



*Department of Environmental Affairs and Development Planning*  
*Departement van Omgewingsake en Ontwikkelingsbeplanning*  
*ISEbe leMicimbi yeNdalo esiNgqongileyo noCwangciso loPhuhliso*



**CHIEF DIRECTORATE: ENVIRONMENT & LAND MANAGEMENT**

## **IMPACT ASSESSMENT REPORT IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT SECOND AMENDMENT ACT, 2004 (Act No. 8 of 2004): SECTION 24G.**

The following impact assessment report is divided into 6 sections:

1. *Section 1* : Application Details
2. *Section 2*: Activity Scope & Impact Details
3. *Section 3* : Description of Mitigation Measures
4. *Section 4* : Public Participation Process
5. *Section 5* : Environmental Management Plan
6. *Section 6*: Legal and Policy Issues

### IMPACT ASSESSMENT REPORT REQUIREMENTS

Applicants are responsible for the accuracy of the information supplied and are therefore required to complete the impact assessment report fully and honestly. Incomplete or inadequate information will not be accepted and will be returned to the applicant, which may result in lengthy delays.

The impact assessment report must be completed by an appropriately qualified Environmental Assessment Practitioner.

For further information, please refer to the following documents issued by this Department:

- ✓ Information Document on Requirements with respect to the EIA Regulations, January 2003
- ✓ Letter re applicants and independent consultants: applying for authorisation in terms of section 22 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) ("ECA")
- ✓ Letter re amendment of conditions of Records of Decision, 30 July 2002
- ✓ Letter re Schedule 1 Item 10: The cultivation of any other use of virgin ground, 30 July 2002
- ✓ Guideline for Plan of Study for Scoping for the EIA Process, November 2001
- ✓ Guidelines for Public Participation for the EIA Process, September 2001
- ✓ Guideline on the Application of the EIA Regulations to Structures associated with Communication Networks, September 2001
- ✓ Guideline for the Management of Development on Mountains, Hills and Ridges of the Western Cape, April 2002

**Please include the following information with the impact assessment report:**

1. If the activity undertaken has been on leased or rented land, a letter of consent from the landowner must also be provided. If on state owned land, a letter from the responsible management authority must be obtained (e.g. school governing body).
2. Documentation from other national, provincial and/or local authorities that provides their comments, conditions or recommendations concerning the activity, if available. This documentation is required to supplement the information given in response to Section III of the impact assessment report.
3. Written comments/correspondence from immediate neighbours and the general public must be included in an appendix together with the response from the applicant to concerns raised. Also include proof of any advertisements if this was undertaken. This documentation is required to supplement the response given to Section I of the impact assessment report. (Refer to Regulation 6(1)(e) and 8(c)(iii)).
4. Please attach copies of any Needs and Desirability Analysis and/or Business Plan if available.

**IMPORTANT NOTES**

This document must be regarded as a guideline to assess the activity that has been undertaken. Any additional information/ specialist studies should be appended to the document that will be submitted to assist the decision-making process.

Any information that has already been submitted to this department in terms of Section 21, 22 and 26 of the ECA must be clearly listed and referred to in this report.

- a) An independent Environmental Assessment Practitioner must be appointed to complete the impact assessment report on behalf of the applicant, the declaration of independence (provided in Annexure B) must be completed by the independent Environmental Assessment Practitioner and submitted with the impact assessment report.
- b) The applicant must always sign the impact assessment report where indicated. The original must be submitted to the relevant authority. Applications not containing such a signature shall not be considered by the relevant authority until such signature has been received.

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**DEPARTMENTAL DETAILS**

**CAPE TOWN OFFICE REGION A (Breede River/ Winelands, City of Cape Town: Tygerberg and Oostenberg Administrations)**

Department of Environmental Affairs and Development Planning  
Attention: Directorate: Integrated Environmental Management (Region A2)  
Private Bag X 9086  
Cape Town,  
8000

Registry Office  
1<sup>st</sup> Floor Utilitas Building  
1 Dorp Street,  
Cape Town

Queries should be directed to the Directorate: Integrated Environmental Management (Region A2) at:

Tel: (021) 483-4628

Fax (021) 483-3633

**CAPE TOWN OFFICE REGION B (West Coast, Overberg, City of Cape Town: Helderberg, South Peninsula, Cape Town and Blaauwberg Administrations)**

Department of Environmental Affairs and Development Planning  
Attention: Directorate: Integrated Environmental Management (Region B)  
Private Bag X 9086  
Cape Town,  
8000

Registry Office  
1<sup>st</sup> Floor Utilitas Building  
1 Dorp Street,  
Cape Town

Queries should be directed to the Directorate: Integrated Environmental Management (Region B) at:

Tel: (021) 483-4094

Fax (021) 483-4372

**GEORGE OFFICE (Eden and Central Karoo)**

Department of Environmental Affairs and Development Planning  
Attention: Directorate: Integrated Environmental Management (Region A1)  
Private Bag X 6509  
George,  
6530

Registry Office  
4<sup>th</sup> Floor, York Park Building  
93 York Street  
George

Queries should be directed to the Directorate: Integrated Environmental Management (Region A1) at:

Tel: (044) 874-2160

Fax (021) 874-2423

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

## GLOSSARY OF TERMS

**“Activity”** means the entire development that the applicant has undertaken, which includes any listed activities but also encompasses all other aspects of the entire development

**“Actual Agricultural use”** means land that is being used for farming purposes. This includes cultivated land and the farming of animals. Agricultural land use includes activities and buildings that are reasonably connected with the main farming activities.

**“Agricultural zoning”** means the property is zoned for agricultural use irrespective of whether it has actually been used for farming practices.

**“Applicant”** means the person, including juristic persons, (Eg Companies, CC’s, organs of state etc) who will be responsible for the undertaking of the activity and on whom all the obligations in terms of the EIA Regulations, will rest. This will not necessarily be the landowner. If the applicant is not the landowner, the applicant must be able to provide proof that the landowner has consented to the particular activity to take place on his/her/it’s land or that the applicant has been mandated, for example, attach a power of attorney.

**“Environmental aspect”** means the environmental characteristic/ element/ category that has the potential to be impacted upon. The environmental aspect is derived from environmental issues or concerns.

**“Environmental Assessment Practitioner”** means the independent consultant who has expertise in the area of environmental concern being dealt with in the specific application and who must on behalf of the applicant, comply with the requirements of the EIA regulations (GN No R1183 of 5 September 1997, as amended) and who must have no financial or other interest in the undertaking of the activity, except with regard to the compliance with these regulations.

**“Footprint”** means the total surface area of the activity/development.

**“Listed activity”** means any activity as identified in GN No R1182 of 5 September 1997, as amended, in terms of section 21 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) (“ECA”), or any activity promulgated in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”), which may have a substantial detrimental effect on the environment and therefore requires prior written authorisation.

**“Planning Consultant”** means the person, including juristic persons, who have been appointed to undertake all work associated with the necessary planning approvals required for the activity.

**“Project Manager”** means the person, including juristic persons, who have been appointed to facilitate the undertaking of the proposed project.

**“Property”** means the portion of land on which the activity/development is proposed to be undertaken and which has been defined in cadastral boundaries, following lines of subdivision with set co-ordinates for boundary points. The property must be represented on a diagram held by the Surveyor General.

**“Resource Conservation Measures”** means measures that have/will be taken to ensure that the environmental resources are being adequately managed, for example, water and energy conservation, waste minimisation and pollution prevention measures.

**“Sensitive” for the purposes of determining the administration fine, is defined in the Weightings per Variable per Index & Categorisation Table (Annexure C).**

**“Significance Rating”** refers to a term used to evaluate how severe an impact would be, taking into account objective or scientific data as well as human values. A specific significance rating should not be confused with the acceptability of the impact (i.e. an impact of low significance is not automatically “acceptable”).

**“Terms of Reference”** means the specific parameters within which the consultants/specialists are required to undertake the work for which they were appointed

**Impact Assessment Report in terms of Section 24G of the National Environmental Management Second Amendment Act, 2004 (Act No. 8 of 2004)**

**SECTION 1: APPLICATION DETAILS**

Activity Applicant /Agent of Applicant: <i>(Please specify and attach copy of agency agreement if applicable)</i> Contact person: Postal Address: Telephone: Email:			
		Cell:	
		Fax:	

Activity title:  Departmental reference: Activity location:  Co-ordinates:  Magisterial District: Name of Property: Farm/Erff name and number Size of Property: (as per title deed) Closest City/Town:				
	Latitude:	.....°	.....'	....." South
	Longitude:	.....°	.....'	....." East
				Distance (in km)

Activity Consultant: Contact person: Postal Address: Telephone: Email:			
		Cell:	
		Fax:	

<i>Fill in if applicable</i>	Environmental Assessment Practitioner			
	Contact person:			
	Postal address:			
	Telephone:		Cell:	
	Email:		Fax:	

<i>Fill in if applicable</i>	Planning Consultant			
	Contact person:			
	Postal address:			
	Telephone:		Cell:	
	Email:		Fax:	

<b>Is there a Terms of Reference?</b>	Yes	No
If so, please attach a copy thereof to this impact assessment report		

Registered landowner/s: Contact person: Postal Address: Telephone:			
		Cell:	

Email:		Fax:	
Local authority/municipality:			
Contact person:			
Postal Address:			
Telephone:		Cell:	
Email:		Fax:	

**Declaration :**

I hereby declare that I am fully aware of my responsibilities in terms of the EIA Regulations (Government Notice No R1183 of 5 September 1997, as amended) as well as Section 24G of NEMA, and that failure to comply with these requirements may constitute an offence in terms of Section 24F (2) of NEMA

Applicant (Full names) \_\_\_\_\_ Date: \_\_\_\_\_ Place: \_\_\_\_\_

Signature \_\_\_\_\_ (duly authorised to sign on behalf of Applicant)

Witness Full names) \_\_\_\_\_ Date: \_\_\_\_\_ Place: \_\_\_\_\_

Signature \_\_\_\_\_



**2** Which of the listed activities in terms of GN No R1182 of 5 September 1997, as amended, in terms of section 21 of the Environment Conservation Act 73 of 1989, ("the ECA"), or any activity promulgated in terms of the National Environmental Management Act, Act No 107 of 1998 apply to the activity undertaken (refer to Annexure A). Please indicate all activities that are applicable.


**2.1** Please fill in the table below. Refer to the attached Weightings per Variable per Index & Categorisation Table (Annexure C).

Activity number	Activity name	Socio-economic benefit	Socio-economic impact	Biodiversity	Sense of place	Noise	Waste and pollution

**2.2** Where the activity type falls under "other", a detailed description/ explanation of all the illegal activities occurring on the site must be provided below. This information is very important in determining the administration fine. The term "other" in the Categorisation Table refers to unique cases that do not require a consistent approach.

<b>Provide brief description:</b>

**3** Are there any additional components or a proposed upgrade of the existing activity?

YES / NO
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**4** How many permanent jobs has been/ will be created by the activity and how many jobs has been/ will be created during the construction phase?

<b>Permanent jobs</b>		<b>Comments</b>
<b>Construction jobs</b>		<b>Comments</b>

**5** What does the activity comprise of? Please provide details of all components of the activity and attach diagrams (e.g. architectural drawings or perspectives, engineering drawings, process flow charts).

<b>Buildings</b>	<b>Yes</b>	<b>No</b>
<b>Provide brief description:</b>		
<b>Infrastructure (e.g. roads, power and water supply)</b>	<b>Yes</b>	<b>No</b>
<b>Provide brief description:</b>		
<b>Processing activities (e.g. manufacturing, storage, distribution)</b>	<b>Yes</b>	<b>No</b>
<b>Provide brief description:</b>		
<b>Storage facilities for raw materials and products (e.g. volume and substances to be stored)</b>		
<b>Provide brief description</b>	<b>Yes</b>	<b>No</b>
<b>Storage facilities for water</b>	<b>Yes</b>	<b>No</b>
<b>Provide brief description</b>		
<b>Storage facilities for solid waste and effluent generated by the activity</b>	<b>Yes</b>	<b>No</b>
<b>Provide brief description</b>		
<b>Other activities (e.g. water abstraction activities, crop planting activities)</b>	<b>Yes</b>	<b>No</b>

<b>Provide brief description</b>

**6** Please provide the following information on the construction phase

<b>How long did the total construction phase last?</b>		
<b>Is the activity being undertaken in phases? If so, provide details.</b>	<b>Yes</b>	<b>No</b>
<b>Distinguish between activities already undertaken and additional components that still have to be added for completion.</b>		

**7** What is the size/scale of the activity?

<b>Indicate the extent of the total footprint for the activity in relation to the site in its entirety. (Please note that this is different to question 5 above regarding the surface area that requires to be disturbed in order for construction to take place)</b>
<b>Indicate the area of the site that has already been disturbed including the area that was disturbed during the construction phase.</b>
<b>Indicate the surface area taken up by buildings (e.g. accommodation units, offices, garages) and infrastructure (e.g. roads, parking, storage facilities etc.)</b>
<b>Height of permanent structures (e.g. buildings, communication masts, dam walls, electricity pylons, storage tanks)</b>
<b>For residential or resort developments indicate the density of the development</b>
<b>If the development is nodal or clustered, state the density (units per hectare) of development for each node or cluster.</b>

**8** Current land use of the site(s) where the activity(ies) take place and surrounding land uses.

<b>Are any of the following applicable to the proposed site?</b>	<b>Yes/No</b>	<b>Details</b>
Actual agricultural use		
Zoned undetermined (or equivalent)		

Actual use for grazing		
Use for nature conservation		
Zoned open space		
Other (for example, natural vegetation)		
<b>Surrounding land uses (describe)</b>		
<b>Regional Context (Planning vision – indicate how the activity complies with current forward planning documents for example, Integrated Development Plans, and Spatial Development Frameworks)</b>		
<b>Forward planning document</b>	<b>Confirmed by whom?</b>	

## **B. THE RECEIVING ENVIRONMENT:**

### **9 Environmental Characteristics**

Please provide information in the table below for **ALL THREE** questions for **EVERY SENSITIVE FEATURES** listed below. **The information required in this section is different to that in Section 2.1. This information is required for the evaluation of the application.** Please note that it is not necessary to commission specialist studies to respond to this table.

- 9.1** Are any of the following located on or near the site that has been developed (second column)? If yes, provide brief explanation (fourth column).
- 9.2** If yes, indicate distance from the site (third column).
- 9.3** Has this information been verified (fifth column)? If yes, provide details (sixth/last column). Information can be verified through discussion with the relevant authorities, published scientific papers/knowledge, local agricultural extension officers, local nature conservation officers and other similar means.

Feature	Y/N	Distance (m)	How was it determined?	Verified	
				Y/N	By whom
Unique geological feature					
Steep slopes (>1:4)					
High potential agricultural land/soil					

Feature	Y/N	Distance (m)	How was it determined?	Verified	
				Y/N	By whom
Mountainous area					
River, dam, lake or wetland					
A floodplain or within - 1:50 floodline / 1:100 floodline					
Currently used or potentially valuable groundwater resources					
Marine life					
Area below the high water mark					
Coastline or coastal feature such as dunes, estuaries and lagoons					
Areas occupied by indigenous vegetation such as:					
- Forests					
- Lowland fynbos					
- Mountain fynbos					
- Renosterveld					
- Strandveld					
- Succulent Karoo					

Feature	Y/N	Distance (m)	How was it determined?	Verified	
				Y/N	By whom
A habitat that is essential for the conservation of threatened plant or animal species.					
Breeding sites or migration routes of animal species					
Any protected plant or animal species or species that is known to be threatened (e.g. listed as a Red Data species)					
Unique architectural area (e.g. Urban Conservation Zone)					
Cultural or historical sites (e.g., battle site, historical monument, graveyard, sites for burial, worship, initiation)					
Archaeologically or paleontologically significant area (e.g. fossils, rock art)					
Designated or proposed nature conservation area (e.g. nature reserve, conservancy, Biosphere Reserve, World Heritage Site, RAMSAR site)					

Feature	Y/N	Distance (m)	How was it determined?	Verified	
				Y/N	By whom
A green belt or public open space					
A formal or informal residential area					
A community facility (school, hospital, sports hall/fields)					
A transition or buffer zone (e.g. urban edge, transition zone in a biosphere reserve)					
A scenic landscape					
Area or site of natural beauty					
A significant tourism route or scenic drive					

10. Please provide additional information on the environmental features of the site or the surroundings if you wish to supplement the details given in the above table.


**C. IDENTIFICATION OF ENVIRONMENTAL IMPACTS:**

11. Please describe the environmental impact(s) that have been identified in relation to the activity.

Environmental impacts can be identified on the basis of the following:

1. The characteristics/component of the environment that have been affected by the activity (refer to information given in Question 9).
2. Materials that were or are being used in the activity during the construction and operation (i.e. activity inputs) (refer to information given in Section 2D: Infrastructural / Services Capacity).

3. Products, emissions (gaseous and liquid) and wastes that have been, are being or will be produced by the activity (i.e. activity outputs) (refer to information given in Section 2D: Infrastructural / Services Capacity).

It should be noted that it is necessary to assess the significance of these components. The purpose of this question is to provide descriptive information on the environmental impacts that are evident or known at this stage. Hence, it is important to identify the environmental impacts and to describe and assess why it is of concern.

<b>ENVIRONMENTAL ASPECT</b>	<b>ARE THERE IMPACTS RELATED TO THIS ASPECT Y/N</b>	<b>DESCRIPTION OF RELATED IMPACT</b>	<b>SIGNIFICANCE RATING (low, medium, high)</b>	<b>MITIGATION MEASURES (Yes/No)</b>
Geology				
Soils				
Topography				
Surface water (rivers, wetlands)				
Groundwater				
Coastal features				
Marine environment				
Sensitive ecosystems/habitats				
Sensitive plant species and communities				
Sensitive animal species or communities				

<b>ENVIRONMENTAL ASPECT</b>	<b>ARE THERE IMPACTS RELATED TO THIS ASPECT Y/N</b>	<b>DESCRIPTION OF RELATED IMPACT</b>	<b>SIGNIFICANCE RATING (low, medium, high)</b>	<b>MITIGATION MEASURES (Yes/No)</b>
Cultural or Historic features				
Archaeological / Palaeontological features				
Land use (site and surroundings)				
Conservation areas				
Scenic landscapes				
Agricultural land				
Traffic and access				
Local community				
Site of religious or spiritual importance				
Aesthetics				

ENVIRONMENTAL ASPECT	ARE THERE IMPACTS RELATED TO THIS ASPECT Y/N	DESCRIPTION OF RELATED IMPACT	SIGNIFICANCE RATING (low, medium, high)	MITIGATION MEASURES (Yes/No)
Air quality - Air emissions - Odours - Noise - Light, - Radiation - Vibration				
Water - Quality issues - Quantity issues (peak, average demand) - Stormwater				
Solid waste - Solid / liquid - Domestic, Industrial, Hazardous or agricultural solid waste - Collection, transport, disposal, treatment				
Socio-Economic issues -migration -tourism				
Other				

## **D. INFRASTRUCTURAL/ SERVICES CAPACITY:**

How does the activity impact on the current service infrastructure capacity and what are the cumulative impacts related to the infrastructure capacity?

**12.1 For activities where service infrastructure is available** and where the activity can be readily connected to the existing infrastructure (e.g. from the local authority, Eskom, Water Board). Can the activity be catered for by the existing services infrastructure? Please provide details in the table below and attach correspondence confirming service provision from the relevant service provider, if available. **(NOTE: A response to this question must be provided unless Question 12.2 is applicable to the activity).**

<b>Item</b>	<b>Service Provider</b>	<b>Amount or capacity required</b>	<b>Capacity confirmed (Y/N)</b>	<b>Confirmed by whom?</b>	<b>Resource Conservation Measures</b>
<b>Water supply</b> Peak demand (l/s) (If provided by the local authority, please submit written confirmation by the municipality of sufficient availability of water)					
Average demand (kl/day)					
<b>Electricity</b> Peak demand (kVA)					
Average demand (kVA)					
<b>Solid waste</b> - Collection (m <sup>3</sup> )					
- Transport (m <sup>3</sup> )					
- Disposal (m <sup>3</sup> )					
- Treatment (m <sup>3</sup> )					
<b>Sewerage/effluent</b> Peak flow (l/s)					
Average flow (kl/day)					

Item	Service Provider	Amount or capacity required	Capacity confirmed (Y/N)	Comments
<b>Stormwater</b> Peak flow (l/s)				
Average flow (l/s)				
<b>Access (roads, rail)</b>				
<b>Other</b>				

**12.2 For activities where service infrastructure is not available and will have to specifically be developed (or have already been developed) for the activity.** What services will the activity require and how will these be provided? (**NOTE:** This question need only be answered for developments where infrastructure and services are not in place).

Item	Yes/No	Quantity	Control measures to minimise environmental impacts/ Resource Conservation Measures
<b>Water abstraction</b> (indicate source and any existing water servitudes inc. applicable volumes)			
<b>Water supply</b> (Additional volume required)			
<b>Proposed water conservation measures</b> to be implemented			
<b>Electricity</b>			
<b>Solid waste</b> - Collection (m <sup>3</sup> )			
- Transport (m <sup>3</sup> )			
- Disposal (m <sup>3</sup> )			
- Treatment (m <sup>3</sup> )			
<b>Sewerage/effluent</b> Peak flow (l/s)			

<b>Item</b>	<b>Yes/No</b>	<b>Quantity</b>	<b>Control measures to minimise environmental impacts/ Resource Conservation Measures</b>
Average flow (l/s)			
<b>Stormwater</b>			
Peak flow (l/s)			
Average flow (l/s)			
<b>Access</b> (roads, rail)			
<b>Other</b>			

**SECTION 3: DESCRIPTION OF MITIGATION MEASURES AND RECOMMENDATIONS**

13. Please provide additional information on mitigation measures or recommendations to manage environmental impacts, should you wish to supplement the information given in response to any of the previous questions.

<b>Element of Activity</b>	<b>Control measures/ solutions/ recommendations to minimise impacts</b>

## SECTION 4: PUBLIC PARTICIPATION

14. You are required, as a minimum, to advise the adjacent/immediate neighbours and other relevant authorities about the activity as well as advertise the activity in a local newspaper. What are the comments of the neighbours and other interested and affected parties? Please summarise below and attach their written comments. Please furnish this Department with proof of such notification. Where concerns or positive comments have been obtained from interested and affected parties, the applicant's response to these must also be attached. This information must be attached as an Appendix. **The requirements for public participation and an example of a newspaper advertisement as well as an on site notice are attached as Annexure D.**

<b>Brief description of public participation undertaken:</b>

**Please be advised that if section 38 of the National Heritage Resources Act 25 of 1999 is applicable to your proposed development, then you are requested to furnish this Department with written comment from Heritage Western Cape as part of your public participation process. Section 38 of the Act states as follows:**

*38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as-*

- (a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;*
- (b) the construction of a bridge or similar structure exceeding 50 m in length;*
- (c) any development or other activity which will change the character of a site-*
  - (i) exceeding 5 000 m<sup>2</sup> in extent; or*
  - (ii) involving three or more existing erven or subdivisions thereof; or*
  - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or*
  - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;*
- (d) the re-zoning of a site exceeding 10 000 m<sup>2</sup> in extent; or*
- (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority,*

*must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.*

**GAPS IN KNOWLEDGE & ASSUMPTIONS**

15. Please provide a brief description of gaps in information, any predictive measures used, and all underlying assumptions made pertaining to the activity as well as any limitations (if no terms of reference are available); as well as any uncertainties encountered in the compiling of the required information.


**SECTION 5: ENVIRONMENTAL MANAGEMENT PLAN**

16. Please provide details on the following environmental management procedures as applicable to your activity or your organisation. **In addition, you are required to submit an Environmental Management Plan as part of this document.**

Item	Y/N	Details and examples
Have environmental factors been taken into account in the design and layout of the activity (e.g. location of buildings and infrastructure, architectural style, landscaping)? Provide details / examples.		
Does your organisation/company normally implement environmental management procedures during the construction phase of activities? Provide details / examples.		
Has your organisation implemented environmental management procedures for ongoing operations (e.g. an ISO 14001 Environmental Management System)?		

## SECTION 6: LEGAL AND POLICY ISSUES

The activity may require approvals/permits from other authorities in the case of a new development, or revisions to existing permits in the case of an extension or upgrade of an existing development. If the response to any of the following questions is affirmative then you are advised to query the matter further with the relevant department in addition to submitting this impact assessment report to the Department. If you are uncertain about the legislation that is applicable to your development, please consult the relevant authority shown in the table.

17. *National and Provincial Legislation:* Please provide relevant details in the table below and attach any authorisations already issued for the activity.

Authorisation	Y/N	Application submitted?		Application approved?	
		Y/N	Date	Y/N	Date
<p><b>Air emissions</b> - Refer to the Second Schedule of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965)</p> <p><i>(Dept of Environment Affairs &amp; Tourism - Applicable to industrial and manufacturing activities where air emissions will be discharged to atmosphere generally via a smoke stack or to extractive industries where dust will be generated)</i></p>					
<b>Comments:</b>					
<p><b>Effluent disposal</b> - Refer to the Section 21 of the National Water Act, 1998 (Act No. 36 of 1998).</p> <p><i>(Dept of Water Affairs &amp; Forestry – Applicable to activities where liquid waste is produced and will be disposed to a watercourse, wetland, dam or the sea. If effluent is to be discharged to a municipal sewer, application must be made to the relevant local authority)</i></p>					
<b>Comments:</b>					
<p><b>Water use</b> – Refer to section 7 of the Water Services Act, 1997 (Act No. 108 of 1997) and Chapter 4 of the National Water Act, Act 108 of 1998.</p> <p><i>Dept of Water Affairs &amp; Forestry – Applicable to activities where the water required for the activity will be obtained from a source other than from an established municipal supply system ()</i></p>					
<b>Comments:</b>					

Authorisation	Y/N	Application submitted?		Application approved?	
		Y/N	Date	Y/N	Date
<p><b>Solid waste disposal</b> - Refer to section 20 of the Environmental Conservation Act, 1989 (Act No. 73 of 1989) and the Minimum requirements for Waste Management from Dept. Water Affairs &amp; Forestry</p> <p><i>(Dept of Water Affairs &amp; Forestry – Applicable to any activity where a solid waste disposal transfer station, treatment facility or disposal site is to be established or where a waste product will be stored for more than three months)</i></p>					
<b>Comments:</b>					
<p><b>Development of structures and lease of land below the high water mark-</b> Refer to the Sea Shore Act, 1935 (Act No. 21 of 1935)</p> <p><i>(Dept of Environmental Affairs &amp; Tourism and the Western Cape Nature Conservation Board)</i></p>					
<b>Comments:</b>					
<p><b>Driving of vehicles and construction of boat launching sites within the coastal zone</b> - Refer to the Control of Vehicles in the Coastal Zone Regulations promulgated in terms of section 44 of The National Environmental Management Act, 1998 (Act No. 107 of 1998). <b>(Annexure D)</b></p> <p><i>(Dept of Environmental Affairs &amp; Tourism, Dept of Environmental Affairs &amp; Development Planning, the Western Cape Nature Conservation Board, SANP and relevant local authority)</i></p>					
<b>Comments:</b>					
<p><b>Agricultural activities</b> - refer to the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983)</p> <p><i>(Dept of Agriculture - Applies to activities where agricultural activities involving ploughing and clearing of virgin land is being considered)</i></p>					
<b>Comments</b>					

Authorisation	Y/N	Application submitted?		Application approved?	
		Y/N	Date	Y/N	Date
<p><b>Archaeological , cultural, historical and other resources related to national heritage</b> - Refer to the National Heritage Resources Act, 1999 (Act No. 25 of 1999)</p> <p><i>(Heritage Western Cape/SAHRA– Applies to activities where there are naturally and culturally significant features on or adjacent to the site where development is being proposed)</i></p>					
<p><b>Comments:</b></p>					
<p><b>Removal of indigenous fauna and flora</b> - refer to the Nature Conservation Legislation: Nature and Environmental Conservation Ordinance, 1974 (Ordinance 19 of 1974)</p> <p><i>(CapeNature - Applies where fauna and flora may need to be removed and relocated. Applies to activities that involve the establishment of private nature reserves, development within nature reserves, establishment of nurseries or zoos).</i></p>					
<p><b>Comments:</b></p>					
<p><b>Hazardous Installations</b> - Refer to the Major Hazard Installation Regulations promulgated in 1998 in terms of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) – Section on Major Hazard Installation).</p> <p><i>(Dept of Labour and Dept of Environmental Affairs &amp; Tourism – Applicable to activities where hazardous substances are stored and/or produced. Also refer to section 2 (1) of the Hazardous Substances Act, 1973 (Act No. 15 of 1973)</i></p>					
<p><b>Comments</b></p>					

*Note: Although there is provincial legislation that deals with land use matters, the necessary application in terms of this legislation must be lodged with the relevant local authority/municipality – refer question 2 below.*

18. Is the activity subject to any local authority authorisations (e.g. effluent disposal, land use planning, permit for fuel burning devices, development in sensitive coastal areas or in designated protected

natural areas)? If yes, please provide a summary of discussions and agreements with local authorities, if any.

Authorisation	Y/N	Application submitted?		Application approved?	
		Y/N	Date	Y/N	Date
Land use planning					
Type of land use planning application:					
Effluent disposal					
Water supply					
Fuel burning device (e.g. boiler, furnace)					
Protected natural environment (PNE)					
Sensitive coastal area (Eg. OSCA regs)					
Noise					
Odours					
Other					

19. Has any national, provincial or local authority considered any development applications on the property previously? If so, please give a brief description of these applications, indicating if the applications were successful or not, as well as the periods of validity or expiry dates.

Previous application	Yes	No
Type/nature of application		
Authority that considered application:		
Application approved	Yes	No
Reasons for decision		
Period of validity of decision and expiry dates		

20. Is an amendment to the Structure Plan (including regional structure plans and former guide plans) required in order to accommodate the proposed development? If so, please indicate whether an application has been lodged with the relevant authority in this regard.


I \_\_\_\_\_ have read the completed environmental impact assessment report and hereby confirm that the information provided is to the best of my knowledge true and correct.

Applicant's signature \_\_\_\_\_ Date: \_\_\_\_\_

I \_\_\_\_\_ certify that the information provided is to the best of my knowledge true and correct and I acknowledge that I understand the authorisation process as outlined above.

Consultant's signature \_\_\_\_\_ Date: \_\_\_\_\_  
(Please attach relevant professional registration or certification)

Department of Environmental Affairs and Tourism (Updated 3 July 2002)

**Government Notice No. R. 1182**

Government Gazette No.18261, Pretoria, 5 September 1997

ENVIRONMENT CONSERVATION ACT, 1989 (ACT No. 73 OF 1989)

**THE IDENTIFICATION UNDER SECTION 21 OF ACTIVITIES WHICH MAY HAVE A SUBSTANTIAL DETRIMENTAL EFFECT ON THE ENVIRONMENT**

[Amended by GN R 1355 of 1997-10-17, GN R 448 of 1998-03-27, GN R 670 of 2002-05-10 and GN R 782 of 2002-06-07]

I, Zweledinga Pallo Jordan, Minister of Environmental Affairs and Tourism, after consultation with the Minister of each department of State responsible for the execution, approval or control of such activities, the Minister of Finance and the competent authorities of the provinces, hereby under section 21 of the Environment Conservation Act, 1989 (Act No. 73 of 1989), identify the activities in Schedule 1 in general as activities which may have a substantial detrimental effect on the environment.

I further determine that this notice will commence in respect of different activities on the dates indicated in Schedule 2: Provided that this notice is not applicable to an activity that was commenced with before the date of commencement fixed in respect of that activity as indicated in the said Schedule.

Z. P. JORDAN  
Minister of Environmental Affairs and Tourism

**SCHEDULE 1**

1. The construction, erection or upgrading of-
  - (a) facilities for commercial electricity generation with an output of at least 10 megawatts and infrastructure for bulk supply;
  - (b) nuclear reactors and facilities for the production, enrichment, processing, reprocessing, storage or disposal of nuclear fuels and wastes;
  - (c) with regard to any substance which is dangerous or hazardous and is controlled by national legislation-
    - (i) infrastructure, excluding road and rails, for the transportation of any such substance; and
    - (ii) manufacturing, storage, handling, treatment or processing facilities for any such substance;
  - (d) roads, railways, airfields and associated structures;
  - (e) marinas, harbours and all structures below the high-watermark of the sea and marinas, harbours and associated structures on inland waters;
  - (f) above ground cableways and associated structures;
  - (g) structures associated with communication networks, including masts, towers and reflector dishes, marine telecommunication lines and cables and access roads leading to those structures, but not including above ground and underground telecommunication lines and cables and those reflector dishes used exclusively for domestic purposes;
  - (h) racing tracks for motor-powered vehicles and horse racing. But not including indoor tracks;
  - (i) canals and channels, including structures causing disturbances to the flow of water in a river bed, and water transfer schemes between water catchments and impoundments;
  - (j) dams, levees and weirs affecting the flow of a river;
  - (k) reservoirs for public water supply;
  - (l) schemes for the abstraction or utilisation of ground or surface water for bulk supply purposes;
  - (m) public and private resorts and associated infrastructure;
  - (n) sewerage treatment plants and associated infrastructure;
  - (o) buildings and structures for industrial, commercial and military manufacturing and storage of explosives or ammunition or for testing or disposal of such explosives or ammunition

2. The change of land use from-
  - (a) .....
  - (b) .....
  - (c) agricultural or zoned undetermined use or an equivalent zoning to any other land use;
  - (d) use for grazing to any other form of agricultural use; and
  - (e) use for nature conservation or zoned open space to any other land use.
3. The concentration of livestock, aquatic organisms, poultry and game in a confined structure for the purpose of commercial production, including aquaculture and mariculture.
4. The intensive husbandry of, or importation of, any plant or animal that has been declared a weed or an invasive alien species.
5. The release of any organism outside its natural area of distribution that is to be used for biological pest control.
6. The genetic modification of any organism with the purpose of fundamentally changing the inherent characteristics of that organism.
7. The reclamation of land, including wetlands, below the high-water mark of the sea, and in inland waters.
8. The disposal of waste as defined in section 20 of the Act, excluding domestic waste, but including the establishment, expansion, upgrading or closure of facilities for all waste, ashes and building rubble.
9. Scheduled processes listed in the Second Schedule to the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965).
10. The cultivation or any other use of virgin ground.
11. In these Regulations, unless the context indicates otherwise -

“relevant authority” means a relevant authority as defined in regulation 1 of Government Notice No. R.1183 of 5 September 1997, as amended by Government Notice No. R. 1645 of 5 December 1998;

“road” means -

- (a) any road determined to be a national road in terms of section 40 of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998), including any part of such road;
- (b) any road for which a fee is charged for the use thereof;
- (c) any provincial road administered by a provincial authority;
- (d) any arterial road or major collector street administered by a metropolitan or local authority;
- (e) any road or track in an area protected by legislation for the conservation of biological diversity or archaeological, architectural or cultural sites or an area that has been zoned open space or an equivalent zoning; or
- (f) any road or track in an area regarded by the relevant authority as a sensitive area.

“upgrading” means the expansion beyond its existing size, volume or capacity of an existing facility, installation or other activity referred to in this Schedule, but does not include regular or routine maintenance and the replacement of inefficient or old plant, equipment or machinery where such does not have an increased detrimental effect on the environment;

“virgin ground” means land which has at no time during the preceding 10 years been cultivated.

## SCHEDULE 2

Item number in Schedule 1	Date of commencement
1 (a) (b) (d) (e) (f) (h) (m); 7	8 September 1997
1 (g) (o); 3; 4; 5; 6	5 January 1998
1 (c) (i) (j) (k) (l) (n); 8; 9	2 March 1998
2 (a) (b) (c) (d) (e)	1 April 1998

*\*Note: 2(a) and 2(b) have been repealed and therefore the EIA Regulations do not apply to these activities.*

**DECLARATION OF INDEPENDENCE BY THE ENVIRONMENTAL ASSESSMENT PRACTITIONER**

I/We \_\_\_\_\_ as Environmental Assessment Practitioner to:

Applicant: \_\_\_\_\_

Activity: \_\_\_\_\_  
\_\_\_\_\_

do hereby declare the following interests:

1. This consultancy is/is not\* a subsidiary, legally or financially, of the applicant/s. (\*delete what is inapplicable and give details on what is applicable)

Details \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Remuneration for services by the applicant in relation to this proposal is / is partly/is not\* linked to approval by **any** decision-making authority responsible for permitting this proposal (\*delete what is inapplicable and give details on what is applicable)

Details \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. My/our consultancy has the following interest in secondary or downstream developments as a result of the authorisation of this activity.

Details \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I hereby declare that I am fully aware of my responsibilities in terms of Government Notice No.R.1183 of 5 September 1997, as amended.**

Consultant (Full names) \_\_\_\_\_

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

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

**WEIGHTINGS PER VARIABLE PER INDEX & CATEGORISATION TABLE**

1. This section consists of a description of the six (6) agreed considerations (environmental impacts) to be used in the calculation of the administration fine. The weightings are then assigned to each impact index as per the description of the variable.

**1.1. Socio Economic Benefit Index**

<b>Socio-Economic Benefit Index</b>	<b>Weighting</b>
<b>Description of variable</b>	
The development provides no direct social service to the affected community and /or will have little, or no, positive impact on job creation and/or poverty alleviation in the area; or	0%
The development provides little direct social service to the affected community and/or will have little, or minor, positive impacts on job creation and/or poverty alleviation in the area; or	5%
The development provides some social service to the affected community and/or will have a possible positive impacts on job creation and/or poverty alleviation in the area; or	10%
The development provides a social service and/or will have a possible positive impact on job creation and/or poverty alleviation in the area; or	20%
The development provides an important social service and/or will have a measurable positive impact on job creation and/or poverty alleviation in the area; or	40%
The development provides an essential social service (immediately required/ emergency) and will have a measurable positive impact on job creation and/or poverty alleviation in the area	80%

**1.2. Pollution and Waste Impact Benefit Index**

<b>Pollution and Waste Impact Index</b>	<b>Weighting</b>
<b>Description of variable</b>	
The development will not give rise to any significant quantities of waste or pollution; or	0
The development could give rise to quantities of pollution or waste that could have significant, but localised (immediate community and environment) impacts.	3
The development could give rise to quantities of pollution or waste that could have significant, but regional (beyond immediate environment and community) impacts.	7
The development is likely to give rise to a significant quantity of prioritised pollutants or waste streams (e.g. greenhouse gases, hazardous substances, radioactive waste, etc.).	10

### 1.3. Socio Economic Impact Index

<b>Socio Economic Impact Index</b>	<b>Weighting</b>
<b>Description of variable</b>	
The development will not give rise to any significant negative socio-economic impacts; or	0
The development could give rise to negative socio-economic, but highly localised, impacts	3
The development could give rise to significant negative socio-economic, and regionalized impacts	7
The development could result in wide-scale socio-economic hardship.	10

### 1.4. Biodiversity Impact Index

<b>Biodiversity Impact Index</b>	<b>Weighting</b>
<b>Description of variable</b>	
The development will give rise to insignificant impacts on biodiversity; or	0
The development could give rise to significant, but localised biodiversity impacts	3
The development could give rise to significant, but regional biodiversity impacts	7
The development is likely to permanently/ irreversibly transform/ destroy a recognised biodiversity 'hot-spot' or threaten the existence of a species or sub-species.	10

### 1.5. Sense of Place (including visual) Impact Index

<b>Sense of Place (including visual) Impact Index</b>	<b>Weighting</b>
<b>Description of variable</b>	
The development is in keeping with the surrounding environment	0
The development is not in keeping with the surrounding environment and will have a significant localised impact on the affected area's sense of place	3
The development is not in keeping with the surrounding environment, but will have a significant regionalised impact on the affected area's sense of place	7
The development is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place	10

### 1.6. Noise Impact Index

<b>Noise Impact Index</b>	<b>Weighting</b>
<b>Description of variable</b>	
The development is unlikely to give rise to any significant noise	0
The development may lead to significant noise pollution, limited to the site.	2
The development will give rise to significant noise pollution, affecting the surrounding community	10

## 1.7. Sensitive (defined)

The description herein must be used in understanding what makes an activity “sensitive” for the purposes of this document.

Scheduled Activity	Sensitive	Notes
1a	Ecological	
1(c)	Ecological, geotechnical, shallow water table, geostability	
1(d)	Ecological	Upgrade to be added in each case
1(f)	Ecological and visual	
1(g)	Residential and close to school, high visual impact, ecological	Access road to be added and combined with ecological sensitivity
1(j)		The upgrade must be responsible for pushing it over DWAF's general authorisation limit.
1(k)	Ecological, visual, archaeological	
1(m)	Ecological, visual	
2(c)	Ecological	The planning regime at the time that the development took place must be taken into account. Use 4 variables: inside/outside urban area, sensitive/non-sensitive area, compatible/incompatible with planning regime, greater/smaller than 5 hectares.
2(e)	As per 2(c)	As per 2(c)
3	Biophysical, social (visual, smell, watercourses, etc.).	
8	Ecological, Proximity to residential use, geotechnical, ecological.	Distinguish between new and expansion as well as between waste types namely: general waste, garden refuse, building rubble, hazardous waste, mining waste (new and expansion). Include transfer stations.
10	As per 2(c)	As per 2(c)

**2. Please use the above description of impact indices to determine the weightings of the relevant impacts per illegal activity occurring on site. Further note the description of sensitive under no 1.7 above. This information must be in the Table in Section 2A no 2.1 of the EIR form. The term “other” refers to unique cases that do not require a consistent approach. The activity number must be read in conjunction with Government Notice R1182 for the Identification under Section 21 of activities which may have a substantial detrimental effect on the environment.**

Activity number	Activity name
1(a)(i)	Powerlines in industrial area
1(a)(ii)	Powerlines in residential area
1(a)(iii)	Powerlines in sensitive area
1(a)(iv)	Powerlines in other area
1(a)(v)	Underground powerlines in industrial area
1(a)(vi)	Underground powerlines in residential area
1(a)(vii)	Underground powerlines in sensitive areas
1(a)(viii)	Underground: other areas
1(a)(ix)	Transformers
1(a)(x)	Generation: power plant
1(a)(xi)	Substation
1(a)(xii)	Other
1(b)	
1(c)(i)	Filling station: industrial area
1(c)(ii)	Filling station: residential area
1(c)(iii)	Filling station: sensitive area
1(c)(iv)	Filling station: other area

Activity number	Activity name
1(c)(v)	Upgrade to filling station: industrial area
1(c)(vi)	Upgrade to filling station: residential area
1(c)(vii)	Upgrade to filling station: sensitive area
1(c)(viii)	Upgrade to filling station: other area
1(c)(ix)	Underground tanks / containers: industrial area
1(c)(x)	Underground tanks / containers: residential area
1(c)(xi)	Underground tanks / containers: sensitive area
1(c)(xii)	Underground tanks / containers: other area
1(c)(xiii)	Aboveground tanks / containers: industrial area
1(c)(xiv)	Above-ground tanks / containers: residential area
1(c)(xv)	Aboveground tanks / containers: sensitive area
1(c)(xvi)	Aboveground tanks / containers: other area
1(c)(xvii)	Manufacturing, handling, treatment, storage facilities: not included above
1(c)(xviii)	Other
1(d)(i)	New gravel road: industrial area
1(d)(ii)	Upgrade to gravel road, industrial area
1(d)(iii)	New gravel road, residential area

Activity number	Activity name
1(d)(vi)	Upgrade to gravel road, sensitive area
1(d)(vii)	New tarred road, industrial area
1(d)(viii)	Upgrade to tarred road, industrial area
1(d)(ix)	New tarred road, residential area
1(d)(x)	Upgrade to tarred road residential area
1(d)(xi)	New tarred road, sensitive area
1(d)(xii)	Upgrade to tarred road, sensitive area
1(d)(xiii)	Other
1(d)(xiv)	Unsurfaced airfields
1(d)(xv)	Upgrade to unsurfaced airfields
1(d)(xvi)	New surfaced airfields
1(d)(xvii)	Upgrade to surfaced airfields
1(d)(xviii)	Airports: upgrade of runways
1(d)(xix)	Airports: upgrade of other infrastructure
1(e)(i)	Jetties in tidal rivers
1(e)(ii)	Jetties in inland waters
1(e)(iii)	Marinas

Activity number	Activity name
1(e)(iv)	Other
1(f)(i)	New cableways and infrastructure, industrial area
1(f)(ii)	New cableway, residential area
1(f)(iii)	New cableway, sensitive area
1(f)(iv)	Other
1(g)(i)	New mast, industrial area
1(g)(ii)	New mast: high visual impact only
1(g)(iii)	New mast, ecologically sensitive area
1(g)(iv)	New mast, ecologically sensitive area, access road
1(g)(v)	New mast, ecologically sensitive area, high visual impact
1(g)(vi)	New mast, ecologically sensitive area, high visual impact, access road
1(g)(vii)	New mast, residential area/ close to school, high visual impact
1(g)(viii)	New mast, residential area/close to school, no visual impact
1(g)(ix)	New mast, residential area, high ecologically sensitive area
1(g)(x)	New mast in residential area/ close to school, ecologically sensitive area, with access road
1(g)(xi)	New mast in residential area /close to school, high visual impact and ecologically sensitive area

Activity number	Activity name
1(g)(xii)	New mast in residential area /close to school, ecologically sensitive area with high visual impact, including access road
1(g)(xiii)	New mast, other area
1(g)(xiv)	Upgrade, no additional height
1(g)(xv)	Upgrade, additional height
1(g)(xvi)	Reflector dishes
1(g)(xvii)	Rooftops and antennas to structures
1(h)	
1(i)(i)	Ecologically transformed
1(i)(ii)	Ecologically not transformed
1(j)(i)	New dam within DWAF's general authorisation
1(j)(ii)	New dam in excess of DWAF's general authorisation
1(j)(iii)	Upgrade within DWAF's general authorisation
1(j)(iv)	Upgrade in excess of DWAF's general authorisation
1(j)(v)	New levees, weirs
1(j)(vi)	Upgrade of levees
1(k)(i)	Sensitive area

Activity number	Activity name
1(k)(ii)	Non-sensitive area
1(l)	
1(m)(i)	Resorts: physical footprint less than 1 hectare, sensitive area
1(m)(ii)	Resorts: physical footprint less than 1 hectare, non-sensitive area
1(m)(iii)	Resorts: physical footprint greater than 1 hectare, sensitive area
1(m)(iv)	Resorts: physical footprint greater than 1 hectare, non-sensitive area
1(n)(i)	Municipal, sensitive area
1(n)(ii)	Municipal, non-sensitive area
1(n)(iii)	Private, sensitive area
1(n)(iv)	Private, non-sensitive area
1(n)(v)	Upgrade to municipal in sensitive area
1(n)(vi)	Upgrade municipal in non-sensitive area
1(n)(vii)	Upgrade private in sensitive area
1(n)(viii)	Upgrade private in non-sensitive area
1(n)(ix)	Pump stations
1(n)(x)	Bulk services in sensitive area

Activity number	Activity name		Activity number	Activity name		Activity number	Activity name
1(n)(xi)	Bulk services in non-sensitive area		2(c)(vii)	Inside urban area, compatible with planning regime, non-sensitive area, greater than 5 hectares		2(c)(xv)	Outside urban area, incompatible with planning regime, sensitive area, greater than 5 hectares
1(n)(xii)	Other		2(c)(viii)	Inside urban area compatible with planning regime, non-sensitive area, smaller than 5 hectares		2(c)(xvi)	Outside urban area, incompatible with planning regime, sensitive area, smaller than 5 hectares
1(o)			2(c)(ix)	Inside urban area, incompatible with planning regime, non-sensitive area, greater than 5 hectares		2(c)(xvii)	Outside urban area, incompatible with planning regime, non-sensitive area, greater than 5 hectares
2(c)(i)	Government housing in sensitive area		2(c)(x)	Inside urban area, incompatible with planning regime, non-sensitive area, smaller than 5 hectares		2(c)(xviii)	Outside urban area, incompatible with planning regime, non-sensitive area, smaller than 5 hectares
2(c)(ii)	Government housing in non-sensitive area		2(c)(xi)	Outside urban area, compatible with planning regime, sensitive area, greater than 5 hectares		2(e)(i)	Government housing in sensitive area
2(c)(iii)	Inside urban area, compatible with planning regime with planning regime, sensitive area, greater than 5 hectare		2(c)(xii)	Outside urban area, compatible with planning regime, sensitive area, smaller than 5 hectares		2(e)(ii)	Government housing in non-sensitive area
2(c)(iv)	Inside urban area, compatible with planning regime, sensitive, smaller than 5 hectares		2(c)(xiii)	Outside urban area, compatible with planning regime, non-sensitive area, greater than 5 hectares		2(e)(iii)	Inside urban area, compatible with planning regime with planning regime, sensitive area, greater than 5 hectare
2(c)(v)	Inside urban area, incompatible with planning regime, sensitive area, greater than 5 hectares		2(c)(xiv)	Outside urban area, compatible with planning regime, non-sensitive area, smaller than 5 hectares		2(e)(iv)	Inside urban area, compatible with planning regime, sensitive, smaller than 5 hectares
2(c)(vi)	Inside urban area, incompatible with planning regime, sensitive area, smaller than 5 hectares						

Activity number	Activity name		Activity number	Activity name		Activity number	Activity name
2(e)(v)	Inside urban area, incompatible with planning regime, sensitive area, greater than 5 hectares		2(e)(xvi)	Outside urban area, incompatible with planning regime, sensitive area, smaller than 5 hectares		7(ii)	Local importance, totally destroyed
2(e)(vi)	Inside urban area, incompatible with planning regime, sensitive area, smaller than 5 hectares		2(e)(xvii)	Outside urban area, incompatible with planning regime, non-sensitive area, greater than 5 hectares		7(iii)	Regional importance, partially destroyed
2(e)(vii)	Inside urban area, compatible with planning regime, non-sensitive area, greater than 5 hectares		2(e)(xviii)	Outside urban area, incompatible with planning regime, non-sensitive area, smaller than 5 hectares		7(iv)	Regional importance, totally destroyed
2(e)(viii)	Inside urban area compatible with planning regime, non-sensitive area, smaller than 5 hectares		3(i)	0-2 hectares physical footprint, sensitive area		7(v)	Other
2(e)(ix)	Inside urban area, incompatible with planning regime, non-sensitive area, greater than 5 hectares		3(ii)	0-2, non-sensitive area		8(i)	New garden refuse site, sensitive area
2(e)(x)	Inside urban area, incompatible with planning regime, non-sensitive area, smaller than 5 hectares		3(iii)	Bigger than 2 hectares, sensitive area		8(ii)	New garden refuse site, non-sensitive area
2(e)(xi)	Outside urban area, compatible with planning regime, sensitive area, greater than 5 hectares		3(iv)	Bigger than 2 hectares, non-sensitive area		8(iii)	Upgrade, garden refuse site, sensitive area
2(e)(xii)	Outside urban area, compatible with planning regime, sensitive area, smaller than 5 hectares		4			8(iv)	Upgrade garden refuse site, non-sensitive area
2(e)(xiii)	Outside urban area, compatible with planning regime, non-sensitive area, greater than 5 hectares		5			8(v)	New building rubble site, sensitive area
2(e)(xiv)	Outside urban area, compatible with planning regime, non-sensitive area, smaller than 5 hectares		6			8(vi)	New building rubble site, non-sensitive area
2(e)(xv)	Outside urban area, incompatible with planning regime, sensitive area, greater than 5 hectares		7(i)	Local importance, partially destroyed		8(vii)	Upgrade building rubble site, sensitive area

Activity number	Activity name		Activity number	Activity name		Activity number	Activity name
8(viii)	Upgrade building rubble site, non-sensitive area		8(xviii)	Closure of hazardous waste landfill in non-sensitive area		9(iii)	Scheduled process: decrease air emissions (cleaner technology)
8(ix)	New general waste landfill site, sensitive area		8(xix)	New transfer station, sensitive area		10(i)	Government housing in sensitive area
8(x)	New general waste landfill, non-sensitive area		8(xx)	New transfer station, non-sensitive area		10(ii)	Government housing in non-sensitive area
8(xi)	Upgrade general waste, sensitive area		8(xxi)	Upgrade transfer station, non-sensitive area		10(iii)	Inside urban area, compatible with planning regime with planning regime, sensitive area, greater than 5 hectare
8(xii)	Upgrade general waste, non-sensitive area		8(xxii)	New mine waste		10(iv)	Inside urban area, compatible with planning regime, sensitive, smaller than 5 hectares
8(xiii)	New hazardous waste landfill in sensitive area		8(xxiii)	Upgrade: mine waste		10(v)	Inside urban area, incompatible with planning regime, sensitive area, greater than 5 hectares
8(xiv)	New hazardous waste landfill in non-sensitive area		8(xxiv)	Other		10(vi)	Inside urban area, incompatible with planning regime, sensitive area, smaller than 5 hectares
8(xv)	Upgrade to hazardous waste landfill in sensitive area		9(i)	Scheduled process: increase in emissions (priority pollutants)		10(vii)	Inside urban area, compatible with planning regime, non-sensitive area, greater than 5 hectares
8(xvi)	Upgrade to hazardous waste landfill in non-sensitive area		9(ii)	Scheduled process: increase other air emissions		10(xiii)	Outside urban area, compatible with planning regime, non-sensitive area, greater than 5 hectares
8(xvii)	Closure of general waste landfill in non-sensitive area					10(xiv)	Outside urban area, compatible with planning regime, non-sensitive area, smaller than 5 hectares

Activity number	Activity name					
10(xv)	Outside urban area, incompatible with planning regime, sensitive area, greater than 5 hectares					
10(xvi)	Outside urban area, incompatible with planning regime, sensitive area, smaller than 5 hectares					
10(xvii)	Outside urban area, incompatible with planning regime, non-sensitive area, greater than 5 hectares					
10(xviii)	Outside urban area, incompatible with planning regime, non-sensitive area, smaller than 5 hectares					

**Example:**

Activity number	Activity name	Socio-economic benefit	Socio-economic impact	Biodiversity	Sense of place	Noise	Waste and pollution
1(a)(i)	Powerlines in industrial area	5	3	0	0	0	0
8(xi)	Upgrade general waste, <b><u>sensitive area</u></b> (see description of sensitive in 1.7 above, Scheduled Activity 8)	40	3	3	3	0	3

WESTERN CAPE DEPARTMENT OF  
ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

**STANDARD ADVERTISING REQUIREMENTS FOR THE UNLAWFUL  
COMMENCEMENT OR CONTINUATION OF ACTIVITIES IDENTIFIED IN  
TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT  
REGULATIONS**

FEBRUARY 2006

This Department requires the proponent applying for rectification to place an advertisement in a local or regional newspaper for one day. The wording for such an advertisement follows although alterations to format to improve readability are acceptable. The advertisement must allow thirty (30) days for interested and affected parties to comment and to submit objections in this regard. A copy of this advert and a summary of comments and issues raised, as well as the proponent's response thereto, must be submitted to the Department of Environmental Affairs and Development Planning, for the attention of The Head of Department, as soon as the thirty days are over.

A site notice, A2 (594 x 420 mm) or larger in size with the same conditions must also be erected. This notice must be displayed prominently on the site and must be protected from the weather such that the notice is clearly visible for the entire public participation period. Positioning of the notice must be in accordance with the relevant Local Authority's by-laws.

Please note that in order to ensure and promote transparency:

- a. The news paper advertisement must NOT be placed on a Public or School Holiday.
- b. The thirty days excludes school holidays but include normal weekends and public holidays.
- c. The activity applied for must be written inline with the activity as listed in terms of the Environmental impact Assessment Regulations *i.e.:*
  - *The change of land-use of (property name) in terms of sub-regulation 2(c) of the Environmental Impact Assessment Regulations from "Agriculture" to "Residential" for the development of 100 cluster homes;*
  - *The change of land-use of (property name) in terms of sub-regulation 2(e) of the Environmental Impact Assessment Regulations from "Open Space" to "Industrial" for the development of 2 warehouses;*
  - *The upgrading of an existing cellular monopole on (property name and location) by the addition of 3 cellular antennae and an additional base –station in terms of sub-regulation 1(g) of the Environmental Impact Assessment Regulations;*
  - *The construction of a filling station on (property name and location) in terms of sub-regulation 1(c) of the Environmental Impact Assessment Regulations;*
- d. The Department will not consider proof of adverts submitted before the 30 day period has lapsed.

EXAMPLE OF A NEWSPAPER ADVERTISEMENT:

NOTICE OF APPLICATION FOR RECTIFICATION:

UNLAWFUL COMMENCEMENT OR CONTINUATION OF ACTIVITIES IDENTIFIED IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS IN TERMS OF SECTION 24G, READ WITH SECTION 7 (TRANSITIONAL PROVISION) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT AMENDMENT ACT (ACT NO. 8 OF 2004).

**Notice is given, in terms of Section 24(G) read together with sections 24(F) and 7 of the National Environmental Management Amendment Act (Act No. 8 of 2004) and the Environment Conservation Act (Act no 73 of 1989) that the Department of Environmental Affairs and Development Planning is considering:**

- a. **granting (*Name of company*) rectification in terms of Sections 24(G), 24(F) and 7 of the National Environmental Management Amendment Act (Act No. 8 of 2004) -;** and
- b. **granting authorisation to (*Name of company*) from complying with the Environmental Impact Assessment Regulations (Regulations R.1182 and R.1183, as amended) which have been promulgated in terms of the above Environment Conservation Act (Act no 73 of 1989)-:**

**for (*project name {include reference number(s), i.e. 'E12/2/1...'*}, *project activity as defined as a listed activity, location and date of commencement of the listed activity*).**

Queries regarding this matter must be referred to:

- (*Name of company*)
- (*Name of contact person*)
- (*Telephone number, Fax number and postal details*)

Parties wishing to formally object to and / or comment on the proposed rectification and environmental authorisation are requested to forward their objections and comments (*with reasons*) to (*Name of Company as indicated above*). Objections and comments must be copied to:

The Head of Department

Department of Environmental Affairs and Development Planning

P.O. Box X9086, CAPE TOWN, 8000

Tel: (021) 483 5834 Fax: (021) 483 3633

no later than thirty days after the publication of this advertisement (*date of advertisement*).

EXAMPLE OF A SITE NOTICE:

NOTICE OF APPLICATION FOR RECTIFICATION:

UNLAWFUL COMMENCEMENT OR CONTINUATION OF ACTIVITIES IDENTIFIED IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS IN TERMS OF SECTION 24G, READ WITH SECTION 7 (TRANSITIONAL PROVISION) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT AMENDMENT ACT (ACT NO. 8 OF 2004).

Notice is given, in terms of Section 24(G) read together with sections 24(F) and 7 of the National Environmental Management Amendment Act (Act No. 8 of 2004) and the Environment Conservation Act (Act no 73 of 1989) that the Department of Environmental Affairs and Development Planning is considering:

- a. granting (*Name of company*) rectification in terms of Sections 24(G), 24(F) and 7 of the National Environmental Management Amendment Act (Act No. 8 of 2004) -; and
- b. granting authorisation to (*Name of company*) from complying with the Environmental Impact Assessment Regulations (Regulations R.1182 and R.1183, as amended) which have been promulgated in terms of the above Environment Conservation Act (Act no 73 of 1989)-: for

- Name of project {include province's reference number, i.e. 'E12/2/1 ...}'*
- Project description (as listed in terms of the EIA Regulations)*
- Location*
- Date of placement of notice*
- Date of commencement of the listed activity).*

Queries regarding this matter must be referred to:

- Contact name*
- Company*
- Telephone Number*
- Postal Details*

Parties wishing to formally object to and / or comment on the proposed rectification and environmental authorisation are requested to forward their objections and comments (*with reasons*) to (*Name of Company as indicated above*). Objections and comments must be copied to:

The Head of Department

Department of Environmental Affairs and Development Planning

P.O. Box X9086, CAPE TOWN, 8000

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no later than thirty days after the publication of this advertisement (*date of advertisement*).