



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

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

No.	Application Requirements	Please tick for confirmation	
1.	Requirements of Preliminary Advertisement (pre-application public participation requirements including register of all I&APs), in accordance with Annexure A, Section D of the Section 24G Fine Regulations. <b>(Note: Failure to meet the Regulation 8 will result in rejection of the application)</b>	<input checked="" type="checkbox"/>	
2.	Application form has been completed and attached, which includes among others:	<input checked="" type="checkbox"/>	
	2.1. A list of all listed activities and/or waste management activities that was triggered when the development activity was commenced with.	<input checked="" type="checkbox"/>	
	2.2. A list of all <b>similarly listed</b> activities in terms of the current EIA regulations (if applicable).	<input type="checkbox"/>	
	2.3. A description of the receiving environment <b>before</b> commences of the activity(ies).	<input checked="" type="checkbox"/>	
	2.4. A description of the receiving environment <b>after</b> commences of the activity(ies).	<input checked="" type="checkbox"/>	
	2.5. All appendices and annexures:	<input checked="" type="checkbox"/>	
	2.5.1. Locality map	<input checked="" type="checkbox"/>	
	2.5.2. Site plans or/and Layout plan	<input checked="" type="checkbox"/>	
	2.5.3. Building plans (if applicable)	<input type="checkbox"/>	
	2.5.4. Colour photographs	<input checked="" type="checkbox"/>	
	2.5.5. Biodiversity overlay map	<input checked="" type="checkbox"/>	
	2.5.6. Permit(s) / license(s) from any other organ of state including service letters from the municipality	<input checked="" type="checkbox"/>	
	2.5.7. Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, Land owner consent and any other public participation information	<input checked="" type="checkbox"/>	
	2.5.8. Environmental Management Programme	<input checked="" type="checkbox"/>	
	2.5.9. Certified copy of Identity Document of Applicant	<input checked="" type="checkbox"/>	
	2.5.10. Certified copy of the title deed (or title deeds in the case of linear activities)	<input checked="" type="checkbox"/>	
	2.6. Signed declaration forms.	<input checked="" type="checkbox"/>	
3.	Are any specialist assessments required: e.g. Botanical, Hydro-geological, soil, socio-economic?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	3.1. If yes, has the specialist assessment report been attached to the application?	<input checked="" type="checkbox"/>	
4.	An assessment of the impacts of the activity or activities in terms of the following categories:		
	• Socio-economic	<input checked="" type="checkbox"/>	
	• Biodiversity	<input checked="" type="checkbox"/>	
	• Sense of place &/or Heritage/ Cultural	<input checked="" type="checkbox"/>	
	• Any pollution or environmental degradation which has been, is being, is being or may be caused	<input checked="" type="checkbox"/>	
5.	A methodology of how the investigation into the impacts associated with the unlawful activity was undertaken.	<input checked="" type="checkbox"/>	
6.	Completed and attached representations of Annexure A, Section A (Directives) in terms of the S24G Fine Regulations: Information/ Representation submitted in terms of any Directives the Minister/ decision maker may issue in terms of the National Environmental Management Act (Act 107 of 1998) (NEMA) s24G(1)(b)(i)-(viii).	<input checked="" type="checkbox"/>	
7.	Completed and attached representations in terms of Annexure A, Section B (Deferral) of the S24G Fine Regulations.	<input checked="" type="checkbox"/>	

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



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

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

**April 2018**

**Form Number S24GAF/04/2018**

**Kindly note that:**

1. This application must be submitted where a person has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1) of NEMA (i.e. where the person commenced with an activity listed or specified in terms of section 24(2) (a) or (b) of NEMA - the activities contained in the EIA Listing Notices) or has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20 (b) of the NEM:WA.
2. This **Application Form** must be completed for all section 24G applications, by an independent Environmental Assessment Practitioner ("EAP").
3. This Application Form is current as of 01 April 2018. It is the responsibility of the Applicant/EAP to ascertain whether subsequent versions of the Application Form have been published or produced by the competent authority. Note that this Application Form replaces all the previous versions. This updated Application Form must be used for all new applications submitted from 01 April 2018.

**4. The contents of this Application Form includes the following:**

**PART 1 -**

**Section A: Background Information**

**Section B: Activity Information**

**Section C: Description of Receiving Environment**

**Section D: Need and Desirability**

**Section E: Alternatives**

**Section F: Impact Assessment, Management, Mitigation and Monitoring Measures**

**Section G: Assessment Methodologies and Criteria, Gaps in Knowledge, underlying Assumptions and Uncertainties**

**Section H: Recommendations of the EAP**

**Section I: Representations - Response to an Incident or Emergency Situation**

**Section J: Public Participation Process**

**PART 2 -**

**ANNEXURE A of Fine Regulations**

**Section A: Directives**

**Section B: Deferral of the Application**

**Section C: Quantum of the section 24G fine**

**Section D: Preliminary advertisement**

**PART 3 -**

**Appendices and Declarations**

**PART 4 -**

**ANNEXURE B: Waste Management Activity Supporting Information (if relevant)**

5. An independent EAP must be appointed to complete the required sections (in terms of NEMA and its Regulations) of the Application Form on behalf of the applicant; the declaration of independence must be completed by the independent EAP and submitted with this Application Form. If a specialist report is required, the specialist will also be required to complete the declaration of independence.
6. Two hard copies (including the original) and one electronic copy (CD/DVD/Flash drive) of this application form must be submitted.

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

#### PROCESS TO BE FOLLOWED:

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

#### PLEASE NOTE THE FOLLOWING:

1. Failure to comply with a directive may result in the institution of appropriate legal action as is deemed necessary and as provided for in the legislation.
2. The submission of an application or the granting of an environmental authorisation shall in no way derogate from—

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

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

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

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

**DEPARTMENTAL REFERENCE NUMBER(S)** (for official use)

File Reference number (S24G)	
Administrative Fine Reference	

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

File Reference number (Enforcement), if applicable	
File reference number (EIA), if applicable:	
File reference number (Waste), if applicable:	
File reference number (Other (specify)):	DEA&DP Pre-App Ref: 14/2/4/1/A5/11/0001/19  DEA&DP Applicability Checklist Ref. No.: 16/3/3/6/1/A5/11/2051/18

View the Department's website on

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

**PART 1****PROJECT TITLE**

Section 24G Application for the unlawful development of a 25m high telecommunication mast on Portion 47 of Farm No. 222, Crammix Road, Brackenfell, Western Cape

**RELEVANT REGION IN WHICH THE ACTIVITY COMMENCED**

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

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

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

Cross out the appropriate box "X".

1.1	The applicant is a Natural Person (individual)					No
1.2	The applicant is a Firm (i.e. any body incorporated by, or established in terms of, any law as well as any partnership, trust, parastatal or organ of state)					Yes
1.2.1	If a firm, please tick the relevant box below:					
	Body Corporate	Partnership	Trust	Parastatal	Organ of State	
	Directors of a Company	Members of a Board	Other, please specify			

Applicant's details (duplicate this section where there is more than one)	

applicant)			
Applicant Name:	Atlas Tower (Pty) Ltd		
RSA Identity Number/ Passport Number of Applicant, if natural person:	7710125102084		
Name of Firm (if applicable):	Atlas Tower (Pty) Ltd		
Firm Registration Number:	2014/077051/07		
Contact Person at the Firm:	Mr. Cornelis Wessels		
List of all (as applicable at the relevant time):	Please insert the names and RSA ID numbers of the relevant persons below – <b>(In the list below, delete the firms that are not applicable to this application)</b>		
<ul style="list-style-type: none"> <li>• Directors of a company; or</li> <li>• Members of the board; or</li> <li>• Executive committee or other managing body of a corporate body or parastatal; or</li> <li>• Members of close corporation; or</li> <li>• Partners of a partnership; or</li> <li>• Trustees of a trust</li> </ul>	Name: Mr. Cornelis Wessels RSA ID No. 7710125102084		
Postal address:	Cecilia Square, 100 Cecilia Street		
	Paarl	Postal code:	7646
Telephone:	(021) 870 1302	Cell:	082 342 9301
E-mail:	<a href="mailto:cwessels@atlastowers.com">cwessels@atlastowers.com</a> <a href="mailto:wvonsolms@atlastowers.com">wvonsolms@atlastowers.com</a>	Fax:	(086) 551 0550
<b>Project Consultant</b>			
Contact person:			
Postal address:			
		Postal code:	
Telephone:	( )	Cell:	
E-mail:		Fax:	( )
<b>Name of the Environmental Assessment Practitioner ("EAP") responsible for the application:</b>			
	Emile Esquire		
Company name (if any):	EnviroAfrica CC		
Postal address:	P. O. Box 5367		
	Helderberg	Postal code:	7135
Telephone:	(021) 851 1616	Cell:	086 512 0154
E-mail:	<a href="mailto:emile@enviroafrica.co.za">emile@enviroafrica.co.za</a>	Fax:	(086) 512 0154
EAP Qualifications	Emile - BA (Geography and Environmental Studies); EIA Short Course (UP). Bernard de Witt - B.Sc. Forestry (Stellenbosch); B.A. (Hons) Public Administration (Stellenbosch); National Diploma in Parks and Recreation Management; EIA Short course (UCT); ISO 14001 Auditors course (SABS).		
EAP Registrations/Associations	Bernard: IAIA-SA		
<b>Name of the Landowner:</b>			
	Finishing Touch Trading 412 (Pty) Ltd		
Name of the contact person for the land owner (if other):	Mr Michael Duncan Dreyer		
Postal address:			
		Postal code:	
Telephone:	(021) 914 0261	Cell:	082 557 9997
E-mail:	<a href="mailto:mike@c2mca.co.za">mike@c2mca.co.za</a>	Fax:	(021) 914 0262
Person in control of land:			
	Mr Michael Duncan Dreyer		
Contact person:			
	Mr Michael Duncan Dreyer		

Postal address:			
		Postal code:	
Telephone:	(021) 914 0261	Cell:	082 557 9997
E-mail:	<a href="mailto:mike@c2mca.co.za">mike@c2mca.co.za</a>	Fax:	(021) 914 0262

**Please note:**

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

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

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

Municipality in whose area of jurisdiction the activity falls:	City of Cape Town		
Contact person, if known:	Pat Titmuss		
Postal address:	PO Box 35		
	Milnerton	Postal code:	7435
Telephone	(021) 444 0597	Cell:	
E-mail:	<a href="mailto:pat.titmuss@capetown.gov.za">pat.titmuss@capetown.gov.za</a>	Fax:	(021) 444 0605

**Please note:**

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

Property location(s):	Located off Crammix Road, Brackenfell, Cape Town		
Farm/Erf name(s) & number(s) including portion(s)	Portion 47 of Farm 222		
Property size(s) (m <sup>2</sup> )	17000 m <sup>2</sup>		
Development footprint size(s) (m <sup>2</sup> )	67 m <sup>2</sup>		
SG21 Digit code(s)	C06700000000022200047		

**Property boundary:**

Point	Latitude (S)			Longitude (E)		
1	33°	53'	26.18"	18°	43'	16.83"
2	33°	53'	31.85"	18°	43'	14.46"
3	33°	53'	34.34"	18°	43'	15.60"
4	33°	53'	32.53"	18°	43'	19.68"

**The co-ordinates for the site boundary are:**

Point	Latitude (S)			Longitude (E)		
1	33°	53'	26.37"	18°	43'	16.61"
2	33°	53'	26.75"	18°	43'	16.50"
3	33°	53'	26.79"	18°	43'	16.71"
4	33°	53'	26.52"	18°	43'	16.78"
5	33°	53'	26.39"	18°	43'	16.75"

**Please note:**

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



Street address:	1 Crammix Road, Brackenfell, Cape Town		
Magisterial District or Town:	Brackenfell		
Closest City/Town:	Bellville	Distance	9 km
Zoning of Property:	Agriculture 1		

**Please note:**

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

Was the property rezoned after commencement of activities?		YES	NO
If yes, what was the previous zoning?			
Please refer to <b>Appendix F1</b> for the Land Use Application Approval dated <b>19 May 2017</b> .			
Is a rezoning application required?		YES	NO
Is a consent use application required?		YES	NO
Locality map:	<p>A locality map must be attached to the Application Form as an appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following:</p> <ul style="list-style-type: none"> <li>• an accurate indication of the project site position as well as the positions of the alternative sites, if any;</li> <li>• road names or numbers of all the major roads as well as the roads that provide access to the site(s)</li> <li>• a north arrow;</li> <li>• a legend;</li> <li>• the prevailing wind direction; and</li> <li>• GPS co-ordinates (Indicate the position of the proposed activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection)</li> </ul>		
Landowner(s) Consent:	<p>If the applicant is not the owner or person in control of the land on which the activity has been undertaken, he/she must obtain written consent from all landowners or persons in control of the land (of the site and all alternative sites). This must be attached to this document as Appendix G. Such consent must indicate whether or not the owner or person in control of the land would support approval of the application and that the land need not be rehabilitated.</p> <p><b>Note:</b> The consent of the landowner or person in control of the land is not required for: a) linear activities; b) an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource; or c) strategic integrated projects ("SIPs") as contemplated in the <i>Infrastructure Development Act, 2014 (Act No. 23 of 2014)</i>.</p>		

**2. APPLICATION HISTORY**

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

Has any national, provincial or local authority considered any development applications on the property previously?	Yes	No
If so, please give a brief description of the type and/or nature of the application/s as well as a reference number, if applicable: (In instances where there was more than one application, please attach a list of these applications)		
That in terms of Section 98(b) of the City of Cape Town Municipal Planning By-Law (2015) the application involved the following:		
<ul style="list-style-type: none"> <li>• Application for Council's Consent in terms of section 42(i) of the Municipal Planning By-Law, 2015 to permit a 25m Freestanding Base Telecommunication Station on Portion 47 of Farm No. 222, Botfontein Holdings, Brackenfell.</li> <li>• Application for a regulation departure in terms of section 42(b) of the Municipal Planning By-Law, 2015 to permit the Freestanding Base Telecommunication Station at 0.0m in lieu of 5.0m from the common boundary of Portion 47, Farm No. 222, Botfontein Smallholdings, Brackenfell. <b>Case ID: 70315535</b></li> </ul>		
Which authority considered the application:		
City of Cape Town		
Has <u>any</u> one of the previous application/s on the property been approved <b>or</b> refused? If so provide a list of the successful and unsuccessful application/s and the reasons for decision(s).	Yes	No
Please refer to <b>Appendix F1</b> for the Land Use Application Approval dated <b>19 May 2017</b> . Kindly refer to <b>Appendix F1</b> for the reasons of the decision dated 19 May 2017.		
Provide detail on the period of validity of decision and expiry dates of the above applications/ permits etc.		
Unknown		

## SECTION B: ACTIVITY INFORMATION

### 1. ACTIVITIES APPLIED FOR

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

Applicant (Full names): Mr. Cornelis Wessels

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

Place: \_\_\_\_\_

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

EAP (Full names): Emile Esquire

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

Place: \_\_\_\_\_

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

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

#### 1.1 Applicable EIA listed activities

<b>ECA EIA Contraventions: between 08 September 1997 and end of 09 May 2002</b>			
<b>Activities commenced with on or after 08 September 1997 and before end 09 May 2002: EIA regulations promulgated in terms of the ECA, Act 73 of 1989</b>			
Government Notice No. ("GN") R1182 Activity No(s):	Describe the relevant listed activity/ies in writing as per GN No. 1182 of 1997	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A			
<b>ECA EIA Contraventions: between 10 May 2002 and end of 02 July 2006</b>			
<b>Activities unlawfully commenced with on or after 10 May 2002 and before end 02 July 2006: EIA regulations promulgated in terms of the ECA, Act 73 of 1989,</b>			
N/A			
<b>NEMA EIA Contraventions: between 03 July 2006 and end of 01 August 2010</b>			
<b>Activities unlawfully commenced with on or after 03 July 2006 and before end 01 August 2010: EIA regulations promulgated in terms of the NEMA</b>			
GN R386 Activity No(s): <b>(Listing Notice 1 of 2006)</b>	Describe the relevant listed activity/ies in writing as per GN No. R. 386 of 2006 ("NEMA 2006 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A	N/A	N/A	N/A
Government Notice No. R387 Activity No(s): <b>(Listing Notice 2 of 2006)</b>	Describe the relevant listed activity/ies in writing as per GN No. R. 387 of 2006 ("NEMA 2006 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A	N/A	N/A	N/A
<b>NEMA EIA Contraventions: between 02 August 2010 and end of 07 December 2014</b>			
<b>Activities unlawfully commenced with on or after 02 August 2010 and before end 07 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,</b>			
GN No. R. 544 Activity No(s): <b>(Listing Notice 1 of 2010)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R. 544 of 2010 ("NEMA 2010 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A	N/A	N/A	N/A
GN No. R. 545 Activity No(s): <b>(Listing Notice 2 of 2010)</b>	Describe the relevant listed activity/ies in writing as per GN No. R. 545 of 2010. (NEMA 2010 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity

N/A	N/A	N/A	N/A
GN No. R. 546 Activity No(s): <b>(Listing Notice 3 of 2010)</b>	Describe the relevant listed Activity(ies) in writing as per GN No. R. 546 of 2010	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A	N/A	N/A	N/A
<b>NEMA EIA Contraventions: on or after 08 December 2014</b>			
<b>Activities unlawfully commenced with on or after 08 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,</b>			
GN No. R. 327 Activity No(s): <b>(Listing Notice 1 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A	N/A	N/A	N/A
GN No. R. 325 Activity No(s): <b>(Listing Notice 2 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A	N/A	N/A	N/A
GN No. R. 324 Activity No(s): <b>(Listing Notice 3 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
<b>Activity 3</b>	<p>The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower;</p> <p><b>(a) is to be placed on a site not previously used for this purpose; and</b></p> <p><b>(b) will exceed 15 metres in height</b> but excluding attachments to existing buildings and masts on rooftops.</p> <p>In the Western Cape</p> <p>i) All areas outside urban areas; or</p> <p>ii) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas.</p>	<p>The proposed development is located on a property that is Agriculture zoned and are being used for agricultural purposes; and the telecommunication mast height exceeds 15m in height. <b>The mast has is 25m in height and is located outside the urban area.</b></p>	<b>24/07/2018</b>

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

## 1.2 Applicable Waste Management Activities

List the relevant waste management activity/ies applied for:

<b>Waste Management Activity Contraventions: On or after 03 July 2007 up to end of 28 November 2013</b>			
<b>Activities unlawfully commenced with in terms of GNR 718 of 03 July 2009 under the National Environmental Management Waste Act, Act 59 of 2008</b>			
GN No. 718 – Category A Activity No(s):	Describe the relevant <u>Category A</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
N/A	N/A	N/A	N/A
GN No. 718 – Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
N/A	N/A	N/A	N/A

Waste Management Activity Contraventions: On or after 29 November 2013			
Activities unlawfully commenced with in terms of GNR 921 of 29 November 2013 under the National Environmental Management Waste Act, Act 59 of 2008,			
GN No. 921 - Category A Activity No(s):	Describe the relevant <u>Category A</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
N/A	N/A	N/A	N/A
GN No. 921 - Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
N/A	N/A	N/A	N/A

Please note:

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

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

### 1.3 Activities listed similarly in terms of the EIA Regulations

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

The similarly listed activities in terms of the EIA Regulations promulgated in terms of the NEMA, Act 107 of 1998,		
GN No. R. 327 Activity No(s): <b>(Listing Notice 1 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
N/A	N/A	N/A
GN No. R. 325 Activity No(s): <b>(Listing Notice 2 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
N/A	N/A	N/A
GN No. R. 324 Activity No(s): <b>(Listing Notice 3 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.
<b>Activity 3</b>	<p>The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower;</p> <p><b>(a) is to be placed on a site not previously used for this purpose; and</b></p> <p><b>(b) will exceed 15 metres in height</b> but excluding attachments to existing buildings and masts on rooftops.</p> <p>In the Western Cape</p> <p>i) All areas outside urban areas; or</p> <p>ii) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas.</p>	<p>The proposed development is located on a property that is Agriculture zoned and are being used for agricultural purposes; and the telecommunication mast height exceeds 15m in height. <b>The mast has a height of 25m high and is located outside the urban area.</b></p>

## Please note:

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

## 2. ACTIVITY DESCRIPTION

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

Is/are the activity(ies) complete or is/are the activity(ies) still to be completed?	Completed	Incomplete
(a) Is/was the project a new development or an upgrade of an existing development? Also indicate the date (e.g. 2 August 2010) when the activity commenced <u>as well as</u> the original date of commencement if the application is an upgrade.	New	Upgrade
The telecommunication mast and base station's construction commenced on <b>24 July 2017</b> and construction completed on <b>23 August 2017</b> .		

(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed and what still has to be completed.
<p>The applicant commenced and completed the construction of a 25m high tree telecommunication mast on Portion 47 of Farm 222, Brackenfell, Western Cape. The telecommunication mast and base station consists of the following infrastructure:</p> <ul style="list-style-type: none"> <li>• 3 Future equipment containers;</li> <li>• 2.4m high palisade fence for safety and security reasons, and an access gate;</li> <li>• A concrete mast foundation;</li> <li>• Antennas were attached to the top of the telecommunication mast;</li> <li>• Lightning spike and navigation lights at the top of the mast;</li> <li>• The development footprint of the telecommunication base station is approximately 67m<sup>2</sup>;</li> <li>• Electricity to power the mast is sourced from <b>Eskom</b>; and</li> <li>• Access to the site exists, no roads were constructed.</li> </ul>

(c) Please provide details of all components of the activity and attach diagrams (e.g. architectural drawings or perspectives, engineering drawings, process flow charts etc.).		
Buildings	YES	NO
Provide brief description:		
<p>The applicant commenced and completed the construction of a 25m high tree telecommunication mast on Portion 47 of Farm 222, Brackenfell, Western Cape. The telecommunication mast and base station consists of the following infrastructure:</p> <ul style="list-style-type: none"> <li>• 3 Future equipment containers;</li> <li>• 2.4m high palisade fence for safety and security reasons, and an access gate;</li> <li>• A concrete mast foundation;</li> <li>• Antennas were attached to the top of the telecommunication mast;</li> <li>• Lightning spike and navigation lights at the top of the mast;</li> <li>• The development footprint of the telecommunication base station is approximately 67m<sup>2</sup>;</li> <li>• Electricity to power the mast is sourced from the land owner; and</li> <li>• Access to the site exists, no roads were constructed. Please refer to <b>Appendix B</b> for the <b>site plans</b>. The site co-ordinates are <b>33° 53' 26.47"S, 18° 43' 16.71"E</b>.</li> </ul>		
Infrastructure (e.g. roads, power and water supply/ storage)	YES	NO
Provide brief description:		
No roads were constructed as an existing access road was used to gain access to the site. Electricity to power the telecommunication mast and base station is sourced directly from <b>Eskom</b> . The activity does not use water and is not being used as a storage facility.		
Processing activities (e.g. manufacturing, storage, distribution)	YES	NO
Provide brief description:		
No manufacturing, storage or distribution associated with the telecommunication mast.		
Storage facilities for raw materials and products (e.g. volume and substances to be stored)		
Provide brief description	YES	NO
The telecommunication mast and base station is completed and fully operational. No raw materials or substances were / are stored on site.		
Storage and treatment facilities for solid waste and effluent generated by the project	Yes	No
Provide brief description		
N/A. No treatment of effluent or solid waste stored on site, and the activity does not generate effluent or solid		

waste.		
(d) Other activities (e.g. water abstraction activities, crop planting activities)	Yes	No
Provide brief description		
N/A. The activity does not use water and no crops were planted.		

### 3. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical spatial size of the activity as well as associated infrastructure (footprints):	67	m <sup>2</sup>
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	67	m <sup>2</sup>
Total area:	67	m <sup>2</sup>

### 4. SITE ACCESS

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

**Please Note:**

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

### 5. SITE PHOTOGRAPHS

Colour photographs of the site and its surroundings (taken of the site and from the site), both before (if available) and after the activity commenced, with a description of each photograph, must be attached to this application. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide past and recent aerial photographs. It should be supplemented with additional photographs of relevant features on the site. Date and source of photographs must be included. Photographs must be attached as an **appendix** to this form. Please refer to **Appendix D** of the S24G Application.

**Please note:**

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

### 6. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

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

LEGISLATION	ADMINISTERING AUTHORITY	TYPE Permit/ license/ authorisation/comment	DATE (if already obtained):
National Environmental Management Act, 1998 (Act No. 107 of 1998) – NEMA EIA Regulations 2014, as amended	Department of Environmental Affairs and Development Planning ("DEA&DP")	Comment / Environmental Authorisation	
Section 24G Fine Regulations, 2017	DEA&DP	Environmental Authorisation	
City of Cape Town: Municipal Planning By-Law, 2015 - Consent Use Approval	City of Cape Town	Consent use	17 May 2017
National Heritage Resources Act, 1999 (Act No. 25 of 1999).	Western Cape Government: Heritage Western Cape ("HWC").	Permit / Comment	

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
Department's Circular EADP 0028/2014 (dated 9 December 2014) on the "One Environmental Management System"	Circular and guidelines consulted and adhered to when undertaking this Basic Assessment Report.
Guidelines on EIA Regulations 2014	Guideline was consulted while compiling the S24G Application.
Guidelines on Public Participation, 2014	Guideline was consulted while compiling the S24G Application.
Guidelines on Need and Desirability, 2013	Guideline was consulted while compiling the S24G Application.
Guidelines on Alternatives, 2014	Guideline was consulted while compiling the S24G Application.
Guideline for involving visual and aesthetic specialists in EIA processes (June 2005)	Guideline was consulted while compiling the S24G Application.
Guideline for Environmental Management Plans (June 2005)	Guideline was consulted while compiling the S24G Application.
Guideline for the Review of Specialist Input in the EIA process (June 2005).	Guideline was consulted while compiling the S24G Application.

## 7. APPLICATIONS IN TERMS OF NEMA AND SPECIFIC ENVIRONMENTAL MANAGEMENT ACTS ("SEMAS")

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

## 8. APPLICATIONS IN TERMS OF OTHER LEGISLATION

Is any permission, licence or other approval required in terms of any other legislation? (Please tick)	YES	NO
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If yes, please complete the table below:



Type of approval required (List the applicable legislation & approval required):	Name of the authority responsible for administering the applicable legislation	Application submitted (Yes / No)	Status of application (e.g. pending/ granted/ refused)
City of Cape Town: Municipal Planning By-Law, 2015 - Consent Use Approval	City of Cape Town	Yes	Granted 17 May 2017
National Heritage Resources Act, 1999 (Act No. 25 of 1999). Permit / Comment from HWC.	Western Cape Government: Heritage Western Cape ("HWC").	No	NID will be submitted in due course

## SECTION C: DESCRIPTION OF RECEIVING ENVIRONMENT

### Site/Area Description

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

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

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

GRANITE	<input checked="" type="checkbox"/>	QUARTZITE	<input type="checkbox"/>
SHALE	<input type="checkbox"/>	DOLOMITE	<input type="checkbox"/>
SANDSTONE	<input type="checkbox"/>	DOLERITE	<input type="checkbox"/>
OTHER (specify)			

### 2. GRADIENT OF THE SITE

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

<input checked="" type="checkbox"/> Flatter	Flatter than 1:10	1:10 – 1:5	Steeper than 1:5
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### 3. LOCATION IN LANDSCAPE

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

Ridgeline	Plateau	Side slope of hill/mountain	Closed valley	Open valley	<input checked="" type="checkbox"/> Plain	Undulating plain/low hills	Dune	Sea-front	Other
If other, please describe									

### 4. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

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

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

Shallow water table (less than 1.5m deep)	YES	<input checked="" type="checkbox"/> NO	UNSURE
Seasonally wet soils (often close to water bodies)	YES	<input checked="" type="checkbox"/> NO	UNSURE
Unstable rocky slopes or steep slopes with loose soil	YES	<input checked="" type="checkbox"/> NO	UNSURE
Dispersive soils (soils that dissolve in water)	YES	<input checked="" type="checkbox"/> NO	UNSURE



Soils with high clay content	YES	<del>NO</del>	UNSURE
Any other unstable soil or geological feature	YES	<del>NO</del>	UNSURE
An area sensitive to erosion	YES	<del>NO</del>	UNSURE

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

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

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

## 5. SURFACE WATER

### 5.1 SURFACE WATER (PRE-COMMENCEMENT)

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

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

The unlawful construction of the 25m high telecommunication mast was not constructed within 32m of any watercourse or wetland. The nearest artificial wetland is approximately 428m east of the site and Bottelary River approximately 970m south of the site. There is a natural wetland approximately 630m north-east of the site, adjacent to Crammix Bricks. The unlawful activity had no impact on any surface water resources. Please see figure 1 below for more detail.

### 5.2 SURFACE WATER (POST-COMMENCEMENT)

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

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

The unlawful construction of the 25m high telecommunication mast was not constructed within 32m of any watercourse or wetland. The nearest artificial wetland is approximately 428m east of the site and Bottelary River approximately 970m south of the site. There is a natural wetland approximately 630m north-east of the site, adjacent to Crammix Bricks. The unlawful activity had no impact on any surface water resources. Please see figure 1 below for more detail.

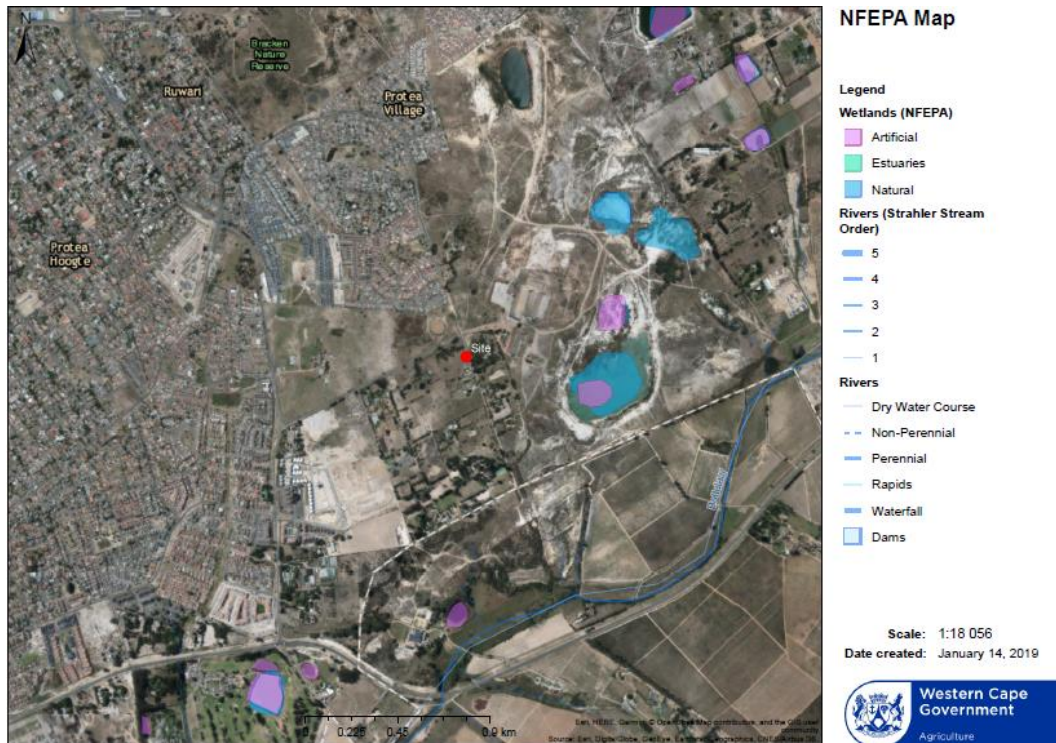


Figure 1: National Freshwater Ecosystems Priority Areas (NFEPA) Map – The site (red dot) is not located within 32m or 100m of any surface water resources / watercourses. The nearest artificial wetland is located approximately 428m east of the site.

## 6. VEGETATION AND/OR GROUNDCOVER

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

The site has no vegetation cover present is completely transformed from its natural state due to construction activities on site, and past agricultural development activities on the property. The site would historically be covered with Swartland Granite Renosterveld, and this a Critically Endangered vegetation type that forms part of the Fynbos biome. Please refer to Appendix D and figures 2 – 3 below:

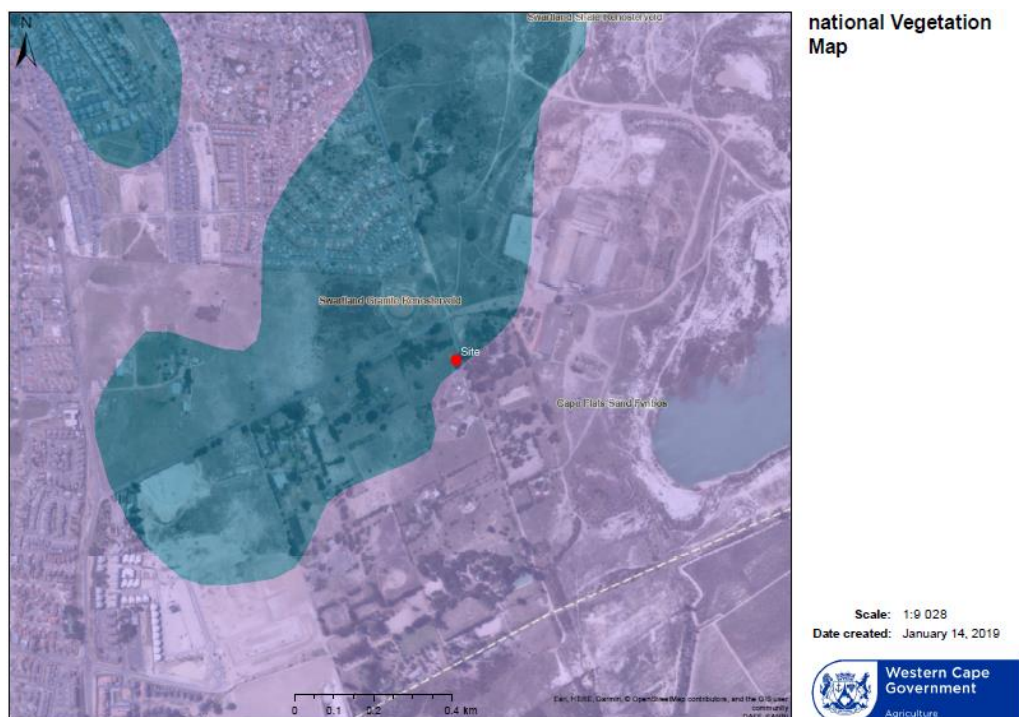


Figure 2: Cape Farm Mapper National Vegetation Map – The site would historically be covered with Swartland Granite Renosterveld. This is a Critically Endangered vegetation type / ecosystem.

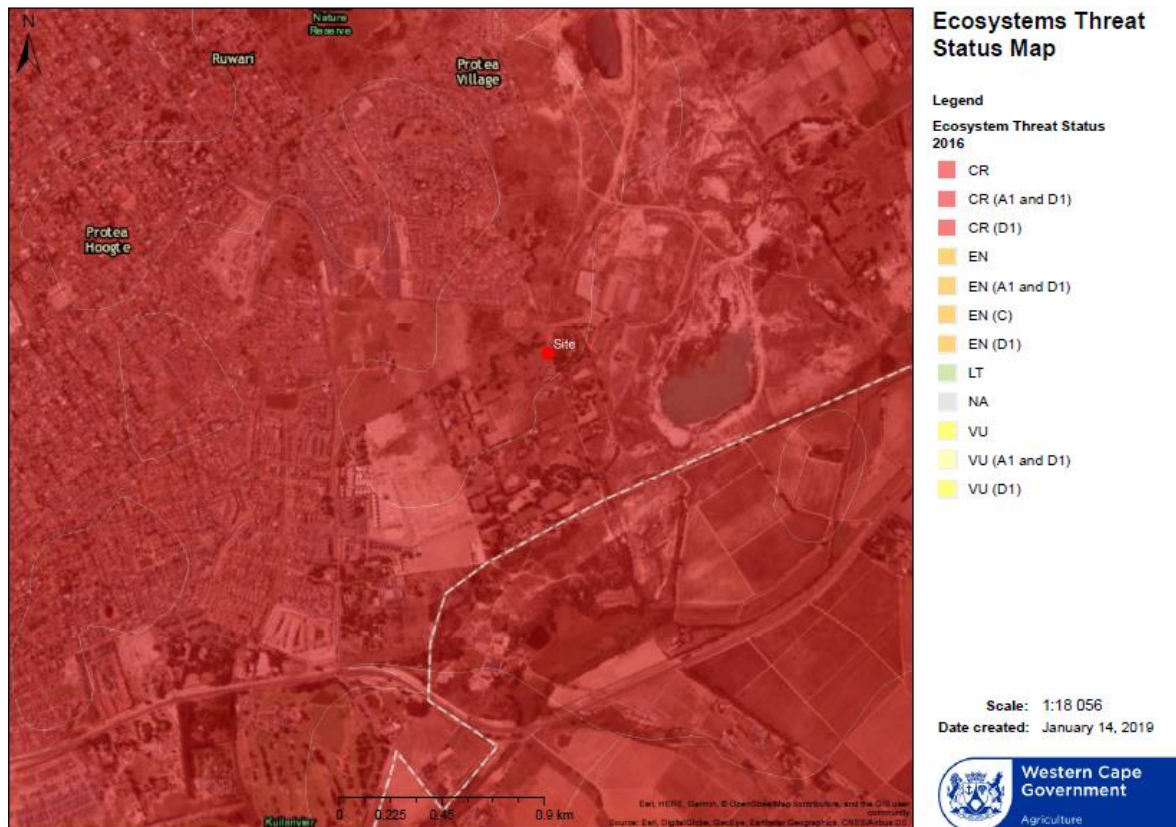


Figure 3: Ecosystems Threat Status Map – The site is located within the Fynbos Ecosystem (Swarthland Granite Renosterveld), which is has a threat status that's Critically Endangered.

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

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

Indigenous Vegetation - good condition		Indigenous Vegetation with scattered aliens		<del>Indigenous Vegetation with heavy alien infestation</del>	✓
Describe the vegetation type above:		Describe the vegetation type above:		Describe the vegetation type above: The site historically contained Swarthland Granite Renosterveld, a critically endangered vegetation type. However, the site was in a degraded state and covered with kikuyu grass, prior to construction. No natural vegetation remaining on site.	
Provide ecosystem status for above:		Provide ecosystem status for above:		Provide Ecosystem status for above: Critically Endangered	
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface		Veld dominated by alien species		Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe	
Bare soil		Building or other structure		Sport field	
Other (describe below)		Cultivated land		<del>Paved surface</del>	

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

Systematic Biodiversity Planning Category				If CBA or ESA, indicate the reason(s) for its selection in biodiversity plan
Critical Biodiversity	Ecological Support	Other Natural	No Natural Area	The proposed site is not located within a Critical Biodiversity Area (CBA) or Ecological Support Area (ESA) and has no natural



Area (CBA)	Area (ESA)	Area (ONA)	Remaining (NNR)	vegetation remaining and is completely transformed from its natural condition due to past development activities on the property.
				Please refer to Appendix E and figure 4 below.

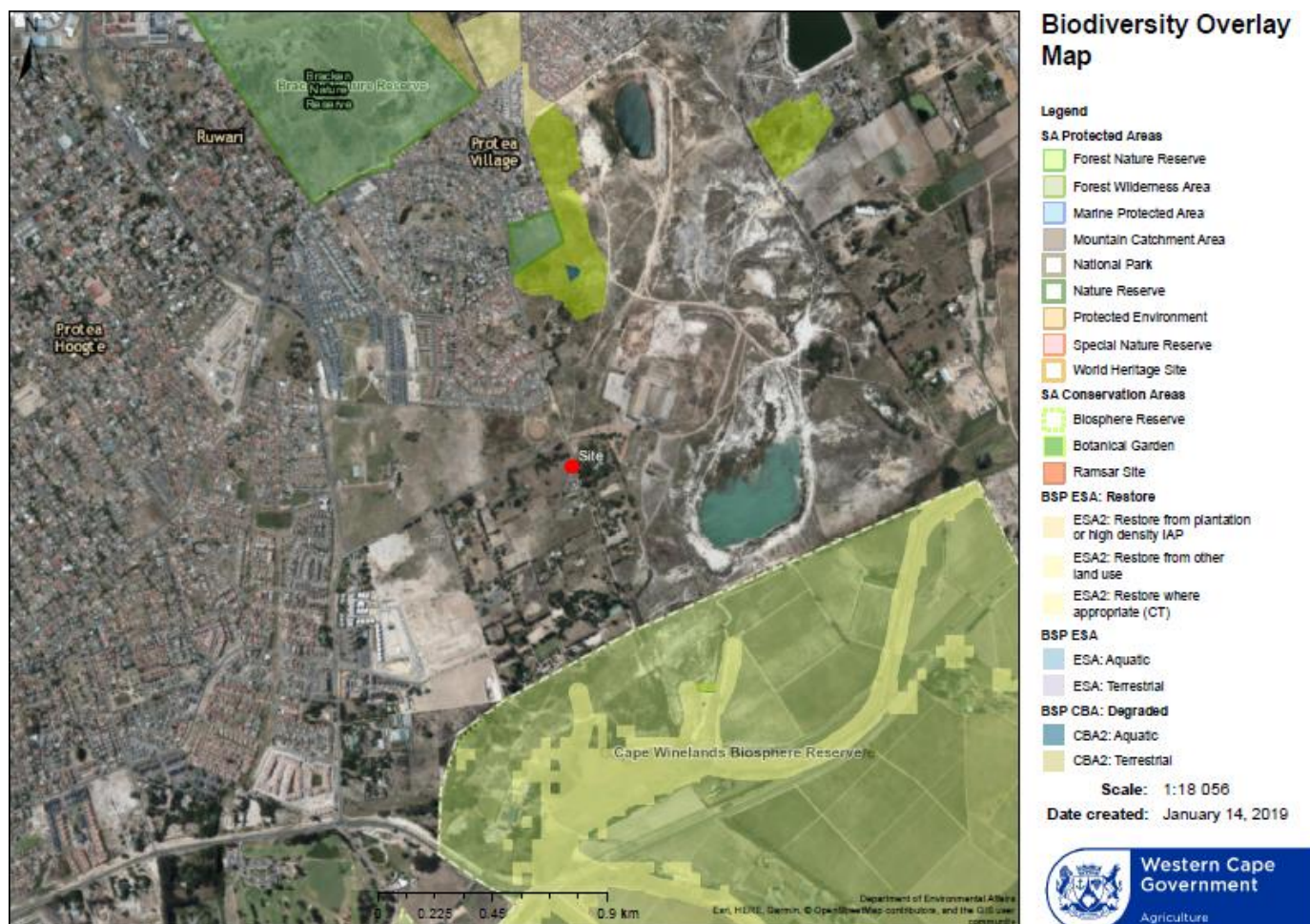


Figure 4: Biodiversity Overlay Map – the site (red dot) is not located within a sensitive ecological environment.

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

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	0%	No natural vegetation present and the proposed site was covered with kikuyu grass. There is a truck depot immediately south of the site. The site is completely transformed due to past agricultural activities on the property.
Near Natural (includes areas with low to moderate level of alien invasive plants)	0%	No natural vegetation present and the proposed site was covered with kikuyu grass. There is a truck depot immediately south of the site. The site is completely transformed due to past agricultural activities on the property.
Degraded (includes areas heavily invaded by alien plants)	0%	No natural vegetation present and the proposed site was covered with kikuyu grass. There is a truck depot immediately south of the site. The site is completely transformed due to past agricultural activities on the property.
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	100%	No natural vegetation present and the proposed site was covered with kikuyu grass. There is a truck depot immediately south of the site. The site is completely transformed due to past agricultural activities on the property.

(c) Complete the table to indicate:

- the type of vegetation, including its ecosystem status, that was previously present on the site; and
- whether an aquatic ecosystem was previously present on site.

Terrestrial Ecosystems		Aquatic Ecosystems							
Ecosystem threat status as per the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)	Critical	Wetland (including rivers, depressions, channelled and un-channelled wetlands, flats, seeps pans, and artificial wetlands)			Estuary		Coastline		
	Endangered								
	Vulnerable								
	Least Threatened								
		YES	NO	UNSURE	YES	NO	YES	NO	

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

No natural vegetation present and the proposed site was covered with kikuyu grass. There is a truck depot immediately south of the site. The site is completely transformed due to past agricultural activities on the property.
The site has no sensitive biodiversity features and is completely transformed. Please refer to Appendix D for the site photographs.

## 6.2 VEGETATION AND/OR GROUND COVER (POST-COMMENCEMENT)

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

Indigenous Vegetation - good condition		Indigenous Vegetation with scattered aliens		Indigenous Vegetation with heavy alien infestation	√
Describe the vegetation type above:	Describe the vegetation type above:		Describe the vegetation type above:  The site historically contained Swartland Granite Renosterveld, a critically endangered vegetation type.  However, the site is degraded and completely transformed, with no natural vegetation remaining on site.		
Provide ecosystem status for above:	Provide ecosystem status for above:		Provide Ecosystem status for above:  Critically Endangered		
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface	Veld dominated by alien species		Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe		
Bare soil	Building or other structure		Sport field		
Other (describe below)	Cultivated land		<del>Paved surface</del>		

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

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	0%	No natural vegetation present and the proposed site was covered with kikuyu grass. There is a truck depot immediately south of the site. The site is completely transformed due to past agricultural activities on the property.
Near Natural (includes areas with low to moderate level of alien invasive plants)	0%	No natural vegetation present and the proposed site was covered with kikuyu grass. There is a truck depot immediately south of the site. The site is completely transformed due to past agricultural activities on the property.
Degraded (includes areas heavily invaded by alien plants)	0%	No natural vegetation present and the proposed site was covered with kikuyu grass. There is a truck depot immediately south of the site. The site is completely transformed due to past agricultural activities on the property.
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	100%	No natural vegetation present and the proposed site was covered with kikuyu grass. There is a truck depot immediately south of the site. The site is completely transformed due to past agricultural activities on the property.

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

The unlawful development of the telecommunication resulted in the clearance of an area of approximately 67m<sup>2</sup>, and the site was in a degraded state prior to construction. There is an existing truck depot immediately south of the site. The unlawful development had no impact on vegetation or aquatic ecosystems. There are no watercourses on or within 32m of the site and the site is not located within an CBA or ESA. Please refer to Appendix D for the site photographs.

### 6.3 VEGETATION / GROUNDCOVER MANAGEMENT

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

No mitigation measures were implemented during the construction phase. However, the alien vegetation on site was removed during construction phase.

## 7. LAND USE OF THE SITE (PRE-COMMENCEMENT)

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

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

(a) Please provide a description.

The site is located on a property that is being used as a truck depot. Please refer to Appendix D for the site photos.

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

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

Untransformed area	Low density residential	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical centre	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station



Landfill or waste treatment site	Plantation	Agriculture	River, stream or wetland	Nature conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):				

The proposed site is zoned for agricultural purposes and is surrounded by agricultural land uses. Crammix Bricks is located approximately 230m north-east of the site, and an existing dam (artificial wetland) approximately 400m east of the site. The nearest residential area is Normandie Estate and Protea Village to the north-west of the site. City of Cape Town water reservoir is located approximately 140m north-west of the site. please refer to figures 5 - 6 below.

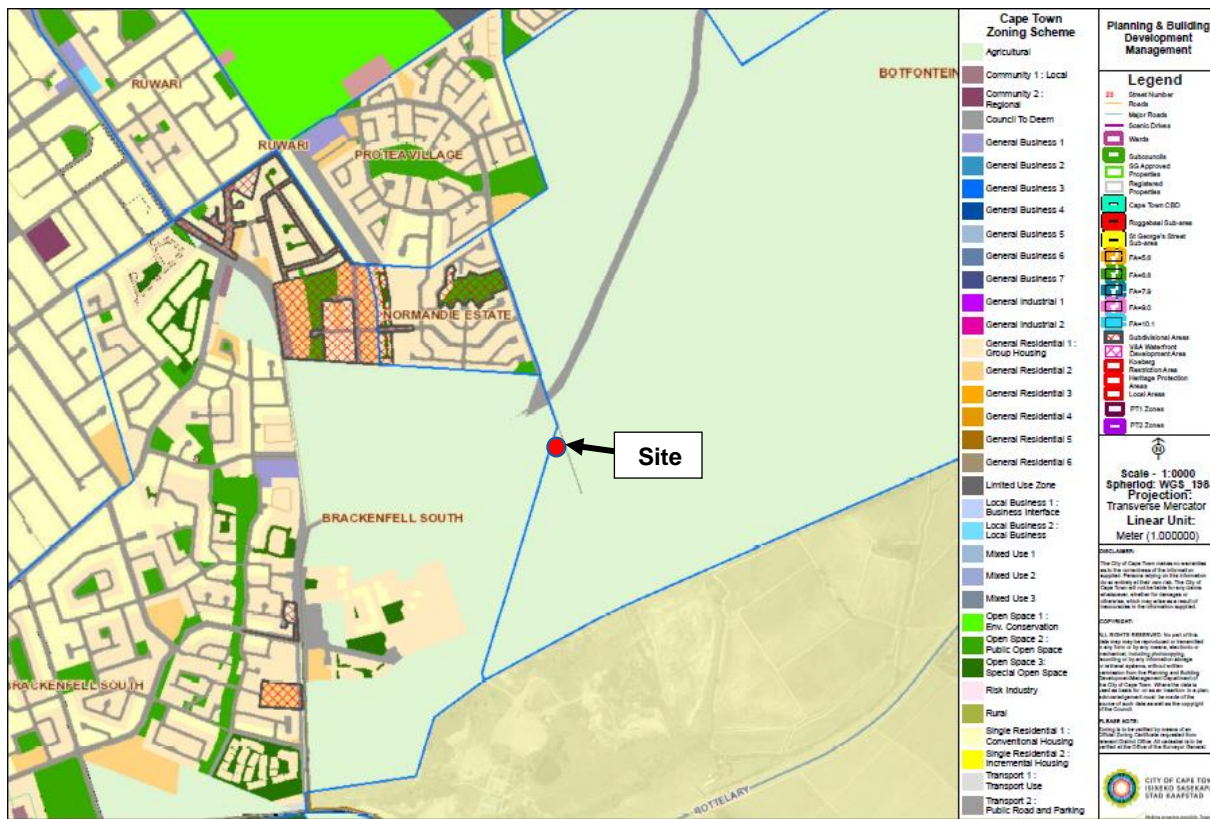


Figure 5: City of Cape Town's Zoning Map – The site (red dot) is surrounded by agricultural land uses.

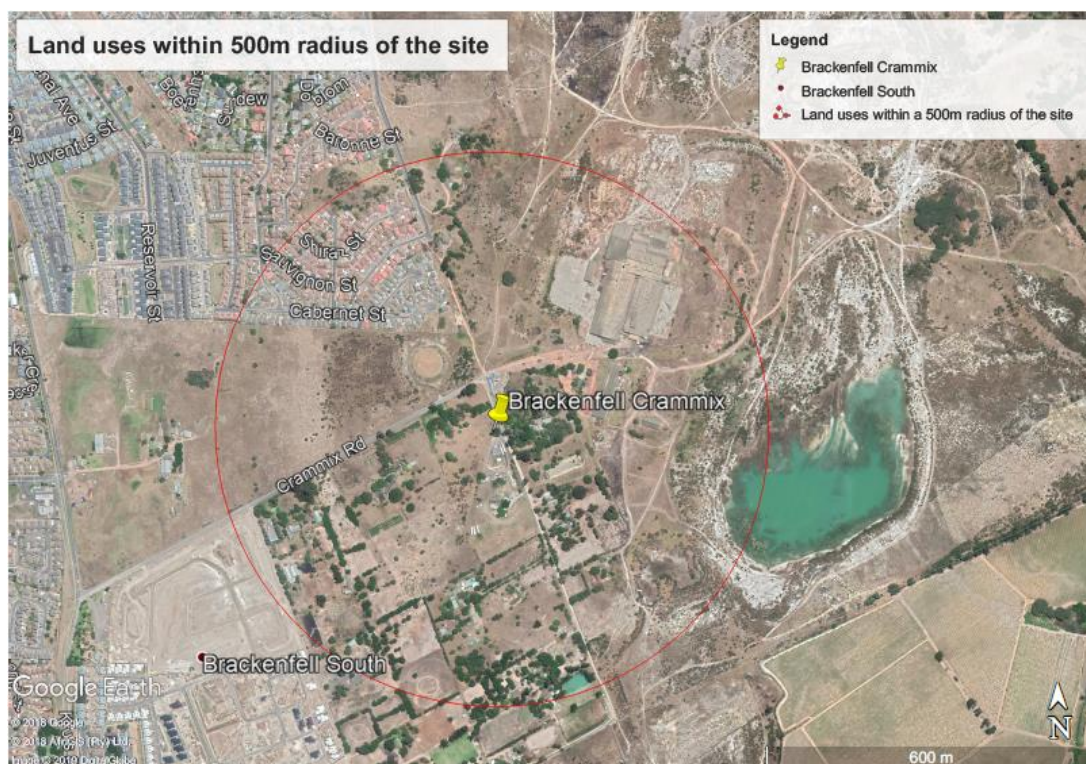


Figure 6: Google Earth aerial image of the site (yellow placemark) and the surrounding land uses within a 500m radius (red line) of the site.

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

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

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

The proposed site is zoned for agricultural purposes and is surrounded by agricultural land uses. Crammix Bricks is located approximately 230m north-east of the site, and an existing dam (artificial wetland) approximately 400m east of the site. the nearest residential areas are Normandie Estate and Protea Village to the north-west of the site. City of Cape Town water reservoir is located approximately 140m north-west of the site. Please refer to figures 5 - 6 above.

## 10. SOCIO-ECONOMIC CONTEXT

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

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

Brackenfell is a northern suburb located within the City of Cape Town Metropolitan Municipality and is sometimes seen as the gateway to the Cape Winelands. The town of Brackenfell cover an area of approximately 25.27km<sup>2</sup> and has a population of approximately 44 842 people, and consists of 16,319 households (STATS SA, 2011). The most spoken language is Afrikaans (71%), followed by English (20.80%), and isiXhosa (1.51%). The majority of people in Brackenfell has access to primary schools, Secondary schools, clinics (health facilities) and service infrastructure. Very little telecommunication masts were evident within the surrounding area during the year 2011.

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

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

Brackenfell is a northern suburb located within the City of Cape Town Metropolitan Municipality and is sometimes seen as the gateway to the Cape Winelands. The town of Brackenfell cover an area of approximately 25.27km<sup>2</sup> and has a population of approximately 44 842 people, and consists of 16,319 households (STATS SA, 2011). The most spoken language is Afrikaans (71%), followed by English (20.80%), and isiXhosa (1.51%). The majority of people in Brackenfell has access to primary schools, Secondary schools, clinics (health facilities) and service infrastructure. Very little telecommunication masts were evident within the surrounding area during the year 2011.

The population has since increased from the year 2011 and more services infrastructure would therefore be required. The unlawful development of the telecommunication mast had no negative impact on the socio-economic characteristics of the suburb of Brackenfell, and rather increased the cellular network coverage within the immediate area. This can thus be seen as positive socio-economic impact.

## 11. HISTORICAL AND CULTURAL ASPECTS

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



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

- (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- (b) the construction of a bridge or similar structure exceeding 50m in length;
- (c) any development or other activity which will change the character of a site-
  - (i) exceeding 5 000 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."

- (b) The impact on any national estate referred to in section 3(2), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii), of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), must also be investigated, assessed and evaluated. Section 3(2) states as follows: "3(2) Without limiting the generality of subsection (1), the national estate may include—

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

Is section 38 of the National Heritage Resources Act, 1999, applicable to the development?		YES	NO
		UNCERTAIN	
If YES, explain:	Heritage Western Cape (HWC) is the commenting authority on all NEMA EIA or S24G rectification applications within the Western Cape. Please note that a Notice of Intention to Develop (NID) will be submitted to HWC in due course and will be given the opportunity to provide comment on this S24G rectification application.		
	A Heritage Screener was commissioned by CTS Heritage and can be found under Appendix H1. The Heritage Screener concluded that due to the location and nature of the proposed development, it is unlikely that significant heritage resources will be impacted by the development, and recommended that no further heritage studies are required.		
Did/does the development impact on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999?		YES	NO
		UNCERTAIN	
If YES, explain:			
Was any building or structure older than 60 years affected in any way?		YES	NO
		UNCERTAIN	
If YES, explain:			

**Please Note:**

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

**12. COASTAL ASPECTS (SEAFRONT/SEA ENVIRONMENT)**

(a) Is the site(s) located within any of the following areas? (highlight the appropriate boxes).

If the site or alternative site is closer than 100m to such an area, please provide the approximate distance in (m).

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

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

**13. REGIONAL PLANNING CONTEXT**

Is the activity permitted in terms of the property's existing land use rights?	YES	NO	Please explain
The property on which the site is located is zoned Agriculture 1 and the property are being used for Agricultural purposes. The site is currently used for a telecommunication base station and a consent use application was approved by the Council on <b>23 April 2018</b> . Please refer to <b>Appendix F1</b> for the Consent Use Approval. Please refer to Appendix D for the site photographs.			
Will the activity be in line with the following?			
Provincial Spatial Development Framework (PSDF)	YES	NO	Please explain
The proposed development of a 25m high telecommunication mast is not likely to have a negative impact on the Province's PSDF. A consent use was obtained from the City of Cape Town on 19 May 2017. The benefits of telecommunications services in modern society are potentially limitless. The activity increases the coverage of these telecommunications services, including providing a more reliable and wider coverage.			
Urban edge / Edge of Built environment for the area	YES	NO	Please explain
The site is located outside of the urban edge. The proposed site is surrounded by agricultural land uses. According to the City of Cape Town's zoning map, <b>Appendix M3</b> , the site surrounded by Agricultural land uses. Normandie Estate is the nearest built-up area and is located approximately 250m north-west of the proposed site.			
Integrated Development Plan of the Local Municipality	YES	NO	Please explain
The proposed development will be in line with the IDP and SDF of the municipality. A consent use was obtained from the City of Cape Town on 19 May 2017. Please refer to <b>Appendix F1</b> for the land use approval. The benefits of telecommunications services in modern society are potentially limitless. The proposed activity will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage. This application is for the construction of a telecommunications mast, which is considered as part of the essential services for the greater community.			
Spatial Development Framework of the Local Municipality	YES	NO	Please explain
The proposed development will be in line with the IDP and SDF of the municipality. A consent use was obtained from the City of Cape Town on 19 May 2017. Please refer to <b>Appendix F1</b> for the land use approval. The benefits of telecommunications services in modern society are potentially limitless. The proposed activity will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage. This application is for the construction of a telecommunications mast, which is considered as part of the essential services for the greater community.			
Approved Structure Plan of the Municipality	YES	NO	Please explain
The nature and development are considered to be in line with the Northern District Plan 2012 and the overall vision of			

Council's Economic Growth Strategy (EGS) 2013.			
An Environmental Management Framework (EMF) adopted by the Department	YES	NO	Please explain
The activity is in line with the EMF of the Northern District and is not expected to compromise the integrity of the existing environmental management priorities for the area. A consent use was obtained from the City of Cape Town on 19 May 2017. Please refer to Appendix F1 for the land use approval. The benefits of telecommunications services in modern society are potentially limitless. The activity will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage. This application is for the construction of a telecommunications mast, which is considered as part of the essential services for the greater community.			
Any other Plans	YES	NO	Please explain
N/A.			

## SECTION D: NEED AND DESIRABILITY

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

1. Was the activity permitted in terms of the property's land use rights at the time of commencement?	YES	NO	Please explain
The applicant commenced with the construction of the 25m high telecommunication after the land use application was finalised on 27 May 2019. The applicant subsequently commenced with the construction of the telecommunication mast on 24 July 2017 and completed construction on 23 August 2017.			
The applicant later employed Warren Patterson Planning to submit a NEMA Applicability Checklist, which was submitted to the Department on 19 March 2018. The Department issued a correspondence on 27 June 2018 (Appendix M3) which indicated that an environmental authorisation would be required. The Department's correspondence dated 27 June 2018 can be found under Appendix M3 of this NEMA S24G Application.			
The applicant then employed EnviroAfrica as the Environmental Assessment Practitioners to commission this NEMA S24G Application to obtain a retrospective environmental authorisation for the unlawful construction of the 25m high tree telecommunication mast on Portion 47 of Farm 222, Brackenfell.			

2. Was the activity in line with the following?			
(a) Provincial Spatial Development Framework (PSDF)	YES	NO	Please explain
The proposed development of a 25m high telecommunication mast is not likely to have a negative impact on the Province's PSDF. A consent use was obtained from the City of Cape Town on 19 May 2017. The benefits of telecommunications services in modern society are potentially limitless. According to the Western Cape Provincial March 2014, infrastructure enables socio-economic development, it does not create it. The demand for infrastructure in the Western Cape is determined by the rate of economic growth and the nature thereof and new infrastructure.			
The activity increases the coverage of these telecommunications services, including providing a more reliable and wider coverage.			
(b) Urban edge / Edge of Built environment for the area	YES	NO	Please explain
The site is located outside of the urban edge. The proposed site is surrounded by agricultural land uses. According to the City of Cape Town's zoning map, Appendix M3, the site surrounded by Agricultural land uses. Normandie Estate is the nearest built-up area and is located approximately 250m north-west of the proposed site.			
(c) Integrated Development Plan and Spatial Development Framework of the Local Municipality (e.g. would the approval of this application have compromised the integrity of the existing approved and credible municipal IDP and SDF?).	YES	NO	Please explain
The proposed development will be in line with the IDP and SDF of the municipality. A consent use was obtained from the City of Cape Town on 19 May 2017. Please refer to <b>Appendix F1</b> for the land use approval. The benefits of telecommunications services in modern society are potentially limitless. The proposed activity will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage. This application is for the construction of a telecommunications mast, which is considered as part of the essential services for the greater community.			
(d) Approved Structure Plan of the Municipality	YES	NO	Please explain
The nature and development are considered to be in line with the Northern District Plan 2012 and the overall vision of Council's Economic Growth Strategy (EGS) 2013.			

(e) An Environmental Management Framework (EMF) adopted by the Department (e.g. Would the approval of this application have compromised the integrity of the existing environmental management priorities for the area and if so, can it be justified in terms of sustainability considerations?)	YES	NO	Please explain
The activity is in line with the EMF of the Northern District and is not expected to compromise the integrity of the existing environmental management priorities for the area. A consent use was obtained from the City of Cape Town on 19 May 2017. Please refer to Appendix F1 for the land use approval. The benefits of telecommunications services in modern society are potentially limitless. The activity will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage. This application is for the construction of a telecommunications mast, which is considered as			

part of the essential services for the greater community.			
(f) Any other Plans (e.g. Guide Plan)	YES	NO	Please explain
Unknown at this stage.			

3. Was the land use (associated with the activity for which rectification is sought) considered within the timeframe intended by the existing approved Spatial Development Framework (SDF) agreed to by the relevant environmental authority (i.e. was the development in line with the projects and programmes identified as priorities within the relevant IDP)?	YES	NO	Please explain
The nature of the proposed development is considered to be in line with the Northern District Plan 2012 and the overall vision of Council's Economic Growth Strategy (EGS) 2013. In addition, the development of the 25m high tree telecommunication mast increased the network coverage within the surrounding area. The Spatial Development Plan & EMF Technical Report 2012 indicates that infrastructure is an essential part of urban development, and that telecommunication infrastructure should be developed. The benefits of telecommunications services in modern society are potentially limitless. The activity will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage. This application is for the construction of a telecommunications mast, which is considered as part of the essential services for the greater community.			

4. Should development, or if applicable, expansion of the town/area concerned in terms of this land use (associated with the activity being applied for) have occurred here when activities commenced?	YES	NO	Please explain
This application is for the construction of a telecommunications mast, which is considered as part of the essential services for the greater community and should occur at this point in time due to the increased demand for these services. The proposed activity will not lead to the expansion of the town.			
The nature of the proposed development is considered to be in line with the Northern District Plan 2012 and the overall vision of Council's Economic Growth Strategy (EGS) 2013.			
The activity is in line with the EMF of the Northern District and is not expected to compromise the integrity of the existing environmental management priorities for the area. A consent use was obtained from the City of Cape Town on 19 May 2017.			

5. Did the community/area need the activity and the associated land use concerned (was it a societal priority)? (This refers to the strategic as well as local level (e.g. development is a national priority, but within a specific local context it could be inappropriate.)	YES	NO	Please explain
The benefits of telecommunications services in modern society are potentially limitless. The proposed activity will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage. The social benefits are considered to greatly outweigh any potential negative environmental impacts from the activity. The activity would create a more efficient telecommunications service, considered as essential to the business and private sector. The construction of the telecommunications mast is therefore considered as part of the essential services for the greater community.			
The nature of the proposed development is considered to be in line with the Northern District Plan 2012 and the overall vision of Council's Economic Growth Strategy (EGS) 2013.			
The activity is in line with the EMF of the Northern District and is not expected to compromise the integrity of the existing environmental management priorities for the area. A consent use was obtained from the City of Cape Town on 19 May 2017. Please refer to <b>Appendix F1</b> .			
Infrastructure enables socio-economic development, it does not create it. The demand for infrastructure in the Western Cape is determined by the rate of economic growth and the nature thereof and new infrastructure.			

6. Were the necessary services with adequate capacity available (at the time of commencement), or was additional capacity created to cater for the development? (Confirmation by the relevant Municipality in this regard must be attached to the Application Form / additional information as an <b>appendix</b> , where applicable.)	YES	NO	Please explain
The proposed activity will only require minimal amounts of power, which are sourced from Eskom. The activity will not require water, solid waste removal, storm water or sewerage services from the local council. However, the S24G Application will be distributed to the City of Cape Town for comment.			
In addition, the City of Cape Town issued a consent use on 19 May 2017 for the proposed 25m high tree telecommunication mast. Please refer to Appendix F1 for the land use decision.			

7. Is/was this development provided for in the infrastructure planning of the municipality, and if not what was/will the implication be on the infrastructure planning of the municipality (priority and placement of services and opportunity costs)? (Comment by the relevant Municipality in this regard must be attached to the Application Form / additional information as an <b>appendix</b> , where applicable.)	YES	NO	Please explain
The benefits of telecommunications services in modern society are potentially limitless. The proposed activity will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage. The social benefits are considered to greatly outweigh any potential negative environmental impacts from the activity. The activity would create a more efficient telecommunications service, considered as essential to the business and private sector. The construction of			

the telecommunications mast is therefore considered as part of the essential services for the greater community.
The contents of the City of Cape Town's Telecommunication Mast Infrastructure Policy, 2015, were taken into consideration while compiling this S24G Application.
The nature of the proposed development is considered to be in line with the Northern District Plan 2012 and the overall vision of Council's Economic Growth Strategy (EGS) 2013.
The activity is in line with the EMF of the Northern District and is not expected to compromise the integrity of the existing environmental management priorities for the area. A consent use was obtained from the City of Cape Town on 19 May 2017. Please refer to <b>Appendix F1</b> .

8. Was this project part of a national programme to address an issue of national concern or importance?	YES	NO	Please explain
N/A. However, the National Development Plan ("NDP") (2030) indicate that South Africa needs to maintain and expand its telecommunications infrastructure in order to support economic growth and social development goals. It is therefore imperative that local municipalities explore the option of developing more telecommunications infrastructure within their municipal boundaries in order to achieve the telecommunication ideals as captured in the NDP.			

9. Did location factors favour this land use (associated with the activity applied for) at this place? (This relates to the contextualisation of the land use on this site within its broader context.)	YES	NO	Please explain
The site has been identified as an ideal location for the proposed project as it will provide the necessary coverage required. In addition, the proposed site is located on an area that causes the least harm to the environment due to the transformed nature of the site. No need to construct new roads as an existing access road will be used to access the site, and no surface water resources will be impacted by the proposed development.			
The 25m high tree telecommunication mast and base station was constructed adjacent a number of tall trees in order to reduce and minimise the potential visual impact. It is very difficult to see the 25m high tree telecommunication mast from Crammox Road, which is located approximately 100m north of the site.			

10. How did/does the activity or the land use associated with the activity applied for, impact on sensitive natural and cultural areas (built and rural/natural environment)?	YES	NO	Please explain
No sensitive environmental, natural or cultural areas were identified on site. Please refer to Appendix E (Biodiversity Overlay Map) and Appendix H1 (Heritage Screener).			
The unlawful construction of the 25m high tree telecommunication mast had an insignificant impact on biodiversity or freshwater resources. The site is not located within 32m of any surface water body or watercourse (see figure 1 above).			
The Heritage Screener concluded that due to the location and nature of the development, it is unlikely that significant heritage resources will be impacted by the development and as such, it is recommended that no further heritage studies are required.			

11. How did/does the development impact on people's health and wellbeing (e.g. in terms of noise, odours, visual character and sense of place, etc.)?	YES	NO	Please explain
The activity has a very-low impact on the visual character of the area and is located adjacent some tall trees to blend into the surrounding environment. It must also be noted that the design and the intention of the proposed communication mast is to allow for multiple service providers to attach and house their equipment on the mast.			
Some noise was created during the construction phase, but this was temporary and is expected to be negligible. The 25m high tree telecommunication mast does not produce any noise or odours during the operational phase. However, several tall blue gum trees are located to the north and east of the site, which could be seen as a mitigation measure to the associated visual impact.			
Please refer to Appendix M4 and Appendix M5 for the Department of Health's correspondences on the health issues associated with telecommunication masts. The telecommunication mast have an insignificant impact on people's health.			

12. Did/does the proposed activity or the land use associated with the activity applied for, result in unacceptable opportunity costs?	YES	NO	Please explain
Due to the nature, size and location of the site, there are no unacceptable opportunity costs on the activity. The proposed site is completely transformed from its natural state due to past agricultural development activities on the property and the proposed site is not located within a CBA or ESA. Furthermore, the site will have an insignificant impact on any heritage or cultural aspects and will have no impact on any surface water bodies. Existing access road used for construction, thus no need to construct a new road.			
The benefits of telecommunications services in modern society are potentially limitless. The proposed activity will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage. The social benefits are considered to greatly outweigh any potential negative environmental impacts from the activity. The activity would create a more efficient telecommunications service, considered as essential to the business and private sector. The construction of the telecommunications mast is therefore considered as part of the essential services for the greater community			

13. What were the cumulative impacts (positive and negative) of the land use associated with the activity applied for?	YES	NO	Please explain
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The activity is having a very low negative cumulative impact on the visual character of the surrounding area. However, several tall blue gum trees are located to the north and east of the site, which is a mitigation measure to the associated visual impact. Due to the design of the proposed communication mast, the mast will allow for multiple service providers to attach and house their equipment on the mast, decreasing the need for additional communications masts to be erected in the area. This will therefore also have a positive cumulative impact on the area.

Another positive cumulative impact is improved communication among locals due to availability of network coverage in the surrounding area.

The benefits of telecommunications services in modern society are potentially limitless. The proposed activity will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage. Cellular communication is used more and more for data transfer and not only voice calls. Such data capabilities are important in business, education and for the public/private user, and have thus become paramount for social and economic development. The proposed telecommunication mast will have a positive impact on the socio-economics of the surrounding area as it will also provide cellular users with the option of faster internet coverage and possibly cheaper cellular rates.

14. Is/was the development the best practicable environmental option for this land/site?	YES	NO	Please explain
The best practicable environmental option for the site would have been the no-go option. However, any potential benefits of implementing the no-go option would be considered minimal. Due to the nature of the activity, and the size and location of the site, any potential negative environmental impacts are expected to be negligible. The proposed site is completely transformed from its natural state due to past agricultural development activities on the property and the proposed site is not located within a CBA or ESA. The socio-economic benefits of the activity to the community are considered to greatly outweigh any environmental benefits of not implementing the activity.			
The 25m high tree telecommunication mast was strategically placed on site and was placed adjacent to some tall bluegum trees to the north and east, which act as a mitigation measure against the potential negative visual impact.			

15. What are/were the benefits to society in general and to the local communities?	Please explain
The benefits of telecommunications services in modern society are potentially limitless. The proposed activity will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage. Cellular communication is used more and more for data transfer and not only voice calls. Such data capabilities are important in business, education and for the public/private user, and have thus become paramount for social and economic development. The proposed telecommunication mast will have a positive impact on the socio-economics of the surrounding area as it will also provide cellular users with the option of faster internet coverage and possibly cheaper cellular rates.	

16. Any other need and desirability considerations related to the activity?	Please explain
As mentioned above, the construction of the 25m high tree telecommunication mast was to increase to cellular network coverage in the surrounding area and to improve data capabilities. The constructed telecommunication mast improves communication within the surrounding area.	

17. Please describe how the general objectives of Integrated Environmental Management as set out in section 23 of NEMA were taken into account:
The general objectives of Integrated Environmental Management have been considered through the following:
The actual and potential impacts of the activity on the environment, socio-economic conditions and cultural heritage have been identified, predicted and evaluated, as well as the risks and consequences and alternatives and options for mitigation of activities, with a view to minimizing negative impact, maximizing benefits and promoting compliance with the principles of environmental management – please refer to Section F below.
The effects of the activity on the environment have been considered before actions taken in connection with them alternatives have been considered and investigated (please refer to Section E below).
Adequate and appropriate opportunity for public participation is ensured through the public participation process.
The environmental attributes have been considered in the management and decision-making of the activity – an Environmental Management Programme (EMPr) has been included (Appendix I) with the activity and must adhere to the requirements of all applicable Organs of State.

18. Please describe how the <b>principles of environmental management</b> as set out in section 2 of NEMA were taken into account:
The principles of environmental management as set out in section 2 of NEMA have been taken into account. The principles pertinent to this activity include:
<ul style="list-style-type: none"> <li>People and their needs have been placed at the forefront while serving their physical, psychological, developmental, cultural and social interests – the proposed activity will have a beneficial impact on people, especially developmental, cultural and social benefits due to increased coverage and reliability of communications.</li> <li>Development must be socially, environmentally and economically sustainable. Where disturbance of ecosystems, loss of biodiversity, pollution and degradation, and landscapes and sites that constitute the nation's cultural heritage cannot be avoided, are minimised and remedied.</li> <li>Although the activity is expected to have little to no environmental impact, these impacts have been considered, and mitigation measures have been put in place.</li> </ul>

<ul style="list-style-type: none"> <li>Where waste cannot be avoided, it is minimised and remedied through the implementation and adherence of EMPr.</li> </ul>
<ul style="list-style-type: none"> <li>The use of non-renewable natural resources is responsible and equitable – no exploitation of non-renewable natural resources occurs with the proposed activity.</li> </ul>
<ul style="list-style-type: none"> <li>The negative impacts on the environment and on people's environmental rights have been anticipated and prevented, and where they cannot be prevented, are minimised and remedied - refer to Section F below.</li> </ul>
<ul style="list-style-type: none"> <li>The interests, needs and values of all interested and affected parties will be taken into account in any decisions through the Public Participation Process - refer to Section F below.</li> </ul>
<ul style="list-style-type: none"> <li>The social, economic and environmental impacts of the activity have been considered, assessed and evaluated, including the disadvantages and benefits – refer to Section F below.</li> </ul>
<ul style="list-style-type: none"> <li>The effects of decisions on all aspects of the environment and all people in the environment have been taken into account, by pursuing what is considered the best practicable environmental option – the proposed activity is expected to have minimal/negligible environmental impacts, especially after mitigation measures as described under Section F and in the EMPr are implemented. The social benefits are considered to outweigh any potential negative environmental impacts from the activity.</li> </ul>

## SECTION E: ALTERNATIVES

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

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

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

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

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

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

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

**Please note:**

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

- Property and location/site alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

The current site and location were the only site alternative considered prior to construction. No other site or location alternatives were considered.

The site was strategically placed due to the following considerations:

- Adjacent to an existing access road, thereby preventing the construction of an access road;
- Adjacent to existing electrical infrastructure to power the mast;
- Adjacent to several tall trees to the north and east of the site;
- Not located within 32m of a watercourse or wetland;
- Not located within a Critical Biodiversity Area (CBA) or Ecological Support Area (ESA);
- Not located within a sensitive heritage / cultural area; and
- A land use application for the proposed construction of the 25m high tree telecommunication mast at its current location was approved by the City of Cape Town on 19 May 2017.

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

No activity alternatives were considered as the 25m high tree telecommunication mast is already constructed and fully operational. The Environmental Management Programme (EMPr) will be implemented to manage and mitigate the associated impacts.

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

No technology alternatives were considered.

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

No technology alternatives were considered.

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

No operational alternatives were considered prior to construction. The EMPr will be implemented to avoid and manage any potential impacts as a result of the activity throughout its lifecycle.

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

This is the option of ceasing the activity, and its associated infrastructure and rehabilitation of the site. Although this option would result in no potential negative environmental impacts, the social benefits from implementing the activity would not be achieved. A more efficient telecommunications service, considered as essential for the business sector and private/social communication, would therefore not be achieved.

The benefits of telecommunications services in modern society are potentially limitless. The proposed activity will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage. Cellular communication is used more and more for data transfer and not only voice calls. Such data capabilities are important in business, education and for the public/private user, and have thus become paramount for social and economic development. The proposed telecommunication mast will have a positive impact on the socio-economics of the surrounding area as it will also provide cellular users with the option of faster internet coverage and possibly cheaper cellular rates.

The City of Cape Town approved the consent use application for the telecommunication mast on 19 May 2017.

The nature of the proposed development is considered to be in line with the Northern District Plan 2012 and the overall vision of Council's Economic Growth Strategy (EGS) 2013.

The proposed activity is not expected to have any negative environmental impacts; therefore, there are no environmental benefits from not implementing the activity.

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

No other alternatives were considered as the unlawful activity has already been undertaken and completed.

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

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

No alternatives were considered as the unlawful activity had already been undertaken, completed and operational.



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

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

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

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

(a) Geographical and physical aspects:

The unlawful activity had an insignificant impact on any geographical or physical impacts. The site was developed on an area that was previously used for agricultural purposes and a truck depot located to the south of the site. No new road was constructed, and the site is not located within a sensitive geographical landscape and is not located within a wetland or protected area. No signs of erosion were observed on site. Please refer to Appendix D for the sight photos.

(b) Biological aspects:

Has the development impacted on critical biodiversity areas (CBAs) or ecological support areas (ESAs)?	YES	NO
If yes, please describe:		

The unlawful development had no impact on any CBAs or ESAs and is not located within a protected area. Please see figure 7 below:

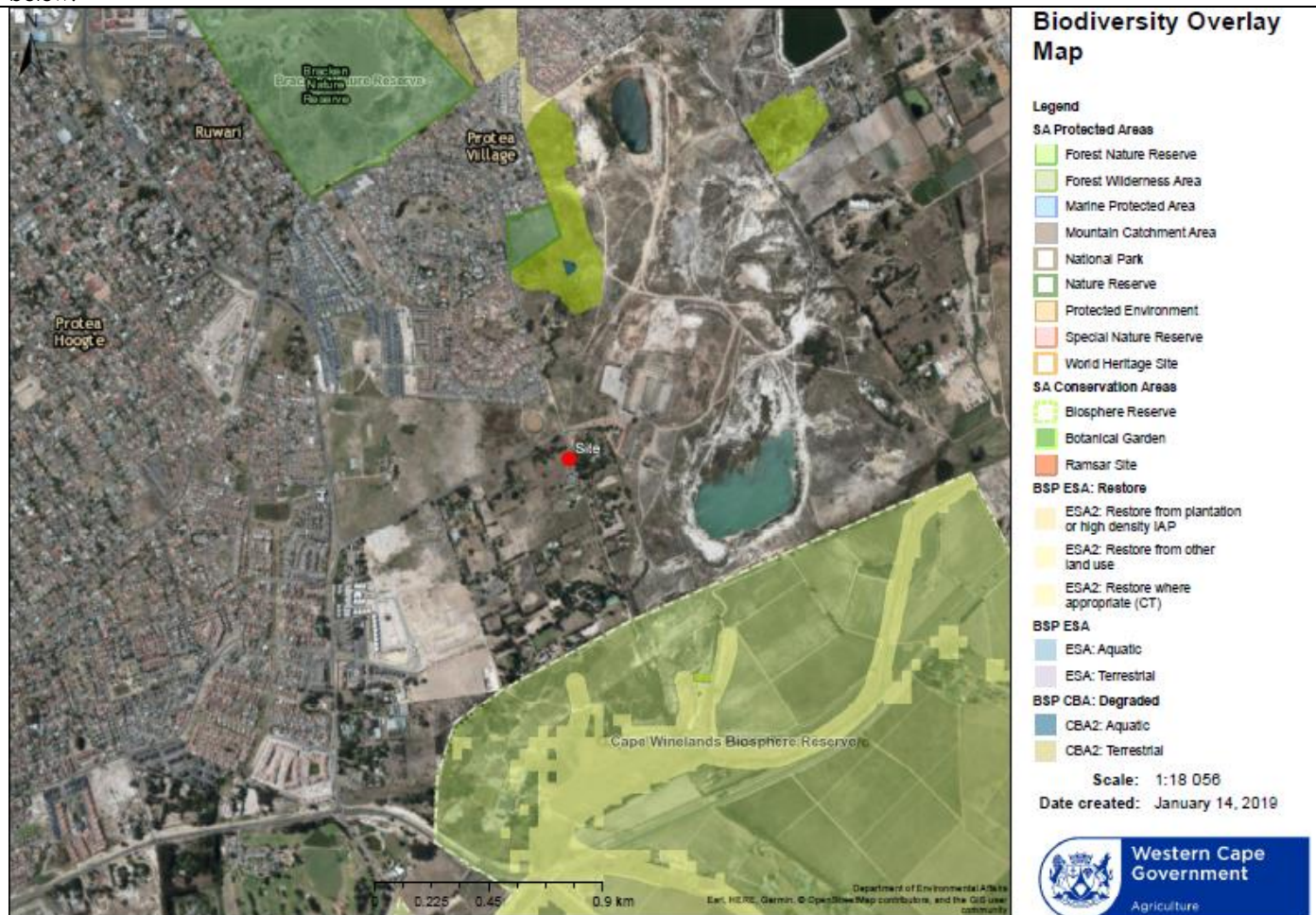


Figure 7: Biodiversity Overlay Map – the site (red dot) is not located within a CBA or ESA. The site is not located within a sensitive ecological area.

Has the development impacted on terrestrial vegetation, or aquatic ecosystems (wetlands, estuaries or the coastline)?	YES	NO
If yes, please describe:		

The unlawful development had no impact on terrestrial vegetation or aquatic ecosystems. The site is not located within 32m of any surface water resources. Please refer see figure 8 below:

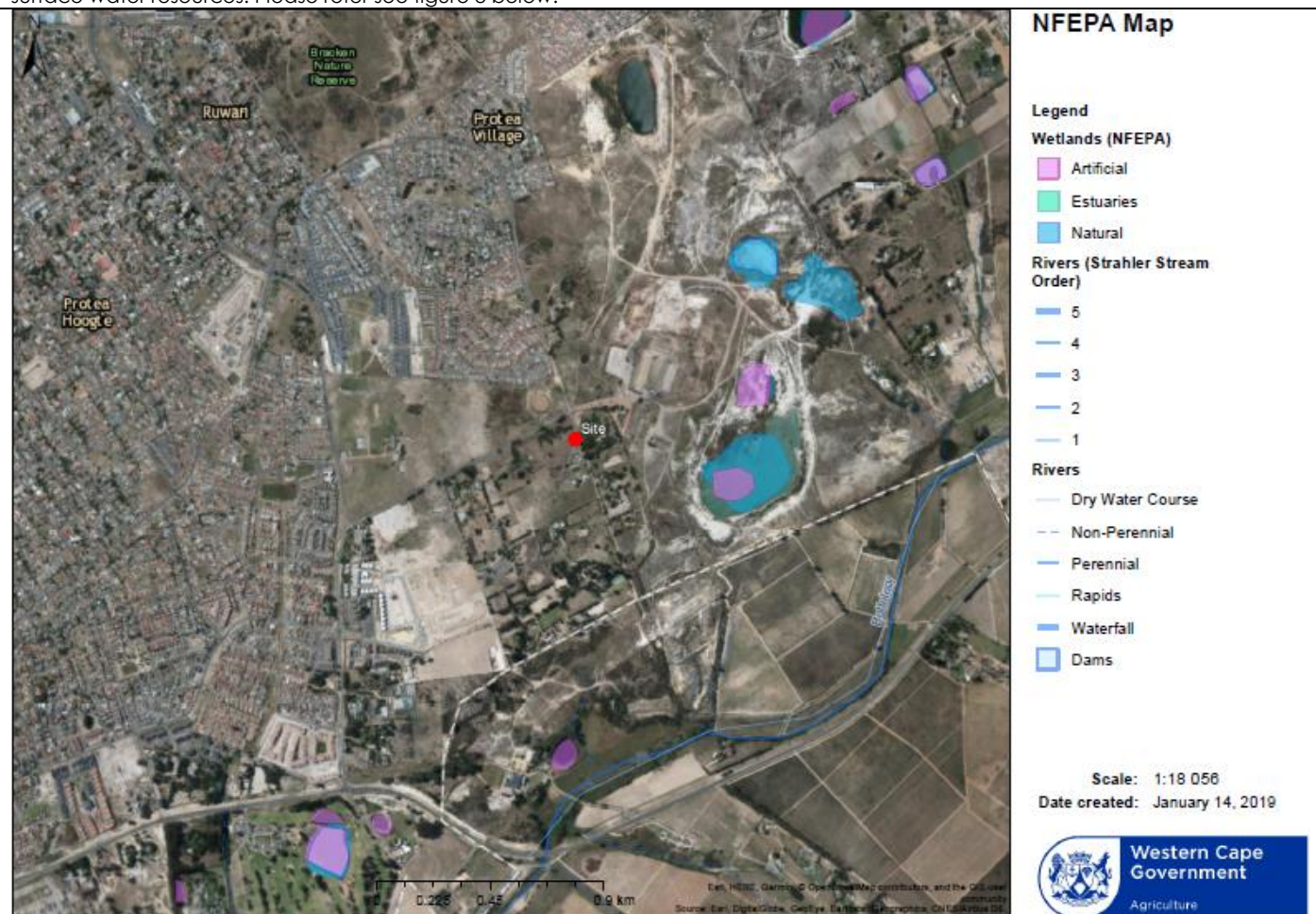


Figure 8: National Freshwater Ecosystems Priorities Map – the site (red dot) is not located within 32m of any surface water resources.

Has the development impacted on any populations of threatened plant or animal species, and/or on any habitat that may contain a unique signature of plant or animal species?	YES	NO
If yes, please describe:		
The unlawful development of the telecommunication mast was undertaken on an area that would historically have contained Swartland Granite Renosterveld (see figures 2 – 3 above). This is a Critically Endangered vegetation type / ecosystem.		
However, the site was previously used for agricultural practices and a truck depot is located immediately south of the site. No new roads were constructed as the site is adjacent to an existing access road.		
The unlawful development had an insignificant impact on Swartland Granite Renosterveld, as the site had no natural vegetation remaining and was covered with some kikuyu grass. The site was degraded state prior to the unlawful development of the telecommunication mast.		
Please describe the manner in which any other biological aspects were impacted:		
N/A.		

(c) Socio-Economic aspects:

What was the capital value of the activity on completion?	R 500 000.00
What is the (expected) yearly income or contribution to the economy that is/will be generated by or as a result of the activity?	TBC
Has/will the activity have contributed to service infrastructure?	YES NO
How many new employment opportunities were/will be created in the construction phase of the activity?	2
What was the value of the employment opportunities during the construction phase?	R 20 000.00
What percentage of this accrued to previously disadvantaged individuals?	50%
How was this ensured and monitored (please explain):	
N/A.	
How many permanent new employment opportunities were/will be created during the operational phase of the activity?	0
What is the current/expected value of the employment opportunities during the first 10 years?	Unknown
What percentage of this accrued/will accrue to previously disadvantaged individuals?	Unknown



How was/will this be ensured and monitored (please explain):
N/A.
Any other information related to the manner in which the socio-economic aspects was/will be impacted:
N/A.

## (d) Cultural and historic aspects:

The unlawful development of the 25m high tree telecommunication mast had an insignificant impact on the cultural, heritage and historical aspects of the surrounding area.
The telecommunications mast is located on the boundary of the existing modern dense residential developments of Brackenfell and Kraaifontein (Protea Heights is less than 200m away) and the rural parts of Kuilsriver. There are no structures of heritage significance in the immediate proximity of the telecommunications mast, however Hazendal Provincial Heritage Site is located approximately 1km south of the mast. Hazendal is described as a very fine Cape Dutch werf and farmstead, that performs a gateway role upon entering the Cape Winelands. The site has considerable historical, architectural, contextual, scenic and landscape significance and has been Graded II according to the Stellenbosch Municipality Heritage Survey.
A Heritage Screener was commissioned by CTS Heritage and can be found under Appendix H. The Heritage Screener concluded that due to the location and nature of the proposed development, it is unlikely that significant heritage resources will be impacted by the development and as such, it is recommended that no further heritage studies are required

**2. WASTE AND EMISSIONS**

## (a) Waste (including effluent) management

Did the activity produce waste (including rubble) during the construction phase?	YES	NO
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	m <sup>3</sup>	
General construction waste was produced during the construction phase and dumped at an approved municipal land fill site within the City of Cape Town.	Unknown	

Does the activity produce waste during its operational phase?	YES	NO
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	m <sup>3</sup>	

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

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

## (b) Emissions into the atmosphere

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

### 3. WATER USE

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

Municipal	Water-board	Groundwater	River, Stream, Dam or Lake	Other	The activity did/does/will not use water
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If water was extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate the volume that was extracted per month:

m<sup>3</sup>

Please provide proof of assurance of water supply (e.g. Letter of confirmation from municipality / water user associations, yield of borehole)

Did/does the activity require a water use permit / license from DWA?

YES

NO

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

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

N/A.

### 4. POWER SUPPLY

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

Electricity is sourced directly from Eskom. The power requirements are relatively low for such a development.

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

N/A.

### 5. ENERGY EFFICIENCY

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

All equipment is ISO 14001 compliant.

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

N/A.

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

Please note:

- While sections are provided for impacts on certain aspects of the environment and certain impacts, the sections should also be copied and completed for all other impacts.
- Mitigation measures that were implemented and mitigation measures that are to be implemented should be clearly distinguished.

- (a) **Impacts that resulted from the planning, design and construction phases (briefly describe and compare the impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that occurred as a result of the planning, design and construction phases.**

Impacts on geographical and physical aspects: Erosion as a result of construction	
Nature of impact:	Erosion to the site as a result of construction activities
Extent and duration of impact:	Local, Duration of construction phase
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Completely reversible through implementation of the EMPr.
Degree to which the impact may cause irreplaceable loss of resources:	Negligible
Cumulative impact prior to mitigation:	Negligible
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Negligible
Degree to which the impact can be mitigated:	High, implementation of the EMPr.
Proposed mitigation:	<ul style="list-style-type: none"> <li>Revegetate the area surrounding the site with appropriate vegetation and avoid stormwater runoff. Implementation of the EMPr.</li> </ul>
Cumulative impact post mitigation:	Negligible
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low positive

Impact on biological aspects: Loss of vegetation and Critical Biodiversity Areas	
Nature of impact:	The impact of the unlawful construction of the telecommunication mast on the clearance of vegetation on site. The site contained no natural vegetation prior to construction and was covered with Kikuyu grass, even though the vegetation map indicates that the site would historically have contained Swartland Granite Renosterveld (critically endangered). However, at the time of construction the site was completely transformed due to past agricultural activities and covered with kikuyu grass.
Extent and duration of impact:	Local, during construction
Probability of occurrence:	Unlikely
Degree to which the impact can be reversed:	Low, the site was in a degraded state and completely transformed prior to construction.
Degree to which the impact may cause irreplaceable loss of resources:	Highly Unlikely
Cumulative impact prior to mitigation:	Negligible
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Negligible
Degree to which the impact can be mitigated:	Low Positive.
Proposed mitigation:	<ul style="list-style-type: none"> <li>• Removal of alien vegetation on site;</li> <li>• Revegetate the area surrounding the site with appropriate indigenous vegetation; and</li> <li>• Implementation of the EMPr.</li> </ul>
Cumulative impact post mitigation:	Very low negative
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Negligible

Impact on biological aspects: Freshwater Resources	
Nature of impact:	The impact of the unlawful construction of the telecommunication mast on watercourses and wetlands surrounding the site. However, the site is not located within 32m of any watercourse or wetland. The nearest artificial wetland is approximately 428m east of the site and Bottelary River approximately 970m south of the site. The unlawful activity had therefore no impact on any surface resources.
Extent and duration of impact:	Local and during construction.
Probability of occurrence:	Highly Unlikely
Degree to which the impact can be reversed:	High
Degree to which the impact may cause irreplaceable loss of resources:	Highly Unlikely
Cumulative impact prior to mitigation:	Negligible
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Negligible
Degree to which the impact can be mitigated:	Low positive
Proposed mitigation:	<ul style="list-style-type: none"> <li>• No construction activities to take place within 32m of any watercourse or wetland;</li> <li>• No construction waste to be dumped into any water resource;</li> <li>• Implementation of the EMPr.</li> </ul>
Cumulative impact post mitigation:	Negligible
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low positive

Impacts on socio-economic aspects:	
Nature of impact:	Temporary jobs will be created in the construction industry during the construction phase.
Extent and duration of impact:	Local, during the construction phase
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	Highly Unlikely. This is a positive impact.
Cumulative impact prior to mitigation:	Low-positive
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low-positive
Degree to which the impact can be mitigated:	N/A. This is a positive impact. Temporary jobs will be created during the construction phase.
Proposed mitigation:	N/A. This is a positive impact. Temporary jobs will be created during the construction phase. No mitigation measures required.

Cumulative impact post mitigation:	Low-Positive
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low-Positive

Impacts on cultural-historical aspects: Erosion of the rural and cultural landscape	
Nature of impact:	The unlawful construction of the 25m high tree telecommunication mast within the rural area of Brackenfell. Could slightly contribute to the erosion of the rural character of the area. However, it is very unlikely the mast will be visible from these landscape units (Bracken Nature Reserve) as well as the distance from the nearest residential areas, as well as the screening provided by existing trees of similar height. The telecommunication mast was constructed adjacent to some tall blue gum trees and is hardly visible from Crammox Road to the north. There are no structures of heritage significance in the immediate proximity of the telecommunications mast. Please refer to Appendix H1 for the Heritage Screener.
Extent and duration of impact:	Local, during construction.
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	Low - Negative
Cumulative impact prior to mitigation:	Low Negative
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low Negative
Degree to which the impact can be mitigated:	Low negative
Proposed mitigation:	<ul style="list-style-type: none"> <li>• Restrict the height of the mast to only 25m;</li> <li>• Construct a monopole mast; and</li> <li>• Implementation of the EMPr.</li> </ul>
Cumulative impact post mitigation:	Very Low - negative
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low Negative

Noise impacts: Noise from Construction Machinery	
Nature of impact:	Construction noise during construction
Extent and duration of impact:	Local, during construction
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	Negligible
Cumulative impact prior to mitigation:	Very low negative
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Negligible
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	<p>The following measures should be implemented amongst others:</p> <ul style="list-style-type: none"> <li>• The Contractor shall endeavour to keep noise generating activities to a minimum.</li> <li>• Construction only to take place during normal working hours. No construction on Sundays.</li> <li>• Compliance with the appropriate legislation with respect to noise shall be mandatory.</li> <li>• Implementation of the EMPr.</li> </ul>
Cumulative impact post mitigation:	Negligible
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Negligible

Visual impacts / Sense of Place: Visual aspect during construction	
Nature of impact:	The development of the mast has a visual impact because of the height of the mast (25m in height) located within the rural area of Brackenfell, Cape Town.
Extent and duration of impact:	Local, during construction
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Likely
Degree to which the impact may cause irreplaceable loss of resources:	Low - negative
Cumulative impact prior to mitigation:	Low - negative
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low – medium negative

Degree to which the impact can be mitigated:	Low negative
Proposed mitigation:	<ul style="list-style-type: none"> <li>• Restrict the height of the mast to only 25m;</li> <li>• Construct a monopole free mast; and</li> <li>• Implementation of the EMPr.</li> </ul>
Cumulative impact post mitigation:	Low - negative
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low - negative

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

<b>Impacts on the geographical and physical aspects: No geographical or physical aspects expected.</b>	
Nature of impact:	No geographical or physical aspects expected.
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Impact on biological aspects: No biological aspects expected.</b>	
Nature of impact:	No biological aspects expected.
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Impacts on the socio-economic aspects:</b>	
Nature of impact:	Improved network coverage in the area. The proposed activity will increase the coverage of telecommunications services, including providing a more reliable and wider coverage. The proposed mast will have a positive impact on the socio-economics of the surrounding area as it will provide communication users with the option of faster internet coverage, cheaper cellular rates and available, stable network coverage which could be critical in the case of an emergency.
Extent and duration of impact:	Definite, during operational phase
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	Low-positive (improved network coverage)
Cumulative impact prior to mitigation:	Low-positive
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low-positive
Degree to which the impact can be mitigated:	Medium
Proposed mitigation:	N/A. This is a positive impact. No mitigation measures required.
Cumulative impact post mitigation:	N/A. This is a positive impact. No mitigation measures required.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low-positive

<b>Impacts on the cultural-historical aspects:</b>	
<b>No heritage or cultural aspects are expected to be impacted during the operational phase since no cultural or historic aspects</b>	

<b>were identified on site.</b>	
Nature of impact:	N/A.
Extent and duration of impact:	N/A.
Probability of occurrence:	N/A.
Degree to which the impact can be reversed:	N/A.
Degree to which the impact may cause irreplaceable loss of resources:	N/A.
Cumulative impact prior to mitigation:	N/A.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.
Degree to which the impact can be mitigated:	N/A.
Proposed mitigation:	N/A.
Cumulative impact post mitigation:	N/A.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.

<b>Noise impacts: The activity is not expected to have any noise impacts during the operational phase.</b>	
Nature of impact:	N/A.
Extent and duration of impact:	N/A.
Probability of occurrence:	N/A.
Degree to which the impact can be reversed:	N/A.
Degree to which the impact may cause irreplaceable loss of resources:	N/A.
Cumulative impact prior to mitigation:	N/A.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.
Degree to which the impact can be mitigated:	N/A.
Proposed mitigation:	N/A.
Cumulative impact post mitigation:	N/A.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.

<b>Visual impacts / Sense of Place:</b>	
Nature of impact:	The development of the mast has a visual impact because of the height of the mast (25m in height) located within the rural area of Brackenfell, Cape Town.
Extent and duration of impact:	Local, during operational phase
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	Very low negative
Cumulative impact prior to mitigation:	Low negative
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium Negative
Degree to which the impact can be mitigated:	Low Positive
Proposed mitigation:	<ul style="list-style-type: none"> <li>• Restrict the height of the mast to only 25m;</li> <li>• Construct a monopole tree mast; and</li> <li>• Implementation of the EMP.</li> </ul>
Cumulative impact post mitigation:	Negligible
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low Negative

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

<b>Potential impacts on the geographical and physical aspects:</b>	
<b>Decommissioning of the telecommunication mast is not planned and therefore no impacts are assessed for 'decommissioning' or 'closure'.</b>	
Nature of impact:	N/A.
Extent and duration of impact:	N/A.
Probability of occurrence:	N/A.
Degree to which the impact can be reversed:	N/A.
Degree to which the impact may cause irreplaceable loss of resources:	N/A.
Cumulative impact prior to mitigation:	N/A.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.
Degree to which the impact can be mitigated:	N/A.
Proposed mitigation:	N/A.
Cumulative impact post mitigation:	N/A.



Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.
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**Potential impact on biological aspects:**

**Decommissioning of the telecommunication mast is not planned and therefore no impacts are assessed for 'decommissioning' or 'closure'.**

Nature of impact:	N/A.
Extent and duration of impact:	N/A.
Probability of occurrence:	N/A.
Degree to which the impact can be reversed:	N/A.
Degree to which the impact may cause irreplaceable loss of resources:	N/A.
Cumulative impact prior to mitigation:	N/A.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.
Degree to which the impact can be mitigated:	N/A.
Proposed mitigation:	N/A.
Cumulative impact post mitigation:	N/A.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.

**Potential impacts on the socio-economic aspects:**

**Decommissioning of the telecommunication mast is not planned and therefore no impacts are assessed for 'decommissioning' or 'closure'.**

Nature of impact:	N/A.
Extent and duration of impact:	N/A.
Probability of occurrence:	N/A.
Degree to which the impact can be reversed:	N/A.
Degree to which the impact may cause irreplaceable loss of resources:	N/A.
Cumulative impact prior to mitigation:	N/A.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.
Degree to which the impact can be mitigated:	N/A.
Proposed mitigation:	N/A.
Cumulative impact post mitigation:	N/A.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.

**Potential impacts on the cultural-historical aspects:**

**Decommissioning of the telecommunication mast is not planned and therefore no impacts are assessed for 'decommissioning' or 'closure'.**

Nature of impact:	N/A.
Extent and duration of impact:	N/A.
Probability of occurrence:	N/A.
Degree to which the impact can be reversed:	N/A.
Degree to which the impact may cause irreplaceable loss of resources:	N/A.
Cumulative impact prior to mitigation:	N/A.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.
Degree to which the impact can be mitigated:	N/A.
Proposed mitigation:	N/A.
Cumulative impact post mitigation:	N/A.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.

**Potential noise impacts:**

**Decommissioning of the telecommunication mast is not planned and therefore no impacts are assessed for 'decommissioning' or 'closure'.**

Nature of impact:	N/A.
Extent and duration of impact:	N/A.
Probability of occurrence:	N/A.
Degree to which the impact can be reversed:	N/A.
Degree to which the impact may cause irreplaceable loss of resources:	N/A.
Cumulative impact prior to mitigation:	N/A.
Significance rating of impact prior to mitigation	N/A.

(Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	N/A.
Proposed mitigation:	N/A.
Cumulative impact post mitigation:	N/A.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.

**Potential visual impacts:**

**Decommissioning of the telecommunication mast is not planned and therefore no impacts are assessed for 'decommissioning' or 'closure'.**

Nature of impact:	N/A.
Extent and duration of impact:	N/A.
Probability of occurrence:	N/A.
Degree to which the impact can be reversed:	N/A.
Degree to which the impact may cause irreplaceable loss of resources:	N/A.
Cumulative impact prior to mitigation:	N/A.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.
Degree to which the impact can be mitigated:	N/A.
Proposed mitigation:	N/A.
Cumulative impact post mitigation:	N/A.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.

**(d) Any other impacts:** No other impacts have been identified and assessed.

Potential impact:	N/A.
Nature of impact:	N/A.
Extent and duration of impact:	N/A.
Probability of occurrence:	N/A.
Degree to which the impact can be reversed:	N/A.
Degree to which the impact may cause irreplaceable loss of resources:	N/A.
Cumulative impact prior to mitigation:	N/A.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.
Degree to which the impact can be mitigated:	N/A.
Proposed mitigation:	N/A.
Cumulative impact post mitigation:	N/A.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A.

**Please note:** If any of the above information is not available, specialist input may be requested.

## 7. SPECIALIST INPUTS/STUDIES AND RECOMMENDATIONS

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

Specialist inputs/studies and recommendations:

CTS Heritage was commissioned to undertake a Heritage Screener for the unlawful development and is attached as <b>Appendix H1</b> .
The heritage resources in the area are sufficiently recorded. Due to the location and nature of the proposed development, it is unlikely that significant heritage resources will be impacted by the development, and it is recommended that no further heritage studies are required.

## 8. IMPACT ASSESSMENT SUMMARY

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

Impacts	Significance rating of impacts after mitigation (Low, Medium, Medium-High, High, Very High):
<b>Construction Phase</b>	
Geographical & Physical Aspects: Erosion	Negligible
Biological Aspects: Loss of vegetation and Critical Biodiversity Areas (CBAs)	Negligible
Biological Aspect: Freshwater Resources	Negligible
Socio-economic Aspect	Low-positive (job creation and improved cellular network coverage)
Cultural-historical Aspects: Erosion of the rural and cultural landscape	Very low negative
Noise Aspects	Low-negative (construction noise)
Visual Aspect	Low-Medium negative
<b>Operational Phase</b>	
Geographical & Physical Aspects: Erosion	No impact expected
Biological Aspects: Loss of vegetation and Critical Biodiversity Areas (CBAs)	No impact expected
Biological Aspect: Freshwater Resources	No impact expected
Socio-economic Aspect	Low-positive (improved cellular network coverage)
Cultural-historical Aspects: Erosion of the rural and cultural landscape	Negligible
Noise Aspects	No impact expected.
Visual Aspect	Low Negative
<b>Decommissioning Phase</b>	
The unlawful development does not require 'decommissioning' or 'closure', as such the potential impacts thereof is considered irrelevant.	

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

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

<p><b>Summary:</b></p> <p>An area of approximately 67m<sup>2</sup> was cleared for the unlawful construction of a 25m high tree telecommunication mast on Portion 47 of Farm 222, Brackenfell, Western Cape. However, the site was covered with kikuyu grass prior to commencement and was completely transformed from its natural condition due to past development activities on the property.</p> <p>The unlawful activity had a negligible impact in terms of erosion and no erosion gullies were observed on site. The unlawful activity has an insignificant impact on threatened vegetation and the site is not located within a Critical Biodiversity Area (CBA) or Ecological Support Area (ESA). In addition to the aforementioned, the activity had no impact on any surface water resources as the site is not located in or within 32m any watercourse or wetland. Localised construction noise was created during the construction phase and was limited to the site and had a very low negative impact. As a mitigation measure, construction activities were limited to normal working hours. No noise is expected during the operational phase.</p> <p>A low positive impact associated with the socio-economic aspect of the unlawful development during the construction and operational phases. The unlawful activity increases the cellular network coverage in the surrounding area and temporary employment created during the construction phase.</p> <p>The unlawful development had a very low negative impact on cultural-historical aspects. CTS Heritage was commissioned to undertake a Heritage Screener for the unlawful development and is attached as Appendix H1. The heritage resources in the area are sufficiently recorded. Due to the location and nature of the proposed development, it is unlikely that significant heritage resources will be impacted by the development and as such, it is recommended that no further heritage studies are required.</p> <p>The unlawful activity had a low-Medium negative visual impact during the construction phase. The activity has a low negative visual impact during the operational phase, a tree type mast was constructed to reduce the associated visual impact, as the site is located adjacent to some tall blue gum trees. The tall trees also act as visual screener for the site, thereby reducing the telecommunication mast's visibility from Crammix Road.</p>
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## 10. OTHER MANAGEMENT, MITIGATION AND MONITORING MEASURES

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

### Visual aspects

Objectives: To minimise potential negative visual impacts during the operational phase

Mitigation measure:

- A 25m high tree mast should be maintained as it blends in with the surrounding environment. The site is located adjacent to some tall blue gum trees.
- Restrict the height of the tree telecommunication mast to 25m in height only.
- Implementation of the Environmental Management Programme (EMPr).

### Socio-economic aspects

Objectives: To improve the positive socio-economic impact and to avoid any potential negative aspects on site and surrounding area.

Mitigation measures:

- Adjacent, and nearby Property owners or property occupiers must be treated with respect and courtesy at all times. The cultural lifestyles of the communities living near the construction areas must be respected. Cognisance of the visual and noise impacts of construction activities must be taken, and all possible efforts to minimise these impacts must be taken.
- No other mitigation measures were identified as this is a positive socio-economic impact as it increases the cellular network coverage at the site and surrounding area.

### Heritage and Cultural-Historic aspects

Objectives: To improve the cultural-historic aspects on site and surrounding area.

Mitigation measures:

- If remains or artefacts are discovered on Site during earthworks, work in the vicinity must cease and the Contractor must immediately inform the Engineer and the ECO who must contact Heritage Western Cape and/or the South African Heritage Resources Agency ("SAHRA") for information on the appropriate course of action to be taken.
- If previously unknown archaeological features are exposed during the construction phase, the Contractor should inform the Engineer and the ECO who will advise Atlas Towers on the necessary course of action.
- Note that the Contractor may not, without a permit issued by the responsible heritage resource authority; destroy, damage, excavate, alter, deface or otherwise disturb any archaeological site or archaeological material. The latter is a criminal offence under the National Heritage Resources Act (No. 25 of 1999).

The Environmental Management Programme (EMPr) is required to address the protection and ongoing management of the natural resources both on and off the site during the operational stages of the development. The overarching goal is to ensure that undue or reasonably avoidable impacts of the proposed development are avoided and that positive impacts of the development are enhanced.

The following points of action must be considered during the operational phase (maintenance activities) to avoid any environmental impacts:

- All maintenance activities will consider the environment and surrounding businesses, residences and residents.
- The Applicant will ensure that any maintenance activities that are undertaken are carried out in line with the specifications and recommendations set out in section H this document.
- Any incidents that have resulted in a significant negative impact on the environment are to be reported to the Department of Environmental Affairs and Development Planning ("DEA&DP").
- The site must be securely fenced off, with no public access to the installation.

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

Under South African environmental legislation, the Applicant / Employer is accountable for the potential impacts of the activities that are undertaken and is responsible for managing these impacts. Atlas Towers (Pty) Ltd. as the Applicant / Employer therefore has overall and total environmental responsibility to ensure that the implementation of the construction phase of this EMPr complies with the relevant legislation and the conditions of the environmental authorisation.

The developer will be responsible for the development and implementation of the conditions of the Environmental Authorisation in terms of the design of the development and construction thereof. The developer will thus be responsible for the implementation of the attached EMPr. The applicant has shown commitment to implement management, mitigation and

monitoring measures as specified in the recommendations in and the EMPr.

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

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

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

The scope of the study has been determined with reference to the requirements of the relevant legislation, namely the NEMA EIA Regulations, 2014, as amended, and the NEMA EIA regulations relating to the procedure to be followed and criteria to be considered when determining an appropriate fine in terms of section 24 G Fine Regulations, 2017.

The main responsibilities of the environmental consultant would include but not be limited to, the following, as stipulated in the EIA Regulations 2014, as amended:

- Submission of the required Application Form to the relevant authority, in order to register the proposed project, and obtain the applicable reference number;
- Consultation with the relevant authorities and stakeholders, through the Section 24G process, to ensure that identification of relevant issues or concerns are undertaken. Ensure the assessment of and response to the issues that are raised are addressed in the comments and responses report;
- Consideration of the applicable Legislation, Guidelines, Policies and By-Laws;
- Compilation of the required S24G Application, describing the unlawful activity, the affected environment, the potential environmental impacts, all applicable legislation and applicable guidelines, the detail of the public participation process followed, and the findings of the specialist studies and recommendations and/or mitigations measures to be implemented during construction and operation;
- Public Participation undertaken in accordance with Regulation 8 of the fine regulations;
- The S24G Application contains the information as set out in Annexure A of the fine regulations;
- Submission of the above-mentioned documents to the public for comment and to the authority (DEA&DP) for a decision.

The aim of this S24G Application is to ensure that the demands of sustainable development are met on a project level, within the context of the greater area in need of the applicable listed activity. The most common definition of sustainable development is development that meets the needs of the present while not compromising the need of future generations to meet their own needs.

This Section 24G process is therefore being undertaken within sustainable development as a goal. The assessment looked at the impacts of the unlawful development on the environment and assesses the significance of these, as well as proposed mitigation measures, as required, to ensure positive impacts and/or to reduce anticipated negative impacts to an acceptable level where they could not be avoided.

The assessment methods used are adequate for the nature of the application and the nature of the site.

(b) Please describe the assessment criteria used.

The following impact rating approach used by EnviroAfrica CC is a basic exponential rating system to assess actual and potential negative and positive environmental impacts.

Environmental activities or aspects are identified, based on:

- ☐ the phases of the project,
- ☐ the nature (or description) of the actual and potential impacts of the activities.

For every project activity or aspect, various environmental impacts are listed. Every negative impact is allocated a -value as per each of the following criteria:

- ☐ Probability (Likelihood)
- ☐ Extent
- ☐ Duration (Frequency)
- ☐ Consequence (Receiving Environment)
- ☐ Magnitude (Intensity/severity)

Every negative impact is allocated a +value as per each of the following criteria:

- ☐ Probability (Likelihood)
- ☐ Extent
- ☐ Duration (Frequency)



☐ Magnitude (Intensity/severity)

Once a value is allocated for each of the criterion, the scores are averaged to determine the final impact rating see Table 1 below.

EnviroAfrica then further assesses environmental significance, based on the nature of the impact, as per the score and colour key which forms part of Table 1 below. This results in impacts having either a low (indicated in green), medium (indicated in yellow) or high (indicated in orange and red) negative significance, and a low (light blue), medium (blue) or a high (dark blue) positive significance.

Note: i. As a baseline, impact rating values/scores are allocated taking the worst case scenario into account i.e. with no mitigation. The baseline rating is compared with those after mitigation has been taken into account i.e. the post-mitigation rating. Post mitigation rating is used for the actual impact assessment.

SIGNIFICANCE CRITERIA	Very High	High	Medium	Low	Negligible (very-low)	Score
Value	16	8	4	2	1	
Probability (likelihood) (P)	Definite. Impact will definitely occur (impact will occur regardless of any prevention measures)	Highly probable. Very likely for impact to occur.	Probable. Impact may likely occur.	Improbable. Impact may occur. Distinct Possibility	Improbable. Low likelihood/unlikely for impact to occur.	
Extent (E)	Impact potentially reaches beyond national boundaries	Impact has definite provincial/potential national consequences	Impact confined to regional area/ town	Impact confined to local region and impact on neighbouring properties	Impact confined to project property / site	
Duration (D)	Permanent	Long-Term	Medium-term	Short-term	Very short/ temporary	
Magnitude (Intensity/ Severity) (M)	It is expected that the activity will have a very severe to permanent impact on the surrounding environment. Functioning irreversibly impaired. Rehabilitation often impossible or unfeasible	It is expected that the activity will have a severe impact on the surrounding environment. Functioning may be severely impaired and may be temporarily cease. Rehabilitation will be needed to restore system integrity	It is expected that the activity will have an impact on the surrounding environment, but it will maintain its function, even if moderately modified (overall integrity not compromised). Rehabilitation easily achieved	It is expected that the activity will have a perceptible impact on the surrounding environment, but it will maintain its function, even if slightly modified (overall integrity not compromised). Rehabilitation easily achieved	It is expected that the impact will have little or no effect on the integrity of the surrounding environment	
Receiving environment (Consequence): (RE)	Very sensitive, pristine area – protected site or species permanently or seasonally present	Unused area containing only indigenous fauna / flora species	Unused area containing indigenous and alien fauna / flora species	Semi-disturbed area already rehabilitated / recovered from prior impact, or with moderate alien vegetation	Disturbed area/ transformed/ heavy alien vegetation	
FINAL RATING (average score)						

Table 1: Environmental Significance Rating Methodology (rating criteria and significance key).

(c) Please describe the gaps in knowledge.

There are no significant gaps of knowledge that have been identified.

(d) Please describe the underlying assumptions.

The following assumptions are made:

- The information on which the report is based (i.e. project information) is correct.
- The construction and management of this development will be in line with the recommendations in this report, which will be enforced by the implementation of a detailed Environmental Management Programme ("EMPr").
- That an Environmental Control Officer ("ECO") be appointed as per the EMPr.
- Much of the long-term success lies in the effective implementation of the measures prescribed in the EMPr.

(e) Please describe the uncertainties.

There are no uncertainties that we are aware of at present.

## SECTION H: RECOMMENDATIONS OF THE EAP

In my view (EAP), the information contained in the Application and the documentation attached hereto is sufficient to make a decision in respect of the activity applied for.

YES

NO

If "NO", list the aspects that should be further assessed through additional specialist input/assessment:

No further assessments are required.

If "YES", please indicate below whether in your opinion the applicant should be directed to cease the activity or if it should be authorised:

Applicant should be directed to cease the activity:

YES

NO

Please provide reasons for your opinion
<p>The unlawful activity should be authorised for the following reasons:</p> <ul style="list-style-type: none"> <li>• The communication mast, allows for multiple service providers to attach and house their equipment on the mast, decreasing the need for additional communications masts to be erected in the area.</li> <li>• The benefits of telecommunications services in modern society are potentially limitless. The proposed activity will increase the coverage of these telecommunications services, including providing a more reliable and wider coverage.</li> <li>• The social benefits are considered to greatly outweigh any potential negative environmental impacts from the activity. The activity would create a more efficient telecommunications service, considered as essential to the business and private sector.</li> <li>• The construction of the telecommunications mast is considered as part of the essential services for the greater community. The data capabilities provided by the proposed mast are important in business, education and for the public, and has thus become paramount for social and economic development.</li> <li>• The impact on the visual character of the area is expected to be low but acceptable.</li> <li>• The proposed site is not located within a Critical Biodiversity Area ("CBA") or Ecological Support Area ("ESA") and the proposed site has no natural vegetation present. There are no significant biodiversity features present on site and the site contains no natural vegetation (only patches of kikuyu grass).</li> <li>• The proposed site is not located within a CBA or ESA and no populations of threatened plant or animal species were observed on site. No cultural or historical aspects were identified on the site.</li> <li>• The proposed communications mast is not expected to produce any noise or odours during the operational phase.</li> <li>• Some noise can be expected during the construction phase, but this will be temporary and expected to be negligible.</li> <li>• The EMPr will be implemented to manage the activities on site and an ECO will be appointed to oversee the construction activities on site.</li> <li>• Considering all the information, it is not envisaged that this proposed development will have an insignificant negative impact on the environment.</li> <li>• A land use application for the proposed construction of the 25m high tree telecommunication mast at its current location was approved by the City of Cape Town on 19 May 2017.</li> </ul> <p>It is therefore recommended that this application be authorised with the necessary conditions of approval as described throughout this Section 24G Application.</p>
If you are of the opinion that the activity should be authorised, then please provide any conditions, including mitigation measures that should in your view be considered for inclusion in an authorisation.
The recommendations and mitigation measures as contained in this Section 24G Application and EMPr must be implemented to mitigate any potential negative environmental impacts.
The 25m high tree telecommunication mast and associated infrastructure in Appendix B should be authorised with certain conditions as deemed appropriate by the competent authority.

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

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

### Please note:

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

## SECTION J: PUBLIC PARTICIPATION

### 1. PUBLIC PARTICIPATION PROCESS TO BE FOLLOWED

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

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

<b>"The applicant must place a preliminary advertisement in-</b>
(1) A local newspaper in circulation in the area in which the activity was, or activities were, commenced; and on the applicant's website, if any.
(2) This advertisement must comply with the requirements set out in Annexure A, Section D of the Section 24G Fine Regulations, 2017.
(3) The applicant must open and maintain a register of interested and affected parties.

- (4) The **register must be attached to the application form and included in the report**, or form part of the information submitted in terms of section 24G(1) of the Act, which the register must, as a minimum, contain the names, contact details and addresses of-
- (a) all persons who, as a consequence of the public participation process conducted in respect of the application, have submitted written comments or attended meetings with the applicant or any environmental assessment practitioner or other specialist appointed by the applicant to assist with the application;
- (b) all persons who have requested the applicant, in writing, to place their names on the register; and
- (c) all organs of state that have jurisdiction in respect of the activity to which application relates."

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

05/02/2019 – Site poster placement done.

05/02/2019 – Maildrops to surrounding land owners done.

03/04/2019 – Initial notification letter sent to potential I&APs.

20/02/2019 – Newspaper advertisement in Tygerburger

Please indicate whether the applicant has a website (please tick relevant box):

YES

NO

If yes, please note that the application information as specified above must have been advertised on such website and proof thereof must accompany this application.

The newspaper advertisement has not been placed on the applicant's website.

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

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

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

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

1. In terms of regulation 41 of the EIA Regulations, 2014 -			
(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -			
(i) the site where the activity to which the application relates is or is to be undertaken; and	YES	DEVIATION	
(ii) any alternative site	YES	DEVIATION	
(b) giving written notice, in any manner provided for in section 47D of the NEMA, to –			
(i) the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES	DEVIATION	N/A
(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES	DEVIATION	
(iii) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;	YES	DEVIATION	
(iv) the municipality (Local and District Municipality) which has jurisdiction in the area;	YES	DEVIATION	
(v) any organ of state having jurisdiction in respect of any aspect of the activity; and	YES	DEVIATION	
(vi) any other party as required by the Department;	YES	DEVIATION	N/A
(c) placing an advertisement in -			
(i) one local newspaper; or	YES	DEVIATION	
(ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	YES	DEVIATION	N/A
(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken	YES	DEVIATION	N/A

(e) using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to— (i) illiteracy; (ii) disability; or (iii) any other disadvantage.	YES	DEVIATION	N/A
If you have indicated that "DEVIATION" applies to any of the above, then Section 2. below must be completed.			
NOTE: 2. The NEM: WA requires that a notice must be placed in at least two newspapers.			
If applicable, have/will an advertisement be placed in at least two newspapers?	YES	NO	
If "NO", then an application for exemption from the requirement must be applied for.			

1. Provide a list of all the state departments that has been / will be consulted:		
List of State Depts.	Comment (YES/NO)	If not, provide reasons
Department of Agriculture	No	A copy of the S24G Application Form, Environmental Management Programme (EMPr) and associated appendices will be distributed to Organs of State in due course as required in terms of S24O of the NEMA.
Department of Water and Sanitation	No	A copy of the S24G Application Form, Environmental Management Programme (EMPr) and associated appendices will be distributed to Organs of State in due course as required in terms of S24O of the NEMA.
Department of Health	No	A copy of the S24G Application Form, Environmental Management Programme (EMPr) and associated appendices will be distributed to Organs of State in due course as required in terms of S24O of the NEMA.
Heritage Western Cape	No	A copy of the S24G Application Form, Environmental Management Programme (EMPr) and associated appendices will be distributed to Organs of State in due course as required in terms of S24O of the NEMA.
City of Cape Town: Environmental & Heritage Management – Northern Region	No	A copy of the S24G Application Form, Environmental Management Programme (EMPr) and associated appendices will be distributed to Organs of State in due course as required in terms of S24O of the NEMA.
Ward Councillor – Ward 8	No	A copy of the S24G Application Form, Environmental Management Programme (EMPr) and associated appendices will be distributed to Organs of State in due course as required in terms of S24O of the NEMA.
South African Civil Aviation Authority	No	A copy of the S24G Application Form, Environmental Management Programme (EMPr) and associated appendices will be distributed to Organs of State in due course as required in terms of S24O of the NEMA.

<p>2. Provide a summary of the issues raised by I&amp;APs and an indication of the manner in which the issues raised were incorporated, or the reasons for not being incorporated or addressed. (The details of the outcomes of this process, including supporting information must be included in the Comments and Report to be attached to this application as Appendix G.)</p> <p>No comments were received to date.</p>
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3. Provide a summary of any conditional aspects identified / highlighted by any Organs of State, which have jurisdiction in respect of any aspect of the relevant activity.

No comments were received to date

Please note:

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

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

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

N/A. The applicant is not requesting any deviations or exemptions from the Public Participation Process ("PPP") requirements.

## 3. LIST OF STATE DEPARTMENTS

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

Provide a list of all the State departments that will be/have been consulted, including the name and contact details of the relevant official.

State Department	Name of person	Contact details
Department of Agriculture	Cor Van Der Walt	Tel 021 808 5099
		Fax 021 808 5092
		E-mail <a href="mailto:corvdw@elsenburg.com">corvdw@elsenburg.com</a> <a href="mailto:landuse.elsenburg@elsenburg.com">landuse.elsenburg@elsenburg.com</a>
CapeNature	Rhett Smart	Tel 021 866 8000
		Fax 021 866 1523 / 086 529 4992
		E-mail <a href="mailto:rsmart@capenature.co.za">rsmart@capenature.co.za</a>
Department of Water and Sanitation	Derrill Daniels	Tel 021 950 7267
		Fax 086 585 6935
		E-mail <a href="mailto:DanielsD@dws.gov.za">DanielsD@dws.gov.za</a>
Department of Health	Stanley Nomdo	Tel 021 421 1124
		Fax 021 418 5685
		E-mail <a href="mailto:Stanley.Nomdo@westerncape.gov.za">Stanley.Nomdo@westerncape.gov.za</a>
Heritage Western Cape	Waseefa Dhansay	Tel 021 483 9533
		Fax
		E-mail <a href="mailto:Waseef.Dhansay@westerncape.gov.za">Waseef.Dhansay@westerncape.gov.za</a>
City of Cape Town: Environmental & Heritage Management – Northern Region	Pat Titmuss	Tel 021 444 0597
		Fax 021 444 0605
		E-mail <a href="mailto:Pat.Titmuss@capetown.gov.za">Pat.Titmuss@capetown.gov.za</a> <a href="mailto:clarissa.fransman@capetown.gov.za">clarissa.fransman@capetown.gov.za</a>
Ward Councillor – Ward 7	Gabriel Twigg	Tel 021 444 1133
		Fax 021 980 6055
		E-mail <a href="mailto:grant.twigg@capetown.gov.za">grant.twigg@capetown.gov.za</a>
South African Civil Aviation Authority	Lizell Stroh	Tel 011 545 1232 083 461 6660
		Fax
		E-mail <a href="mailto:strohl@caa.co.za">strohl@caa.co.za</a>

Please note:



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

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

### SECTION A: DIRECTIVES

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

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

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

#### Please Note:

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

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

## SECTION B: DEFERRAL OF THE APPLICATION

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

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

Kindly answer the following questions:

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

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

## SECTION C: QUANTUM OF THE SECTION 24G FINE

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

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

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

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

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

Index	Socio Economic Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is not giving, has not given and will not give rise to any negative socio-economic impacts	X
	The activity is giving, has given, or could give rise to negative socio-economic impacts, but highly localised	
	The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts	
	The activity is resulting, has resulted or could result in wide-scale negative socio-economic impacts.	
Motivation:  No negative socio-economic impacts are considered for this application. The construction of the telecommunications mast is considered as part of the essential services for the greater community. The data capabilities provided by the proposed mast are important in business, education and for the public, and has thus become paramount for social and economic development.		

Index	Biodiversity Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is not giving, has not given and will not give rise to any impacts on biodiversity	X
	The activity is giving, has given or could give rise to localised biodiversity impacts	
	The activity is giving, has given or could give rise to significant biodiversity impacts	
	The activity is, has or is likely to permanently / irreversibly transform/ destroy a recognised biodiversity 'hot-spot' or threaten the existence of a species or sub-species.	
Motivation:  The unlawful development is not giving rise to any impacts on biodiversity, as the site is not located within a Critical Biodiversity Area or Ecological Support Area (ESA). The site was completely transformed and covered with kikuyu grass prior to commencement. Given the small scale and nature of the unlawful development resulted in an insignificant impact on biodiversity. The site is not located in or within 32m of any watercourse or wetland and had no impact on any freshwater resources.		

Index	Sense of Place Impact and / or Heritage Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is in keeping with the surrounding environment and / or does not negatively impact on the affected area's sense of place and /or heritage	
	The activity is not in keeping with the surrounding environment and will have a localised impact on the affected area's sense of place and/or heritage	X
	The activity is not in keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
	The activity is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
<p>Motivation:</p> <p>Due to the location and nature of the proposed development, it is unlikely that significant heritage resources has / will be impacted by the development and as such, it is recommended that no further heritage studies are required.</p> <p>The unlawful development results in a low negative impact on the area's sense of place given that the mast is located outside the urban area of Brackenfell. However, a 25m high tree telecommunication mast type was constructed in order to blend in with the surrounding environment and is located adjacent to some tall blue gum trees, and which act as mitigation.</p> <p>The telecommunications mast is likely to contribute to the erosion of the rural character of this area. However, the area underlying the telecommunications mast consists of sediments of zero palaeontological sensitivity of the Kuils River Batholith granites. It is therefore very unlikely, given the nature and scale of the telecommunications mast, that significant palaeontological heritage will be impacted.</p> <p>Please refer to <b>Appendix H1</b> for the Heritage Screener.</p>		

Index	Pollution Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is not giving, has not given and will not give rise to any pollution	X
	The activity is giving, has given or could give rise to pollution with low impacts.	
	The activity is giving, has given or could give rise to pollution with moderate impacts.	
	The activity is giving, has given or could give rise to pollution with high impacts.	
	The activity is giving, has given or could give rise to pollution with major impacts.	
<p>Motivation:</p> <p>The unlawful development of the 25m high telecommunication mast has not resulted in any form of pollution and will not have any impacts on pollution during its operational phase. All construction building rubble was removed to a registered land fill site within the City of Cape Town. Given the small scale and nature of the unlawful development, there is no impacts on any pollution. Please refer to <b>Appendix C</b> for the site photos.</p>		

## PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT

Index	Previous administrative action (i.e. administrative enforcement notices) issued to the applicant in respect of a contravention of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate box
	Description of variable	
	Administrative action was previously taken against the applicant in respect of the abovementioned provisions.	
	No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	

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

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

Index	Number of section 24G applications previously submitted by the applicant	Place an "x" in the appropriate box
Description of variable		
	Previous applications in terms of section 24G of NEMA were submitted by the applicant.	
	No previous applications have been submitted by the applicant but a previous application(s) have been submitted by a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time.	
	No previous applications have been submitted by the applicant but the applicant sat on the board of a firm that previously submitted an application.	
Explanation in respect of all previous applications submitted in terms of section 24G:		
<p><b>N/A.</b> No previous applications submitted by the applicant. The applicant (Atlas Tower (Pty) Ltd) and the Director (Mr. Cornelis Wessels) has never previously submitted S24G Applications to the Department of Environmental Affairs and Development Planning (DEA&amp;DP). The City of Cape Town approved the land use application for the telecommunication mast on <b>19 May 2017</b> and the applicant subsequently commenced with construction of the telecommunication mast on <b>24 July 2017</b> and completed construction activities on <b>23 August 2017</b>. The applicant later realised that the constructed telecommunication mast on Portion 47 of Farm No. 222, Brackenfell, was unlawful and lodged this Section 24G Application to rectify the unlawful commencement of the listed activity.</p>		

### PART 3: APPLICANT'S PERSONAL CIRCUMSTANCES

Index	Applicant's legal persona	Place an "x" in the appropriate box
Description of variable		
	The applicant is a natural person.	
	The applicant is a firm.	<b>X</b>
Describe the firm:		
<p>The firm is named <b>Atlas Tower (Pty) Ltd</b> and is trading as <b>Atlas Tower</b>. Atlas Tower is an independent global Wireless Infrastructure company. Since 2007 Atlas Tower have been developing multi-use wireless infrastructure as a critical catalyst for improved wireless connectivity. Atlas has a diverse asset portfolio with site designs to fit strategically within a community's land use plan. The sites meet the complex network needs of the various Mobile Network Operators. Atlas is a company born from town planning and uses this experience to provide scalable infrastructure that will survive the test of time.</p> <p>Atlas tower sites are designed to meet current networks needs and future capacity backhaul challenges. We build our towers to the highest degree of structural integrity. Atlas Tower believes in accountability and</p>		



quality in workmanship. Our goal is to provide a streamline process, superior customer service and speed to tower in air.

Index	Any other relevant information that the applicant would like to be considered.
	<p>Motivate and explain fully:</p> <p>There is no other relevant information that the applicant can think of that might be applicable to this application. The applicant, however, voluntarily submitted this application to rectify the unlawful development of the 25m high tree telecommunication mast on Portion 47 of Farm No. 222, Brackenfell, Western Cape.</p> <p>As mentioned under Part 2 above, The City of Cape Town approved the land use application for the telecommunication mast on <b>19 May 2017</b> and the applicant subsequently commenced with construction of the telecommunication mast on <b>24 July 2017</b> and completed construction activities on <b>23 August 2017</b>.</p> <p>The applicant later realised that the constructed telecommunication mast on Portion 47 of Farm No. 222, Brackenfell, was unlawful and lodged this Section 24G Application. Please refer to <b>Appendix F1</b> for the land use approval obtained from the City of Cape Town dated <b>19 May 2017</b>.</p>

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

## SECTION D: PRELIMINARY ADVERTISEMENT

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

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

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

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

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

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

## PART 3 -

**APPENDICES**

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

Appendix		Tick the box if Appendix is attached
Appendix A:	Locality map	√
Appendix B:	Site plan(s)	√
Appendix C:	Building plans (if applicable)	√
Appendix D:	Colour photographs	√
Appendix E:	Biodiversity overlay map	√
Appendix F:	Permit(s) / license(s) from any other organ of state including service letters from the municipality	√
Appendix G:	Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, Land owner consent and any other public participation information as required in Section J above.	√
Appendix H:	Specialist Report(s), if any	√
Appendix I:	Environmental Management Programme	√
Appendix J:	Supporting documents relating to compliance/enforcement history of the applicant, including but not limited to, Pre-compliance/compliance notices, Pre-directives/directives etc.	√
Appendix K:	Certified copy of Identity Document of Applicant	√
Appendix L:	Certified copy of the title deed (or title deeds in the case of linear activities)	√
Appendix M:	Any Other (if applicable) (describe)  M1 – CAA Obstacle Approval M2 – CoCT Zoning Map M3 – DEA&DP Listed Activity Confirmation M4 - Dept of Health Statement - July 2006 M5 - Dept of Health -Health effects of masts phones - 23 June 2015 M6 – Exposure Guidelines M7 – DEA&DP Ack of Consultation Form	√

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

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

## DECLARATIONS

### THE APPLICANT

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

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

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

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

Signature of the applicant:

Name:

Name of Firm (if applicable):

Date:

## THE INDEPENDENT ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

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

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

**Note:** The terms of reference must be attached.

Signature of the environmental assessment practitioner:

Name of company:

Date:



**PART 4 -****ANNEXURE B - SUPPORTING INFORMATION WHERE THE ACTIVITY BEING APPLIED FOR IS A LISTED WASTE MANAGEMENT ACTIVITY/IES (IF RELEVANT)****1. WASTE QUANTITIES**

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

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

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

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

**Determined from volumes**

**Determined with weighbridge/scale**

**Estimated**


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

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

TYPES OF WASTE	MAIN SOURCE (NAME OF COMPANY)	QUANTITIES		ON-SITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE DISPOSAL
		Tons/ Month	M³/ Month	Method & Location	Method & Location and Contractor details	

**2. GENERAL**

Prevailing wind direction (e.g. NWW)

November – April

May - October


The size of population to be served by the facility:

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

**LANDFILL PARAMETERS (If applicable)**

The method of disposal of waste:

Land-building ☐Land-filling ☐Both ☐**The dimensions of the disposal site in metres**

	At commencement	After rehabilitation

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

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

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

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

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

**The Salvage method**

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

**At source****Recycling installation****Formal salvaging****Contractor****No salvaging planned****Fatal flaws for the site:****Indicate which of the following apply to the facility for a waste management activity:**

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

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

Indicate the distance to the boundary of the nearest residential area

metres

Indicate the distance to the boundary of the industrial area

metres

#### Wettest six months of the year

November- April

May -October

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

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

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

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

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

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

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