringing the total of lay houses to 8x houses with a combined capacity of +/-280 000 hens within the bio-secured area.
Upgrading according to these Regulations means "...the expansion beyond its existing size, volume or capacity of an existing facility, installation, or <b>other activity referred to in this Schedule...</b> " i.e. Activity 3 as well.	

<b>NEMA EIA Contraventions : Between 03 July 2006 and before end of day 01 August 2010</b>	
<del>Activities unlawfully commenced with in terms of the EIA Regulations promulgated in terms of the NEMA, Act No 107 of 1998, as amended on or after 03 July 2006 and before end of day 01 August 2010</del>	
Government Notice No- R386 Activity No(s):	Details of Activity(ies) requiring Basic Assessment
Government Notice No- R387 Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA

<b>NEMA EIA Contraventions : On or after 02 August 2010 until 7 December 2014</b>	
Activities unlawfully commenced with in terms of the EIA Regulations promulgated in terms of the NEMA, Act No 107 of 1998, as amended on or after 02 August 2010 until 7 December 2014	
Government Notice No- R544 Activity No(s):	Details of Activity(ies) requiring Basic Assessment
Government Notice No- R545 Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA
Government Notice No- R546 Activity No(s):	Details of Activity(ies) requiring S&EIR

<b>NEMA EIA Contraventions : On or after 8 December 2014</b>	
Activities unlawfully commenced with in terms of the EIA Regulations promulgated in terms of the NEMA, Act No 107 of 1998, as amended on or after 8 December 2014	
Government Notice No- R983 Appendix 1 Activity No(s):	Details of Activity(ies) requiring Basic Assessment
Government Notice No- R984 Appendix 2 Activity No(s):	Details of Activity(ies) requiring a Scoping Report
Government Notice No- R985 Appendix 3 Activity No(s):	Details of Activity(ies) requiring Environmental Impact Assessment Report

<b>Waste Management Activities Contraventions: On or after 3 July 2007 up to end of day 28 November 2013</b>	
Activities unlawfully commenced with in terms of GNR 718 of 3 July 2009 published under the National Environmental Management Waste Act 59 of 2008	
Listed Activity(ies)	Details of Activity(ies)

<b>Waste Management Activities Contraventions : On or after 29 November 2013</b>	
Activities unlawfully commenced with in terms of GNR 921 of 29 November 2013 published under the National Environmental Management Waste Act 59 of 2008	
Listed Activity(ies)	Details of Activity(ies)



**2. ACTIVITY DESCRIPTION**

(Cross out the appropriate box “~~☒~~” and provide a description where required).

(a) Is/was the project a new development or an upgrade of an existing development.	New	Upgrade ✓
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(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed, what still has to be completed and applicable commencement dates.

The Egglund facility consists of 8x existing egg lay houses and an existing on-site packing facility. These facilities were constructed in the following order:

4x 30 000 lay houses commenced 1994, completed in 1995	Prior to ECA Regulations of 8 September 1997
2x 40 000 layout houses commenced 1996, completed in 1997	Prior to ECA Regulations of 8 September 1997
On-site packing facility commenced 1997, completed 1998	Prior to ECA Regulations of 8 September 1997
2x 40 000 lay houses commenced in 2004, completed 2004	Constructed without prior Environmental Authority ifo ECA Regulations 2002

Further expansion of the lay houses is planned for, adding an additional 2x lay houses (to bring the total lay houses to 10x) with 40 000 hen capacity per lay house, which will increase the combined capacity from the current +/-280 000 to +/-360 000.

The two additional lay houses are proposed within the already transformed and historically fenced-off, biosecurity area of the facility and as such is considered considered ‘in-furtherance’ of the existing activities and also ‘expansion of existing facilities’ which is **similarly listed into the NEMA Regulations 2014 (as amended 2017)**.

It is proposed that this S24G application (for the existing 8 lay houses and packing facility) considers both the **alleged unlawful expansion of the facility**, as well as the **proposed expansion activities** as was motivated to the DEDEA in a stand-alone motivation dated 26 November 2020.

- This will enable the assessment to consider cumulative impacts, as well as to make recommendations on holistic mitigation measures for both the existing and proposed lay-houses
- Such an approach will also prevent stakeholder fatigue by combining a process that will look at both historic and proposed activities, instead of two separate processes following on each other.
- Furthermore, the existing packing facility has sufficient space to accommodate both existing influx, as well as the influx from the proposed additional proposed lay houses. No further expansion is required for the packing facility.

(c) 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	NO
Provide brief description:		
4x 30 000 lay houses commenced 1994, completed in 1995	Prior to ECA Regulations of 8 September 1997	
2x 40 000 layout houses commenced 1996, completed in 1997	Prior to ECA Regulations of 8 September 1997	
On-site packing facility commenced 1997, completed 1998	Prior to ECA Regulations of 8 September 1997	
2x 40 000 lay houses commenced in 2004, completed 2004	Constructed without prior Environmental Authority ifo ECA Regulations 2002	
Please refer to Appendix B for a copy of the site plan.		
Infrastructure (e.g. roads, power and water supply/ storage)	YES	NO
Provide brief description:		

Existing access road was in place for access to the farm at the time when the lay houses were initially constructed.		
Processing activities (e.g. manufacturing, storage, distribution)	YES	NO
Provide brief description:		
The on-site packing facility received eggs directly from the on-site lay houses.		
Storage facilities for raw materials and products (e.g. volume and substances to be stored)		
Provide brief description	YES	NO
Storage and treatment facilities for solid waste and effluent generated by the project		
Provide brief description	YES	NO
Effluent from the existing packing station goes into an on-site septic tank with soak away.		
Other activities (e.g. water abstraction activities, crop planting activities)		
Provide brief description	Yes	NO

### 3. ACTIVITY NEED AND DESIRABILITY

Describe the need and desirability of the activity:	
<p>The site was transformed at the time, prior to the alleged expansion of the existing facility, and the area for expansion is already transformed where the two 2x new lay houses are proposed as it was always the intent of the owners to expand the facility as demand grows.</p> <p>The packing facility has sufficient capacity to accommodate the output from the additional 2x lay houses (as well as the 2x proposed lay houses).</p> <p>Demand for eggs justifies expansion of the operations. In addition, the existing facility, as well as the proposed two new lay houses is a sustainable enterprise that supplies employment to a number of locals through both direct, as well as indirect employment opportunities and businesses.</p>	
Indicate the <b>benefits</b> that the activity has/had for society in general and also indicate what benefits the activity has/had for the local communities where it is located:	
<ul style="list-style-type: none"> <li>• Eggland employs people from the local and Thornhill communities, where unemployment is very high.</li> <li>• Employment opportunities extend to income generation through direct and indirect spending in the local economy.</li> <li>• Sourcing of material for construction of structures is deemed an investment to the local economy.</li> <li>• Rates and taxes contribute to the Municipal income stream.</li> </ul>	

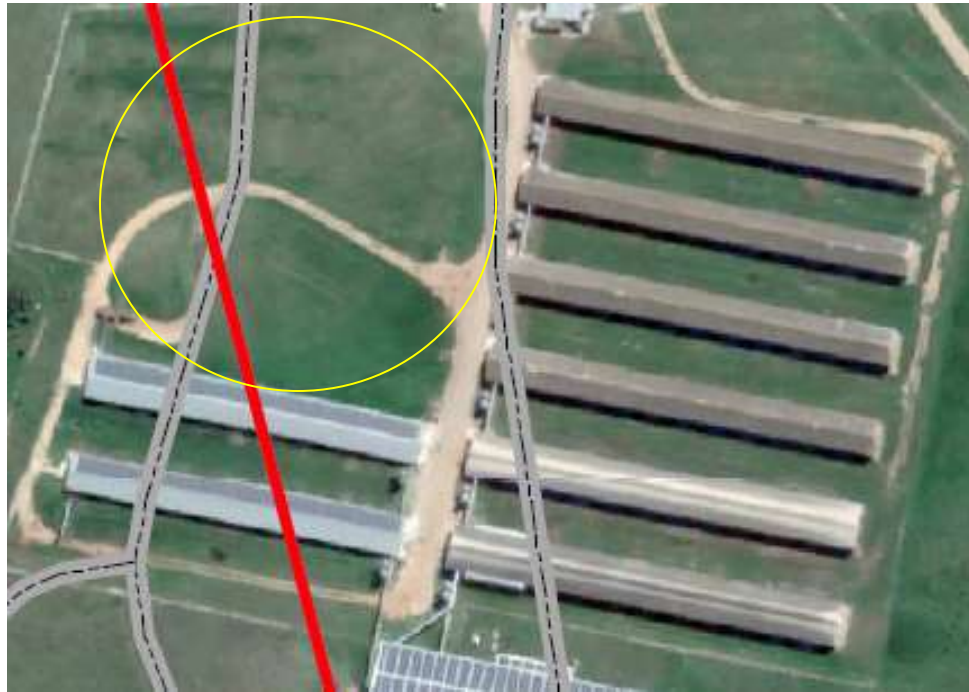
### 4. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical spatial size of the unauthorised activity as well as associated infrastructure (footprints):	2 225m <sup>2</sup> x 2 = 4 450	m <sup>2</sup>
Indicate the area that has been transformed / cleared to allow for the unlawful activity as well as associated infrastructure i.e. access	+/- 6 000	m <sup>2</sup>
Total area (sum of the footprint area and transformed area)	+/-6 000	m <sup>2</sup>

### 5. SITE ACCESS

Was there an existing access road?	YES	NO
If no, what was the distance over which the new access road was built?	m	
Describe the type of access road constructed: [indicate the position of the access road on the site plan]		





**Figure 2: Aerial image indicating six (6) historic lay houses on the right side and the two (2) lay houses constructed without prior EA on the left side of the image. The yellow circle indicates the position of the proposed two new lay houses and evaporation pond.**



**Figure 3: Photograph of some of the existing lay houses constructed prior to Environmental Regulations.**





**Figure 4: Six (6) old lay houses on the right side and two (2) lay houses on the left side constructed without prior EA (indicated with white arrows).**



**Figure 5: Existing lay houses on the left of image (6) and two (2) lay houses constructed without prior EA on the right side on the kikuyu lawn. Arrow points to the location of the proposed two (2) new lay houses and evaporation pond.**

**7. 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/ authorization/comment	DATE (if already obtained):
Municipal Planning By-Laws	Kouga Municipality	Consent Use	Will follow once EA is obtained
NEMA	Provincial DEDEA	Environmental Authorisation	S24G application in process
NEMWA	Provincial DEDEA	Waste Management License for evaporation pond	To be considered with S24G to mitigate impacts associated with runoff washwater

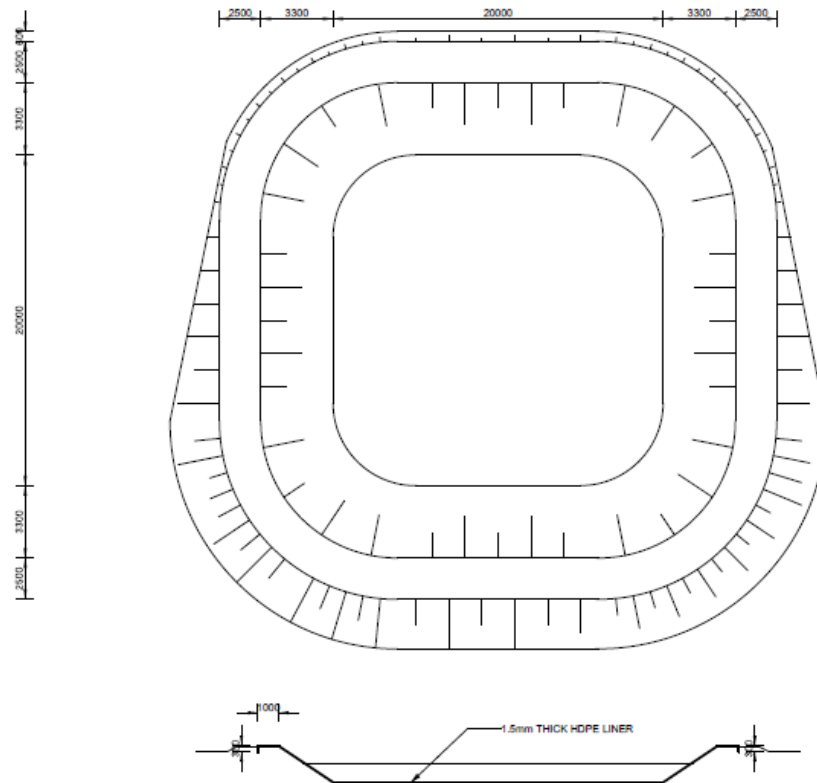
**8. WASTE QUANTITIES (WHERE THE ACTIVITY IS A LISTED WASTE MANAGEMENT ACTIVITY)**

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)

Hazardous waste	Non-hazardous waste	Total waste handled (tonnes per day)
	X	
The evaporation pond will be a lined structure (HDPE impermeable membrane) according to engineering specifications. In pond place kerb stone will prevent the membrane from getting blown away when the pond is dry i.e. in between washing cycles. Wash water from the lay houses will be directed to the evaporation pond via a new internal pipe network.		

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

- Determined from volumes**
- Determined with weighbridge/scale**
- Estimated**

**Figure 6: Preliminary design of on-site evaporation pond proposed as part of the expansion component, as well as mitigation for handling of existing wash water from the lay houses (not as-built).**

**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 <sup>3</sup> /MONTH	method & location	method location and contractor details	

**9. GENERAL (WHERE THE ACTIVITY IS A LISTED WASTE MANAGEMENT ACTIVITY)**

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		

**SECTION C: 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. GRADIENT OF THE SITE**

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

Flat	Flatter than 1:10	1:10 – 1:5	Steeper than 1:5
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**2. LOCATION IN LANDSCAPE**

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

Ridgeline	Plateau	Side slope of hill/mountain	Closed valley	Open valley	Plain	Undulating plain/low hills	Dune	Sea-front	Other
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**3. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE**

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	UNSURE
Seasonally wet soils (often close to water bodies)	YES	NO	UNSURE
Unstable rocky slopes or steep slopes with loose soil	YES	NO	UNSURE
Dispersive soils (soils that dissolve in water)	YES	NO	UNSURE
Soils with high clay content	YES	NO	UNSURE
Any other unstable soil or geological feature	YES	NO	UNSURE
An area sensitive to erosion	YES	NO	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 exists, the 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used.**



**4. SURFACE WATER**

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

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



**Figure 7: Top end of two drainage lines in proximity to the lay houses, directly to the west and north-north-east (indicated in blue lines).**

**5. VEGETATION AND GROUNDCOVER**

**5.1 VEGETATION / GROUNDCOVER (PRE-COMMENCEMENT)**

Cross out (“☒”) the block or describe (where required) 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	Paved surface
The area where the existing lay houses were constructed without prior EA was cultivated farmland. It is now situated on an area within the bio-security area (fenced) with groundcover consisting of kikuyu grass.		

**5.2. VEGETATION / GROUNDCOVER (POST-COMMENCEMENT)**

Cross out (“☒”) the block or 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	Building or other structure (lay houses)	Sport field
Other (describe below)	Cultivated land	Paved surface
<b>Please note:</b> The Department may request specialist input/studies depending on the nature of the vegetation type / groundcover and impact(s) of the activity/ies. To assist with the identification of the <u>vegetation type</u> and <u>ecosystem status</u> consult <a href="http://bgis.sanbi.org">http://bgis.sanbi.org</a> or <a href="mailto:BGIShelp@sanbi.org">BGIShelp@sanbi.org</a> . Information is also available on compact disc (cd) from the Biodiversity-GIS Unit, Ph (021) 799 8698. 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.		

**5.3 VEGETATION / GROUNDCOVER MANAGEMENT**

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

The area where the 2x additional lay houses was constructed (without prior EA), consisted of kikuyu lawn within an already transformed, fenced biosecurity area. The surrounding groundcover within the biosecurity area still consists of lawn. The proposed new two (2) lay houses will also be constructed on lawn.
--

**6. THE GEOLOGICAL FORMATIONS UNDERLYING THE SITE**

GRANITE  
SHALE  
SANDSTONE


QUARTZITE  
DOLOMITE  
DOLERITE


OTHER \_\_\_\_\_

## 7. LAND USE CHARACTER OF SURROUNDING AREA (PRE-COMMENCEMENT)

Cross out ("☒") 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	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
Hospital/medical center	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	River, stream or wetland	Nature conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):				

## 8. REGIONAL PLANNING CONTEXT

Is/was the activity permitted in terms of the property's existing land use rights? Please explain

The property is zoned Agriculture Zone 1. The current planning requirements are for Consent Use (with Agriculture 1) to accommodate concentration of livestock.

Is/was the activity in line with the following?

<input type="radio"/> Provincial Spatial Development Framework (PSDF)	YES	NO	Please explain
The concentration of livestock is a consent use allowable under Agriculture.			
<input type="radio"/> Urban edge / Edge of Built Environment for the area	YES	NO	Please explain
Such activities cannot be permitted within township areas, therefore it is compatible with agricultural land use.			
<input type="radio"/> Integrated Development Plan of the Local Municipality	YES	NO	Please explain

The concentration of livestock is a consent use allowable under Agriculture.			
o Spatial Development Framework of the Local Municipality	YES	NO	Please explain
The concentration of livestock is a consent use allowable under Agriculture.			
o Approved Structure Plan of the Municipality	YES	NO	Please explain
The concentration of livestock is a consent use allowable under Agriculture.			
o Any other Plans	YES	NO	Please explain

## 9 SOCIO-ECONOMIC CONTEXT

### 9.1 SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT)

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

Egglend employs local farming community and residents from Thornhill which is the closest community to the facility. Unemployment in this community is considered very high.

### 9.2 SOCIO-ECONOMIC CONTEXT (POST-COMMENCEMENT)

Describe the post commencement social and economic characteristics of the community in order to determine any change.

The increase in throughput capacity as a result of the 2x additional lay houses increased the number of employees at the facility and the proposed further expansion with another two (2x) lay houses will increase both those people employed within the lay house facility, as well as at the packing facility to accommodate the additional egg supply.

## 10. CULTURAL/HISTORICAL FEATURES

Were there any signs or evidence (unearthed during construction) of culturally or historically significant elements including archaeological or palaeontological sites, on or in close proximity to the site?	YES	NO
	UNCERTAIN	
If YES, explain:		
If uncertain, the Department may request that specialist input be provided to establish whether such possibilities occurred on or close to the site.		

Briefly explain the findings of the specialist if one was already appointed:		
Were any buildings or structures older than 60 years affected in any way?	YES	NO
Was it necessary to apply for a permit in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?	YES	NO
If yes, please submit or, make sure that the applicant or a specialist submit the necessary application to SAHRA or the relevant provincial heritage agency and attach proof thereof to this application.		

**SECTION D: PRELIMINARY IMPACT ASSESSMENT  
TO BE COMPLETED WITH SPECIALIST INPUT**

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.

**1. WASTE, EFFLUENT AND EMISSION MANAGEMENT**

**(a) Solid waste management**

Did/does the activity produce any general waste (e.g. domestic-, commercial-, certain industrial waste, including building rubble also known as solid waste) during the construction phase and/or the operational phase?	YES√	NO
If yes, briefly describe what type of waste was produced (i.e. green waste, building rubble, etc.) in which phase.		
Building waste was generated during the expansion activities of the 2 lay houses.		
Operational waste includes mortalities (chickens that die whilst in the lay houses), manure from the lay houses and limited wash water to sterilize the lay houses between cycles.		
What quantity was/is produced during the construction period?	Unknown	m <sup>3</sup>
What was/is the estimated quantity that will be produced per month during the operational phase?	TBC	m <sup>3</sup>

Did/does the activity produce any <u>hazardous</u> waste (e.g. chemical, medical waste, infectious, nuclear etc.) during the construction and/or the operational phase?	YES	NO√
If yes, briefly describe what type of waste was produced (i.e. infectious waste, medical waste, etc.) in which phase.		
What quantity was/is produced during the construction period?		m <sup>3</sup>
What was/is the estimated quantity that will be produced per month during the operational phase?		m <sup>3</sup>

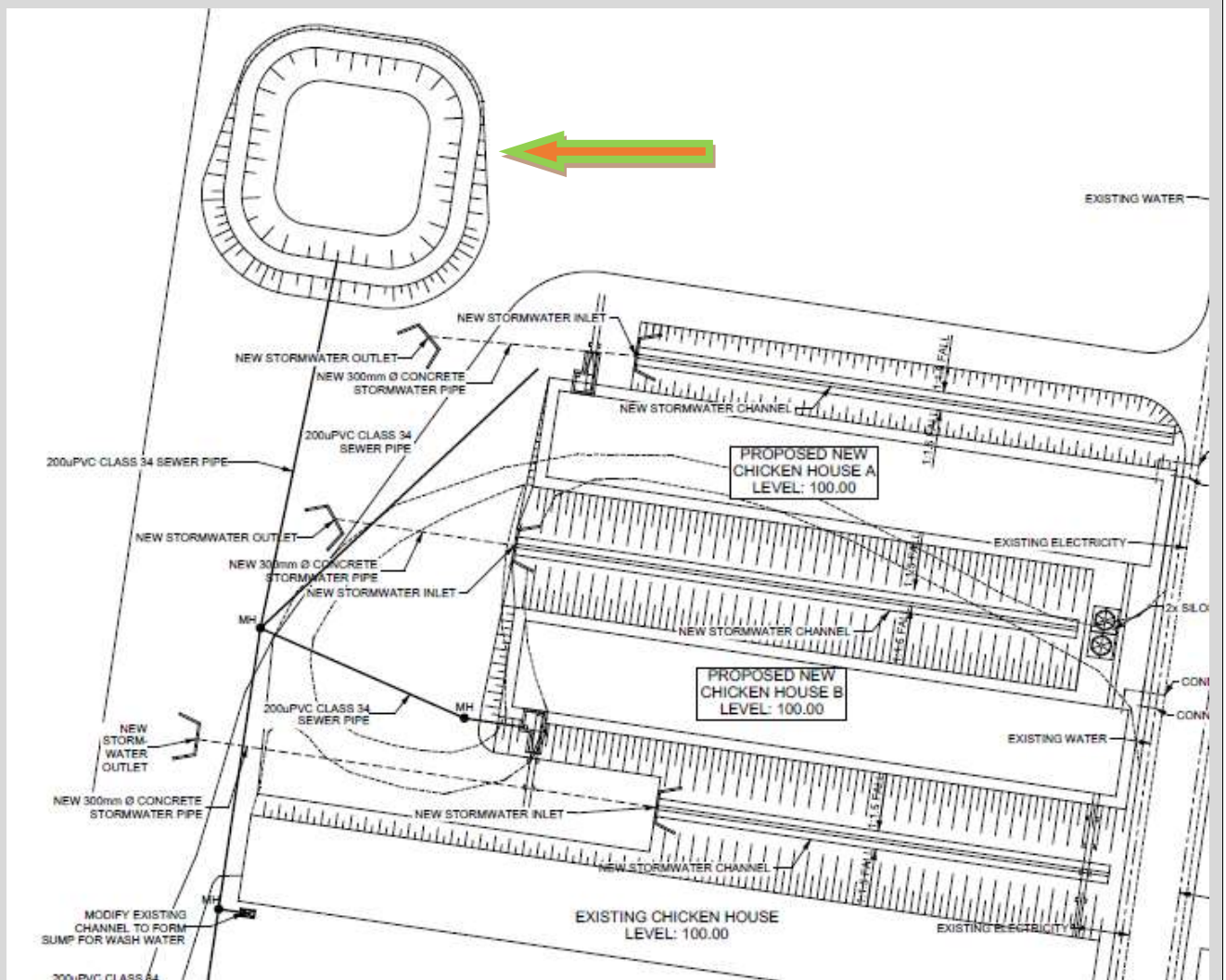
Where and how was/is waste treated / disposed of (describe each waste stream)?		
Construction waste was removed by the appointed contractors at the time to registered landfill.		
Manure is sold to the local farming community as soil enhancer.		
Wash water from the layout houses is directed to the sewage system (septic tank system). It is advised that this system be improved by constructing a new evaporation pond on the site (within the biosecurity area).		

Has the municipality or relevant authority confirmed that sufficient capacity exist for treating / disposing of the solid waste to be generated by this activity(ies)? If yes, provide written confirmation from municipality or relevant authority	YES	NO√
Does/did the activity produce solid waste that was/will be treated and/or disposed of at another facility other than into a municipal waste stream?	YES	NO√
If yes, did/has this facility confirmed that sufficient capacity exist for treating / disposing of the solid waste to be generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility:	YES	NO
Did/does the facility have an operating license? (If yes, please attach a copy of the license.)	YES	NO
Facility name:		
Contact person:		
Postal address:		
	Postal code:	
Telephone:	Cell:	
E-mail:	Fax:	

**(b) Effluent**

Did/does the activity produce sewage and or any other effluent?	YES <input checked="" type="checkbox"/>	NO
Limited wash water when lay houses are cleaned between cycles.		
What was/is the estimated quantity produced per month?	TBC	m <sup>3</sup>
Was/is the effluent treated and/or disposed of in a municipal system?	YES	NO <input checked="" type="checkbox"/>
If Yes, did/has the Municipality or relevant authority confirmed that sufficient <b>unallocated</b> capacity exist for treating / disposing of the sewage or any other effluent generated by this activity(ies)? Provide written confirmation from the Municipality or relevant authority.		
Was/is any effluent produced be treated and/or disposed of on site?	YES <input checked="" type="checkbox"/>	NO
If yes, briefly describe the nature of the effluent and how it was/will be disposed of:		

Wash water is directed to the existing septic tank with soak away that also accommodates water from the packing station. It is advised however that a new evaporation pond be constructed to mitigate the impact of runoff wash water entering the environment. Wash water from lay houses is to be directed to the evaporation pond.



**Figure 8: A new on-site evaporation pond is proposed as part of the future expansion (of 2x more lay houses) to mitigate impacts of wash water entering the environment, all within the existing fenced bio-security area).**

Did/does the activity produce effluent that was/will be treated and/or disposed of at another facility?	YES	NO <input checked="" type="checkbox"/>
If yes, did/has this facility confirmed that sufficient capacity exist(ed) for treating / disposing of the liquid	YES	NO

effluent generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility:			
Does the facility have an operating license? (If yes, please attach a copy of the license.)		YES	NO
Facility name:			
Contact person:			
Postal address:			
		Postal code:	
Telephone:		Cell:	
E-mail:		Fax:	

Describe the measures that was/will be taken to ensure the optimal reuse or recycling of waste water, if any:

Capturing of water from roofs is not optimal as it has the potential to foul and/or attract insects that can result in the spreading of disease within a facility that is otherwise bio-secured due to the high risk of disease spreading within the confined area amongst high numbers of chickens.

**(c) Emissions into the atmosphere**

Did/does the activity produce emissions that will be disposed of into the atmosphere?	YES	NO✓
If yes, did/does it require approval in terms of relevant legislation? If yes, attach a copy to this application	YES	NO
Describe the emissions in terms of type and concentration and how it was/will be treated/mitigated:		

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

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**2. WATER USE**

**(a) Please indicate the source(s) of water for the activity by crossing out ("X") the appropriate box(es)**

Municipal✓	Water Board	Groundwater✓	River, Stream, Dam or Lake✓	Other	The activity did/does not use water
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If water was/is extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate the volume that was/is extracted per month:		m <sup>3</sup>
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**Egglard - Monthly Water Consumption**

Municipal water consumed by chickens	919 729
Dam water consumed by chickens	774 000
Municipal water from Municipality for pack house	145 000

Please provide proof of assurance of water supply eg. letter of confirmation from Municipality/water user associations, yield of borehole etc.		
Did/does the activity require a water use permit / license from DWAF? If yes, attach a copy to this application	YES	NO✓
If yes, please submit the necessary application to Department of Water Affairs and Forestry and attach proof thereof to this application.		

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

Water supply to the chickens is via a controlled system.
--



### 3. POWER SUPPLY

(a) Please indicate the source of power supply eg. Municipality / Eskom / Renewable energy source.

Eskom

Has the Municipality or relevant service provider confirmed that sufficient electricity capacity (i.e. generation, supply and transmission) exist for activity(ies)?

YES

NO ✓

If yes, provide written confirmation from Municipality or relevant service provider.

If power supply was/is not available, where was/is it sourced from?

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

The existing packing station has solar panels on the rooftop to reduce demand on non-sustainable electrical supply.

### 4. ENERGY EFFICIENCY

(a) Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:

The existing packing station has solar panels on the rooftop to reduce demand on non-sustainable electrical supply.

(b) Describe how alternative energy sources have been taken into account or been built into the design of the activity, if any:

The existing packing station has solar panels on the rooftop to reduce demand on non-sustainable electrical supply.

### 5. NOISE IMPACTS

(a) Did/does the activity result in any noise impacts?

YES

NO ✓

If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?

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

### 6. VISUAL IMPACTS

(a) Did/does the activity result in any visual impacts?

YES

NO ✓

If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?

Chicken lay houses in an agricultural area is an acceptable land use which does not detract from the landscape character.

(b) Did/does the activity result in potential lighting impacts at night?

YES

NO ✓

If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?

(c) Were/are there any alternatives available to address this impact?

YES

NO

If yes, please describe these alternatives?

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

**7. SOCIO-ECONOMIC IMPLICATIONS OF THE ACTIVITY**

(a) What was/is the expected capital value of the activity on completion?	Refer to Social Assessment
(b) What was/is the expected yearly income or contribution to the economy that will be generated by or as a result of the activity?	R
(c) Did/does the activity contribute to service infrastructure?	YES   NO✓
(d) How many permanent new employment opportunities were created?	Refer to Social Assessment
(e) What was/is the expected current value of the employment opportunities to date?	Refer to Social Assessment
(f) What percentage of this accrued to previously disadvantaged individuals?	Refer to Social Assessment

How was (is) this (to be) ensured and monitored (please explain):
Refer to Social Assessment

**8. PRELIMINARY IMPACT ASSESSMENT**

Briefly describe the impacts (as appropriate), significance rating of impacts and significance rating of impacts after mitigation. This must include an assessment of the significance of all impacts. Please note: This is a preliminary impact statement. The Department may request specialist input/studies depending on the type and nature of the impact(s) of the activity/ies.

Possible Impacts	Significance rating of impacts after mitigation (Low, Medium, Medium-High, High, Very High):
<b>Refer to Appendices for impact assessments undertaken on the following disciplines:</b> <ul style="list-style-type: none"> <li>• <b>Social</b></li> <li>• <b>Biodiversity</b></li> <li>• <b>Heritage/Archaeology</b></li> <li>• <b>Aquatic</b></li> </ul>	

**SECTION E: LANDFILL PARAMETERS (Where application relates to a waste management activity)**

The method of disposal of waste:

Land building  Land-filling  Both

The dimensions of the disposal site in metres

	At commencement	After rehabilitation
Height/Depth		
Length		
Breadth		

The total volume available 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:

(a) Will the waste body be covered daily	YES	NO
(b) Is sufficient cover material available	YES	NO
(c) Will waste be compacted daily	YES	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	
Recycling installation	
Formal salvaging	
Contractor	
No salvaging planned	

Fatal Flaws for the site:

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

<del>Within a 3000m radius of the end of an airport landing strip</del>	<del>YES</del>	<del>NO</del>
<del>Within the 1 in 50-year flood line of any watercourse</del>	<del>YES</del>	<del>NO</del>
<del>Within an unstable area (fault zone, seismic zone, dolomitic area, sinkholes)</del>	<del>YES</del>	<del>NO</del>
<del>Within the drainage area or within 5 km of water source</del>	<del>YES</del>	<del>NO</del>
<del>Within an area with shallow and/or visible water table</del>	<del>YES</del>	<del>NO</del>
<del>Within an area adjacent to or above an aquifer</del>	<del>YES</del>	<del>NO</del>
<del>Within an area with shallow bedrock and limited available cover material</del>	<del>YES</del>	<del>NO</del>
<del>Within 100 m of the source of surface water</del>	<del>YES</del>	<del>NO</del>
<del>Within 1km from the wetland</del>	<del>YES</del>	<del>NO</del>
<del>Indicate the distance to the boundary of the nearest residential area</del>	<del>_____metres</del>	
<del>Indicate the distance to the boundary of the industrial area</del>	<del>_____metres</del>	

~~Wettest six months of the year~~

<del>November–April</del>	
<del>May–October</del>	

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

	<b>Total rainfall for 6 months</b>	<b>Total A-pan evaporation for 6 months</b>	<b>Climatic water balance</b>
For the 1 <sup>st</sup> wettest year			
For the 2 <sup>nd</sup> wettest year			
For the 3 <sup>rd</sup> wettest year			
For the 4 <sup>th</sup> wettest year			
For the 5 <sup>th</sup> wettest year			
For the 6 <sup>th</sup> wettest year			
For the 7 <sup>th</sup> wettest year			
For the 8 <sup>th</sup> wettest year			
For the 9 <sup>th</sup> wettest year			

For the 10<sup>th</sup> wettest year

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**Location and depth of ground water monitoring boreholes:**

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

**Location and depth of landfill gas monitoring test pit:**

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

## **SECTION F: PROPOSED PUBLIC PARTICIPATION**

### **7.1 Public participation process**

The person conducting the public participation process must fulfil the requirements outlined in Chapter 6 of the 2014 NEMA EIA Regulations and must take into account any applicable guidelines published in terms of Section 24J of NEMA, as well as any other guidance provided by the Department.

Please highlight the appropriate box below to indicate the public participation process that ~~has been~~ or is proposed to be undertaken, including exemptions that have been/will be applied for:

<b>1. In terms of regulation 41 of the EIA Regulations, 2014 -</b>			
<b>(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 -</b>			
<b>(i) the site where the activity to which the application relates is or is to be undertaken; and</b>	<b>YES</b>	<b>EXEMPTION</b>	
<b>(ii) any alternative site</b>	<b>YES</b>	<b>EXEMPTION</b>	
<b>(b) giving written notice, in any manner provided for in section 47D of the NEMA, to –</b>			
<b>(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;</b>	<b>YES</b>	<b>EXEMPTION</b>	<b>N/A</b>
<b>(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;</b>	<b>YES</b>	<b>EXEMPTION</b>	
<b>(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;</b>	<b>YES</b>	<b>EXEMPTION</b>	
<b>(iv) the municipality (Local and District Municipality) which has jurisdiction in the area;</b>	<b>YES</b>	<b>EXEMPTION</b>	
<b>(v) any organ of state having jurisdiction in respect of any aspect of the activity; and</b>	<b>YES</b>	<b>EXEMPTION</b>	
<b>(vi) any other party as required by the Department;</b>	<b>YES</b>	<b>EXEMPTION</b>	<b>N/A</b>
<b>(c) placing an advertisement in -</b>			
<b>(i) one local newspaper; or</b>	<b>YES</b>	<b>EXEMPTION</b>	
<b>(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;</b>	<b>YES</b>	<b>EXEMPTION</b>	<b>N/A</b>
<b>(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</b>	<b>YES</b>	<b>EXEMPTION</b>	<b>N/A</b>

(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	EXEMPTION	N/A
If you have indicated that “EXEMPTION” applies to any of the above, then a separate Application for Exemption must be submitted.			
2. The NEM: AQA and NEM:WA requires that a notice must be placed in at least two newspapers.			
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.			

**Note:** It is no longer possible to obtain permission to deviate from the requirements to give notice to potential interested and affected parties. Unless exemption has been granted from a particular requirement, the requirement must be met. If an application for exemption is refused, the requirement in question must be met.

### 7.2 Public participation undertaken prior to the submission of this Notice of Intent

<p><b>Where public participation in terms of Regulations 40(3) and 41 was undertaken prior to submission of this Notice of Intent, please provide a summary of the steps followed to date.</b></p> <p>Site notices have been placed at the entrances to both the packing facility as well as the lay houses, as well as on the property boundary.</p> <p>The S24G Assessment report has been advertised in the Kouga Express (3 June 2021).</p> <p>Neighbouring property owners have been notified in writing.</p> <p>Occupiers of the property have been notified in writing.</p> <p>Local Authority (Municipality) has been notified in writing.</p> <p>State Department’s have been notified in writing.</p> <p>Councillor has been notified in writing.</p> <p>No responses have been received to date.</p>
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### 7.3 List of State departments consulted/to be consulted

<p><b>Provide a list of all the State departments that will be/have been consulted, including the name and contact details of the relevant official.</b></p> <p>Department of Water Affairs Heritage Eastern Cape SANRAL Department of Agriculture Department of Health (Agriculture and Veterinary Health) Kouga Municipality</p>
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**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'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 Basic Assessment Report / Scoping Report / Environmental Impact Assessment Report 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 (as amended), inform the relevant State Departments of the commencement date of the 30 day commenting period.**



**SECTION G: ALTERNATIVES**

As part of this report, consideration must be given to alternatives that are/may have been possible had an environmental impact assessment been undertaken prior to the commencement of the activity. Please provide a detailed description of the alternatives (whether location, technology or environmental) that were/are possible in terms of this application.

Alternative 1: No-Go alternative (under this alternative the facility would only be permitted 6x lay houses and a packing facility (implemented prior to Environmental Regulations) which will require the demolition of two (2) lay houses constructed without prior EA.

Alternative 2: 2x additional lay houses constructed without prior EA (as-built / Status Quo), bringing the total number of lay houses to 8.

Preferred Alternative 3: 2x more lay houses to be constructed within the biosecurity area to bring the total number of lay houses to 10x, with the necessary waste management provisions for wash water. This alternative optimizes the packing station capacity as well as the already designed and fenced biosecurity area set aside for expansion purposes.

**SECTION H: APPENDICES**

The following appendices must be attached where appropriate:

Appendix	Cross out (“ <input checked="" type="checkbox"/> ”) the box if Appendix is attached
Appendix A: Location map	X
Appendix B: Site plan(s)	X
Appendix C: Owner(s) consent(s)	Not required
Appendix D: Photographs	See main report
Appendix E: Permit(s) / license(s) from any other organ of state including service letters from the municipality	X
Appendix F: Additional Impact Assessment Information	Refer to Appendices.
Appendix G: Report on alternatives	Refer to Section G.
Appendix H: Any Other (describe)	X S24G decision for Tydstroom Moredouw Poultry Farm owned by Quantum Foods

**ANNEXURE A TO THE SECTION 24G APPLICATION FORM**

**SECTION A: DIRECTIVE**

Section 24G(1) of the National Environmental Management Act, 1998 (Act 107 of 1998) (“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 Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (“NEM:WA”) the Minister, Minister responsible for mineral resources or MEC concerned (or the official to which this power has been delegated), as the case may be, may direct the applicant to-

i	immediately cease the activity pending a decision on the application submitted in terms of this subsection	
ii	investigate, evaluate and assess the impact of the activity on the environment	
iii	remedy any adverse effects of the activity on the environment	
iv	cease, modify or control any act, activity, process or omission causing pollution or environmental degradation	
v	contain or prevent the movement of pollution or degradation of the environment	
vi	eliminate any source of pollution or degradation	
vii	compile a report containing-	
	aa	a description of the need and desirability of the activity
	bb	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
	cc	a description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity
	dd	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
	ee	an environmental management programme
viii	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.	

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 representations into account, a final directive may be issued.

**SECTION B: DEFERRAL**

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:

Are you, the applicant, being investigated for the contravention of section 24F(1) of the NEMA in respect of a matter that <u>is not subject to this application</u> and in any province in the Republic?	YES	NO✓	UNCERTAIN
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.			
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?	YES	NO✓	UNCERTAIN
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.			
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>	YES	NO✓	UNCERTAIN
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.			

If you have answered yes 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**

Section 24G(4) of the NEMA makes it 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 *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.

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**

<b>Index</b>	<b>Socio Economic Impact</b>	<b>Place an “x” in the appropriate box</b>
	<b>Description of variable</b>	
	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 socio-economic impacts.	
Motivation:		

<b>Index</b>	<b>Biodiversity Impact</b>	<b>Place an “x” in the appropriate box</b>
	<b>Description of variable</b>	
	The activity is not giving, has not given and will not give rise to any impacts on biodiversity	
	The activity is not giving, has not given and could give rise to localised biodiversity impacts	X
	The activity is not giving, has not given and 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:		

<b>Index</b>	<b>Sense of Place Impact and / or Heritage Impact</b>	<b>Place an “x” in the appropriate box</b>
	<b>Description of variable</b>	
	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	
Motivation:		

<b>Index</b>	<b>Pollution Impact</b>	<b>Place an “x” in the appropriate box</b>
	<b>Description of variable</b>	
	The activity is not giving, has not given and will not give rise to any pollution	
	The activity is giving, has given or could give rise to pollution with low impacts.	X
	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.	
Motivation:		

**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.	
	Administrative action was <b>not</b> previously taken against the applicant in respect of the abovementioned provisions.	X
Explanation of all previous administrative action taken in respect of the above:		

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; 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
Explanation of all previous convictions in respect of the above:		

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.	1x
	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.	
	No previous applications have been submitted by the applicant but the applicant sat on the board of a firm that previously submitted an application.	
Explanation in respect of all previous applications submitted in terms of section 24G:		
<p>Similar to the Thornhill Eggs application whereby Quantum Foods (Pty) Ltd is conducting the S24G application process <b>voluntarily</b>, Quantum Foods (Pty) Ltd went through a due diligence process for all their other facilities.</p> <p>Expansion of lay houses in 2001 at their Tydstroom Moredouw Poultry Farm (Erf 73/27 Gouda) in the Western Cape necessitated a Section 24G process. The Western Cape Department of Environmental Affairs &amp; Development Planning <b>considered and approved the Section 24G application for this facility on 27 September 2018</b>. A copy of the approval is attached for information but predates this application both in time (of the activity) and date (of this Section 24G application).</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: Pty Ltd		

Index	Any other relevant information that the applicant would like to be considered.
	Motivate and explain fully:

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.

## SECTION D: ADVERTISEMENT

When submitting this application form, the applicant must submit 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 submit their comment and/or register as an interested and affected party.

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).

**SECTION A: DECLARATIONS**

**A1: Declarations of the EAP**

1. The Independent Environmental Assessment Practitioner

I,  Louise-Mari van Zyl, on behalf of Cape Environmental Assessment Practitioners (Pty) Ltd, do hereby make oath and say that I –

- a. act as the independent environmental assessment practitioner in this application;
- b. 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 S24G of the National Environmental Management Act, read together with the relevant Environmental Impact Assessment Regulations;
- c. do not have, and will not have, a vested interest in the proposed activity proceeding;
- d. have no, and will not engage in, conflicting interests in the undertaking of the activity;
- e. undertake to disclose to the competent authority any material information that has, 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 S24G of the National Environmental Management Act, read together with the Environmental Impact Assessment Regulations, 2006;
- f. will ensure that all documents contain all relevant facts in respect of the application and that all documentation is timeously distributed or made available to interested and affected parties. I will ensure that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced for this application;
- g. will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- h. will keep a register of all interested and affected parties that participated in a public participation process; and
- i. will provide the competent authority with access to all information at my disposal regarding the application, whether or not such information is favourable to the applicant.

\_\_\_\_\_  
Signature of the environmental assessment practitioner:

Cape Environmental Assessment Practitioners (Pty) Ltd

\_\_\_\_\_  
Name of company:

22 January 2021

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Signature of the Commissioner of Oaths:

22 January 2021

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Designation:

\_\_\_\_\_  
Official stamp (below)



**A2: Declarations of the Applicant**

2. The Applicant

I, \_\_\_\_\_, declare/do hereby make oath and say that: -

- a. I am the applicant in this application / duly authorised by the applicant to complete and submit this application.
- b. The information contained in Part 1 and Part 2 of this application form (including annexures thereto) is within my own personal knowledge and is true.
- c. I appointed the environmental assessment practitioner as indicated under **A1** above to act as the independent environmental assessment practitioner for this application.
- d. Undertake to provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application.
- e. Am responsible for complying with the directive or conditions of any environmental authorisation issued by the competent authority.
- f. Understand that I will be required to pay an administration fine in terms of S24G(4) of the Act and that a decision in this regard will only be forthcoming after payment of such a fine and deferral (where applicable); and
- g. Hereby indemnify, the government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible in terms of the Act.

\_\_\_\_\_  
Signature of the applicant:

\_\_\_\_\_  
Name of company:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Signature of the Commissioner of Oaths:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Designation:

\_\_\_\_\_  
Official stamp (below):

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. Upon request, any interested and affected party must be provided with the information contained in and attached to this application form.