

**APPENDIX E - COMMENTS AND RESPONSE: PROPOSED CONSTRUCTION OF OAKWOOD CHICKEN BROILER HOUSES FOR THE PRODUCTION OF POULTRY
WITHIN AMAHLATHI LOCAL MUNICIPALITY, AMATHOLE DISTRICT, EASTERN CAPE**

COMMENT	DATE	PERSON	ORGANISATION/FARM NO/PROPERTY NO	COMMENTS	RESPONSE
PRE-APPLICATION PHASE					
1	10 June 2025	Briant Noncembu (BN) Reinaldo Bhishop (RB) Mziyanda Mokosana (MM) Ndileka Nazo (NN)	DEDEAT: Amathole Region	<p><u>Summarised Pre-Application minutes at DEDEAT Office, East London:</u></p> <p><u>10 June 2025</u></p> <ul style="list-style-type: none"> Megan Hugo (MH), registered EAP, welcomed and presented the purpose of the meeting, which was to discuss the pre-app particulars, project scope, screening tool, listed activities, specialists etc. MH noted that Indwe Environmental Consulting has been appointed as the professional service providers by ANCA Foods (Pty) Ltd. With reference to a different project, MH noted that DEDEAT has issued an EA to ANCA for the Grassdale Hatchery on Farm 729 (EC/18/A/LN1/LN3/M/24-19). MH explained that the current proposed application does not include hatchery or water treatment works and is smaller in footprint compared to EC/18/A/LN1/LN3/M/24-19. Two sites are proposed on erven 546, 547, 548, 549, 550, 551, 552, and 2235. MH explained that each site will consist of 8 x 1800m² broiler houses and have a maximum capacity of 42 000 chickens per 	Refer to Appendix G4 for further details into the Pre-Application Meeting Minutes.

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				<p>house. Existing 4 m gravel access roads will be utilized and mitre drains installed where necessary.</p> <ul style="list-style-type: none"> • MH described the locality map, and BN asked for clarification regarding the two sites on the noted erven. MH displayed a locality map with the cadastral boundaries and explained that erf 2235 was the parent property and the noted erven on which the two broiler sites will fall are subdivisions thereof. The separation of the two broiler sites is to prevent disease from spreading. • MH then described the topographical map in which the area is categorized as agriculture with dwellings, existing gravel roads, a substation, powerlines and diggings present. • The project specifications were described by MH, with the scope of works for each site includes the following: <ul style="list-style-type: none"> ○ 8 broiler houses (each 1800m²) ○ Stormwater infrastructure ○ Sewerage infrastructure (septic tank for staff area) ○ Fenced in operational area ○ Staff eating and washing area (required as staff will need to shower before entering and leaving the facility) ○ 4m gravel access roads (existing) ○ Water storage facilities • Three-phase electricity is available to tie into. 	

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				<ul style="list-style-type: none"> • Specific engineering information still to be provided by Consulting Engineers (HSC). • MH then described the waste management process: <ul style="list-style-type: none"> ○ After each cycle is completed (5 weeks) and birds are ready for processing (abattoir), the houses will be washed down and the solids collected for transporting to organic compost facility (African Dream). ○ The remaining wash water will be stored in a standard earth pond (>200m²) to allow water to evaporate. • BN questioned where the mortalities of non-infectious birds will be taken to, and MH noted that mortalities will be transported to the abattoir for handling and disposal (no onsite incineration is required). • In terms of water management, the Kubusi River will be main water source (existing Lawful Use in place) and abstracted via existing pipe infrastructure. Reticulation is still to be designed. Rainwater from roofs will be stored in storage tanks alongside houses. • MH described the facility illustration example images, with the feeding silos adjacent the entrance of the facility. MH noted that in the images provided, the broiler house had just been cleaned and 	

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				<p>washed out, and lime added for disinfection. Evaporative cooling pads were noted to aid in the temperature regulation of the broiler houses.</p> <ul style="list-style-type: none"> • BN queried how many employees occur at each site, to which MH responded that approximately 20 employees occur at the current Kubusi broiler site, with 1–2 night watchmen on site, and bedding is changed every 3-7 days. • MH noted the screening tool report sensitivities: <ul style="list-style-type: none"> ○ V. High Aquatic Biodiversity - Falls within a Freshwater ESA 1. ○ V. High Archaeological & Cultural Heritage – within 2km of Grade II Heritage site. ○ V. High Paleontological - Falls within a very high paleontologically sensitive area. ○ V. High Terrestrial Biodiversity- Falls within a Terrestrial ESA 1. ○ High Animal Species theme – Aves – <i>Neotis denhami</i> (Denham's bustard). ○ High Civil Aviation – within 8km of other civil aviation aerodrome. • MH discussed the requirements of the screening tool and have included the following specialists: <ul style="list-style-type: none"> ○ Terrestrial Ecological Specialist (Fauna and Flora) - Gazetted Protocol to be followed. 	

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				<ul style="list-style-type: none"> ○ Heritage and Paleontological - Section 38 of NHRA. Required NID form to be submitted to ECPHRA with specialist reports. ECPHRA has already issued comments during the BID distribution that a Phase 1 HIA will be required. ○ Aquatic Biodiversity Specialist-Infrastructure falls within DWS Regulated Area. • BN queried whether ECPHRA has their own set of consultants who undertake the HIAs. MH responded that ECPHRA does not have their own consultants, however, have preferred ones they like EAPs to use when conducting HIAs. Indwe has appointed Celeste Booth as the archaeologist, and the palaeontologist is still to be appointed. • MH described the freshwater & terrestrial ECBCP maps, the vegetation map and the surface water feature map. MH noted the various perennial (Kubusi River) and non-perennial watercourses, mapped and unmapped wetlands. In terms of unmapped wetlands, MH noted that during the site visit, a potential seep wetland on the eastern section of the site area. BN queried whether this was a seepage plant, and MH responded that it is a natural seep wetland which drains into to the Kubusi River. • MH noted the following listing notice 	

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				<p>activities that are likely to be triggered:</p> <ul style="list-style-type: none"> • GN. R. 327 – Listing Notice 1 Activity 5 - The development and related operation of facilities or infrastructure for the concentration of - <ul style="list-style-type: none"> (ii) more than 5 000 poultry per facility situated outside an urban area, excluding chicks younger than 20 days; (iv) more than 25 000 chicks younger than 20 days per facility situated outside an urban area. <ul style="list-style-type: none"> ○ Each broiler house will be able to house 42 000 birds of ages both younger than 20 days old and older than 20 days old, outside of an urban area. Therefore, it is anticipated that this activity will be triggered. • GN. R. 327- Listing Notice 1 Activity 27 - The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation. <ul style="list-style-type: none"> ○ Each broiler house will be 1800 m², and therefore the footprint of the houses alone would be 2.9 ha in extent. Additional clearing for ancillary infrastructure will create an overall footprint of 12 ha, thereby triggering this activity. • BN thanked Indwe for noting that LN 1 Activity 27 will be triggered as many people 	

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				<p>think clearing of vegetation is only applicable to shrub and not grass.</p> <ul style="list-style-type: none"> MH noted the Water Use License requirement (which forms part of the DWS process): <ul style="list-style-type: none"> Section 21 (a) – taking water from a water resource (related to ELU) Section 21 (b) – storing water Section 21 (c) and (i) - impeding or diverting the flow of water in a watercourse / and altering the bed, banks or characteristics of a watercourse Section 21 (g) - disposing of waste in a manner which may detrimentally impact on a water resource BN queried who Indwe is engaging with from DWS for the WULA process. MH noted that Lizna Fourie is the WULA manager, and the administrative officer will likely be Rachel Rambani or Joyi Mfesane. NN agreed that LN 1 Activities 5 and 27 will be triggered but queried the reticulation system with regards to abstraction from the Kubusi River as this may relate to LN 1 Activity 12. MH responded that specific requirements with regards to reticulation are still to be received from the engineers. Once Indwe receives this information, an informed 	

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				<p>decision regarding LN 1 Activity 12 can be made.</p> <ul style="list-style-type: none"> • BN queried whether site 1 infrastructure will fall within 32m of the Kubusi River, to which MH confirmed the infrastructure will not fall within the 32m watercourse buffer. • RB enquired about the existing gravel access road routes to each proposed site, to which Michaela Manthe (MiM) explained the routes using the locality map. Access to southern site will occur via the N6 along the existing gravel road. • RB requested these access roads be mapped and indicated in the basic assessment report maps. • RB requested one soft copy (flash drive) and one hard copy of both draft basic assessment report and final basic assessment report. • RB also requested that original declarations are to be attached to the application form and not copies. • All attendees were positive all items were addressed, and the meeting was closed at 10h10. <p>Please refer to Appendix G4 for further information with regards to the Pre-Application meeting.</p>	
2	13 May 2025	Lizna Fourie	DWS	<p><u>13 May 2025</u></p> <p>Dear Mrs Megan Hugo (),</p>	

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				<p>A request for consultation for the following Pre-Application Water Use Enquiry has been submitted to the department :</p> <p>Anca Oakwood Chicken Houses (WU43487)</p> <p>Your request for consultation was submitted to :</p> <p>Name : Mrs L. Fourie (WULA Manager)</p> <p>e-Mail : Fouriel4@dws.gov.za</p> <p>Tel : 0437010248</p>	
COMMENTS RECEIVED DURING THE ADVERTISING AND NOTIFICATION PERIOD					
3	13 May 2025	Ntombekaya Tsako	TRANSNET	<p><u>13 May 2025</u></p> <p>Good day Megan</p> <p>With reference to the proposed development and the information provided, the two broiler houses in question have no bearing on Transnet land, however can I request that I be registered as an I & AP in case of any amendments going forward.</p> <p>Kind Regards,</p> <p>Ntombekaya Tsako</p>	<p><u>22 May 2025</u></p> <p><u>Michaela Manthe's (Indwe) reply to Ntombekaya Tsako's email</u></p> <p>Good morning Ntombekaya</p> <p>Thank you for your email. Your request to be registered as an Interested and Affected Party has been noted and you have been added to the IAP register. The Draft Basic Assessment report will be sent in due course.</p> <p>Kind regards</p> <p>Michaela Manthe</p>
4	29 May 2025	Azola Mkosana	ECPHRA	<p><u>29 May 2025 following the distribution of the BID to Organs of State:</u></p>	

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				<p><u>RESPONSE</u></p> <p>BACKGROUND</p> <p>The proposed broiler houses will be constructed on erven 546, 547, 548, 549,550, 551, 552, and 2235 near Stutterheim, Amahlathi Local Municipality. The proposed development will involve two sites, with each site consisting of eight enclosed broiler houses with a separately fenced-in operational area that includes ancillary buildings such as a staff eating and washing area and services (e.g. stormwater, water and sewerage). Each broiler house will be 1800m2 and have a maximum capacity of 42 000 chickens per house. The construction of the broiler houses will require the clearance of approximately 12 hectares of agricultural land. In terms of access to the proposed sites, existing 4m gravel access roads will be utilised and mitre drains installed where necessary.</p> <p>ECPHRA (Eastern Cape Provincial Heritage Authority) COMMENTS in terms of Section 38 of the National Heritage Resources Act (25 of 1999). This case was tabled at the Archaeology, Palaeontology and Meteorites (APM) Committee meeting held on 19 May 2025.</p> <p>ECPHRA Interim Comment:</p> <p>ECPHRA acknowledges the submitted BID (Background Information Document), on the proposed development. ECPHRA further requests:</p> <p>1. ECPHRA Notice of Intent to Develop, for our records.</p>	

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				<p>2. Phase 1 Heritage Impact Assessment (HIA) which includes all aspects of the development. The impact assessment should comprise of the following: -</p> <ul style="list-style-type: none"> - Phase 1 AIA (archaeological impact assessment), including a desktop and field assessment. The AIA must include cultural landscape and living heritage component (see NHRA 1999 Section 38.3.e). - PIA (paleontological impact assessment) done according to the SAHRIS paleo-sensitivity level. <p>3. Proof of Payment (R500 NID & R1 500 HIA) *see administration details below.</p> <p>The requested reports will inform ECPHRA on the final comment, to be issued in terms of Section 38(4) of the NHRA of 1999.</p> <p>NOTE: Heritage reports must meet the SAHRA Minimum Reporting Standards (2007 & 2012). Reports must be compiled by specialists (AIA by an archaeologist with a minimum of an Honours degree qualification & a PIA by a palaeontologist with a minimum of a Master's degree qualification).</p> <p>Mr. Azola Mkosana ECPHRA: Manager</p>	
5	19 August 2025	Rachel Rambani	DWS	<p><u>19 August 2025 following the distribution of the BID to Organs of State:</u></p> <p>Dear Sir/Madam</p> <p>RE: PROPOSED CONSTRUCTION OF OAKWOOD</p>	<p><u>25 August 2025</u></p> <p><u>Megan Hugo's (Indwe) reply to Rachel Rambani's email:</u></p> <p>Dear Rachel,</p>

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				<p>CHICKEN BROILER HOUSES FOR THE PRODUCTION OF POULTRY WITHIN THE AMAHLATHI LOCAL MUNICIPALITY, AMATHOLE DISTRICT, EASTERN CAPE.</p> <p>Reference is made to the above-mentioned document received. The Department of Water and Sanitation: Resource Protection Directorate has the following comments with regard to the proposed development:</p> <p>1. Water Uses and Water Use Authorisations</p> <ul style="list-style-type: none"> ANCA Foods (Pty) Ltd wish to increase their poultry production and thus require construction of new environmentally controlled chicken broiler house facilities. Two sites are proposed, with each site consisting of eight enclosed broiler houses within a separately fenced-in operational area that includes ancillary buildings such as a staff eating and washing area and services (e.g. stormwater, water and sewerage). Each broiler house will be 1800m² and have a maximum capacity of 42 000 chickens per house. The construction of the broiler houses will require the clearance of approximately 12 hectares of agricultural land. The main watercourse in the area, the Kubusi River (perennial watercourse), acts as the cadastral boundary of the properties that the project falls on. In terms of access to the proposed sites, existing 4m gravel 	<p>Your below correspondence, dated 19 August 2025, is received. The letter, dated 18 August 2025, and its contents are well noted. Provisional responses to the contents within will be addressed in the Draft Basic Assessment that is set to be released for public review in due course. As a commenting authority via the NEMA process, you will be notified of the review period.</p> <p>As a Competent Authority via the NWA and for records purposes, I wish to note that a pre-application enquiry was lodged by myself on behalf of ANCA via the e-wulaas portal on 13 May 2025. The reference is WU43487. The proposed water uses will be presented to DWS during the pre-application meeting when DWS issues a meeting date.</p> <p>Kind regards, Megan Hugo</p>

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				<p>access roads will be utilised, and mitre drains will be installed where necessary. Three-phase electricity is available for the proposed development to tie into.</p> <ul style="list-style-type: none"> • The applicant must note that any activity that occurs within 100m or within the 1:100 year floodline requires a water use authorisation in terms of Section 21(c) and (i) i.e. “impeding or diverting the flow of water in a watercourse” and “altering the bed, banks, course, or characteristics of a watercourse” respectively and must be authorised by this Department, under the provisions of the National Water Act, 1998 (Act No. 36 of 1998), hereinafter referred to as the NWA. • The activities which fall within 500 of the wetland and watercourse buffers. The Applicant will require authorization from the Department for any activity within a wetland or a 500m radius from the boundary of a delineated wetland. • Flood-lines: The applicant must note that no activities should occur within a 100m or within a 1:100-year flood line (whichever is the greatest), unless authorised. • The Applicant shall conduct a preliminary legal assessment to identify all the water use activities associated with the proposed project that will require authorisation by the Department of Water and Sanitation (DWS) and the applicant is hereby referred to Section 22(1) of the National Water Act, 1998 (Act 36 of 1998). 	

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				<ul style="list-style-type: none"> • Water use authorisation enquiry can be lodged through e-WULAAS online system for further processing. • The river, stream and associated buffers must be treated as sensitive environment areas: caution must be exercised near the watercourses. • The Applicant should identify alternatives with the aim of protecting water resource. • Please note that no person may use water unless permitted under the NWA. Should the applicant engage in any water use activity without the necessary water use authorisation, it will be regarded as an unlawful water use. The Applicant will thus be guilty of an offence and liable for a fine or imprisonment as stipulated in Section 151 of the NWA. <p>2. Solid Waste Management</p> <ul style="list-style-type: none"> • The requirements of this Department with respect to solid waste must be strictly enforced and complied with. • The Applicant should note that contaminated soil or other hazardous material must be disposed of at a permitted hazardous landfill site that is authorised to accept the said material and proof of this must be made available to this Department when required. • Should private contractors be used, all solid waste must be disposed of at a permitted landfill site and proof of this must be made 	

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				<p>available to this Department when required.</p> <ul style="list-style-type: none"> The recycling of suitable material is encouraged by this Department, provided it is properly managed. <p>3. Sewage and Wastewater Management</p> <ul style="list-style-type: none"> Washing, refuelling, maintaining of vehicles or the transfer of hazardous substances must be conducted within a bunded area. All drainage arising from the bunded area must be treated as a water containing waste and disposed of safely. The Applicant must note that the use of any temporary chemical toilet facilities must not cause any pollution to a water resource or pose a health hazard. In addition, these toilets must not be situated within 100m from a watercourse or within the 1:100 year floodline (whichever is greatest). Furthermore, no form of secondary pollution should arise from the disposal of refuse or sewage from the temporary, chemical toilets. Any pollution problems arising from the above are to be addressed immediately by the Applicant. The following is applicable should small volumes of wastewater be generated during the construction phase: <ul style="list-style-type: none"> Water containing waste must not be discharged into the natural environment, and; Measures to contain the water 	

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				<p>containing waste and safely dispose thereof must be implemented.</p> <p>4. Stormwater Management</p> <ul style="list-style-type: none"> • It is imperative that there is a proper management of storm water at the project site. This Department requests a Stormwater Management Plan. • The Engineer or Contractor must ensure that only clean Stormwater runoff enters the environment. • Drainage must be controlled to ensure that the runoff from the project area does not culminate in off-site pollution, flooding or result in any damage to properties downstream of any Stormwater discharge point(s). <p>5. Erosion Control</p> <ul style="list-style-type: none"> • Erosion control measures must be put in place to minimise erosion along the proposed construction areas. Extra precautions must be taken in areas where the soils are deemed highly erodible. • Soil erosion onsite must be prevented at all times, i.e. pre-, during- and post-construction activities. Erosion control measures must be implemented in areas prone to erosion such as near water supply points, edges of slopes, etc. These measures could include the use of sand 	

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				<p>bags, hessian sheets, bidim, retention or replacement of vegetation.</p> <ul style="list-style-type: none"> Where the land has been disturbed during the construction/excavation it must be rehabilitated and re-vegetated back to an acceptable state after construction/excavation. Stockpiling of soil or any other materials used during the construction phase must not be allowed on or near steep slopes, near a watercourse or a water body. This is to prevent pollution or the impediment or surface run-off. The Applicant must control and establish suitable mitigation measures to prevent the erosion of stockpiles. <p>6. Spillages Management</p> <ul style="list-style-type: none"> There must be no unacceptable impact on the quality of both surface and groundwater in the area. If pollution of any surface or groundwater occurs, it must be immediately reported to this Department and the appropriate mitigation measures must be employed. In addition, should the proposed development impact on any groundwater and/or surface water users, then water of equal quality and quantity must be provided to the affected users. Storage of material, chemicals, fuels etc. must not pose a risk to the surrounding environment, and this includes surface and groundwater. Temporary bunds must also be constructed around chemical or fuel 	

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				<p>storage areas to contain possible spillages.</p> <ul style="list-style-type: none"> • Such storage areas must be located outside of the 1:100-year floodline of the water source and must be fenced to prevent unauthorised access into the area. • It is important that any significant spillage of chemicals, fuels, etc. during the construction phase and/or operational phase is reported to this Office and other relevant authorities. In the event of a spill, the following steps can be taken: <ul style="list-style-type: none"> ○ Stop the source of the spill, ○ Contain the spill, ○ All significant spills must be reported to this Department and other relevant authorities, ○ Remove the spilled product for treatment and authorised disposal, ○ Determine if there is any soil, groundwater or other environmental impact, ○ If necessary, remedial action must be taken in consultation with this Department, ○ Incident must be documented <p>7. General</p> <ul style="list-style-type: none"> • No form of secondary pollution should arise from the disposal of sewage and refuse. The contractor must be clearly briefed on the method of disposal of such waste and compliance must be ensured/monitored. Any pollution problems arising from the 	

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				<p>above project is to be addressed immediately by the Applicant.</p> <ul style="list-style-type: none"> • This Office reserves the right to inspect the site without prior notice in order to ensure that its requirements, as mentioned above, are adhered to. Should any problems be noted, measures must be undertaken immediately to rectify the situation. • This Department reserves the right to revise/withdraw these comments and request further information from the applicant should any other information that contradicts the above comes to light. • Notwithstanding the above, the responsibility rests with the Applicant to identify all sources or potential sources of pollution from his undertaking and to take appropriate measures to prevent any pollution of the environment. Failure to comply with these requirements of the NWA could lead to legal action being instituted against the Applicant. <p>Should you have any queries, please do not hesitate to contact Mr L Dayimani on email address: DayimaniL@dws.gov.za</p> <p>Yours faithfully</p> <p>ASSISTANT DIRECTOR: WATER USE AUTHORISATIONS</p> <p>Date: 18/8/2025</p>	
6	28 August	Megan Hugo	Indwe Environmental Consulting	<u>28 August 2025 following submission of NID form</u>	<u>22 September 2025 – ECPHRA's reply to Megan</u>

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	2025			<p><u>and AIA Report onto SAHRIS</u></p> <p>Dear Ayanda,</p> <p>I hope you are well.</p> <p>Further to the attached interim comment issued by ECPHRA dated 29 May 2025, we have uploaded the NID onto SAHRIS for your consideration and comment. Please note that we have also uploaded the Cultural Heritage and AIA Report authored by Booth (2025) as an additional document as part of the submission. We are due to upload the PIA soon undertaken by Butler (2025).</p> <p>Kindly find attached the completed NID document and Proof of Payment for your records.</p> <p>For any further information, please don't hesitate to reach out to me or Michaela Manthe (michaela@indwecon.co.za).</p> <p>Kind regards Megan Hugo</p>	<p><u>Hugo's email:</u></p> <p>Dear Megan / Michaela</p> <p>ECPHRA acknowledges and accepts the submitted Archaeological Impact Assessment - AIA (Booth, C. July 2025) but will issue a final comment once a Phase 1 PIA (paleontological studies) has been submitted, owing to the sensitivity and vastness of the proposed development footprint.</p> <p>Best Regards, Ayanda Mncwabe-Mama</p> <p><u>23 September 2025 - Michaela Manthe's response to Ayanda Mncwabe-Mama's email:</u></p> <p>Good Morning Ayanda</p> <p>I hope you are well.</p> <p>Please find attached Palaeontological Impact Assessment conducted by Elize Butler from Banzai Environmental for the ANCA Oakwood Chicken Broiler Houses, Stutterheim. I have also attached her CV.</p> <p>Kind regards Michaela Manthe</p>