



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

APPLICATION FORM FOR THE ADOPTION OF A MAINTENANCE MANAGEMENT PLAN

Application for the adoption of a Maintenance Management Plan as per the exclusions of the Listed or Specified Activities in terms of the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment (EIA) Regulations, 2014, as amended (the Regulations)

PROJECT TITLE

CLEARING OF VEGETATION FOR SITE LINES FOR ACCESS TO ERF 1262 WILDERNESS, WESTERN CAPE.

Indicate if the **DRAFT** report accompanies the application

Yes
No

PRE-APPLICATION CONSULTATION

Was a pre-application meeting held	Yes	✓	No	
Date of the pre-application meeting	29 August 2022			
Reference number of pre-application meeting held	2022-08-0016			
Was minutes compiled and submitted to the Department for approval	Yes	✓	No	

A copy of the pre-application meeting minutes must be appended to this application as **APPENDIX 1**.

Kindly note the following:

1. This form must be used to apply for the adoption of a Maintenance Management Plan where this Department is the Competent Authority.
2. This form is current as of August 2021. It is the responsibility of the Applicant/Environmental Assessment Practitioner (EAP) to ascertain whether subsequent versions of the form have been published or produced by the Competent Authority. The latest available Departmental templates are available at <https://www.environment.gov.za/documents/forms>.
3. A cover letter on your company letterhead indicating the nature of this application must be appended to this form i.e. application for adoption of the Maintenance Management Plan.
4. An electronic copy of the signed application form must be submitted of both the Applicant and EAP.
5. This form must be marked **“for Attention: Chief Director: Integrated Environmental Authorisations”** and submitted to the Department at the format as prescribed in the process to upload documents form.
6. The required information must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. Spaces are provided in tabular format and will extend automatically when each space is filled with typing. A legible font type and size must be used when completing the form. The font size should not be smaller than 10pt (e.g. Arial 10).
7. Where applicable black out the boxes that are not applicable in the form.
8. The use of the phrase “not applicable” in the form must be done with circumspection. Where it is used in respect of material information that is required by the Competent Authority for assessing the application, this may result in the rejection of the application as provided for in the Regulations.
9. Unless protected by law, all information contained in and attached to this application, will become public information on receipt by the Competent Authority. Upon request during any stage of the application process, the Applicant / EAP

must provide any registered interested and affected party with the information contained in and attached to this application.

10. Should a specialist report or report on a specialised process be submitted at any stage for any part of this application, the terms of reference for such report and declaration of interest of the specialist must also be submitted.
11. Please note that this form must be copied to the relevant Provincial Environmental Department(s).
12. Certified copy/ies of the Environmental Authorisation and all subsequent Amendments thereto, if applicable must be attached to this application as **APPENDIX** . Should a certified copy/ies of the Environmental Authorisation and subsequent Amendments thereto not be available an original commissioned Affidavit/Affirmation under oath undertaken by the must be appended to this application form.
13. Certified copy/ies of the Environmental Management Programme and all subsequent Amendments thereto, if applicable must be attached to this application as **APPENDIX 4**.
14. Certified copy/ies of environmental audit reports, if applicable must be attached to this application as **APPENDIX 5**.
15. Should a certified copy/ies of the documents referred to under point 15, 16 and 17 above not be available, an original commissioned Affidavit/Affirmation under oath undertaken by the Applicant must be appended to this application form.
16. An application for the adoption of the Maintenance Management Plan lapses if the applicant fails to submit the final Maintenance Management Plan within 90 days (including the 30 day PPP) of receipt of this application.

Departmental Details

Online Submission:

EIAapplications@environment.gov.za or <https://sfiler.environment.gov.za:8443/>.

Please read the process for uploading files to determine how files are to submitted to this Department

Physical address:

Department of Forestry, Fisheries and the Environment
Attention: Chief Director: Integrated Environmental Authorisations
Environment House
473 Steve Biko Road
Arcadia

Queries must be directed to the Directorate: Coordination, Strategic Planning and Support at:

Email: EIAAdmin@environment.gov.za

1. COMPETENT AUTHORITY

Identified Competent Authority to consider the application:	Department of Forestry, Fisheries and the Environment (DFFE)
Reason(s) in terms of S24C of NEMA:	Within the Garden Route National Park

2. GENERAL INFORMATION

Name of the Applicant:	Department of Transport and Public Works – Western Cape Government		
RSA Identity/ Passport Number:	N/A		
Name of contact person for applicant (if other):	Azni Khail November		
RSA Identity/ Passport Number:	890116 5085 086		
Responsible position, e.g. Director, CEO, etc.:	Chief Engineer: Asset Management & Acting Chief Director: Road Programme Management		
Company/ Trading name (if any):	Department of Transport and Public Works - WCG		
Company Registration Number:	N/A		
BBBEE status:	N/A		
Physical address:	9 Dorp Street Cape Town		
Postal address:	9 Dorp Street Cape Town		
Postal code:	8001	Cell:	076 816 4564
Telephone:	021 483 0536	Fax:	
E-mail:	Azni.november@westerncape.gov.za		

Name of the landowner:	Department of Transport and Public Works – Western Cape Government		
Name of contact person for landowner (if other):	Azni Khail November		
Postal address:	9 Dorp Street Cape Town		
Postal code:	8001	Cell:	076 816 4564
Telephone:	021 483 0536	Fax:	
E-mail:	Azni.november@westerncape.gov.za		

Name of Person in control of the land:	Same as above		
Name of contact person for person in control of the land:			
Postal address:			
Postal code:		Cell:	
Telephone:		Fax:	
E-mail:			

In instances where there is more than one landowner, please attach a list of those landowners with their contact details as **APPENDIX** .

Unless the application is in respect of linear activities or Strategic Infrastructure Projects as contemplated in the Infrastructure Development Act (Act No. 23 of 2014) and where the landowner is not the applicant, written consent of landowner/s must be submitted and attached as Error! Reference source not found..

Provincial Environmental Authority:	Western Cape Department of Environmental Affairs and Development Planning		
Name of contact person:	Danie Swanepoel		
Postal address:	Private Bag x6509, George		
Postal code:	6530	Cell:	
Telephone:	044-8058602	Fax:	044-8058650
E-mail:	Danie.swanepoel@westercape.gov.za		

Local Municipality:	George Local Municipality		
Name of contact person in (Environmental Section)	Ms Priscilla Burgoyne		
Postal address:	PO Box 19, GEORGE		
Postal code:	6530	Cell:	
Telephone:	(044) 801 9156	Fax:	
E-mail:	pburgoyne@george.gov.za		

In instances where there is more than one Local/Provincial Authority involved, please attach a list of those Local/ Provincial Authorities with their contact details as **APPENDIX 7**.

3. ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) INFORMATION

Company of Environmental Assessment Practitioner:	Eco Route Environmental Consultancy		
B-BBEE	Contribution level (indicate 1 to 8 or non-compliant)	Percentage Procurement recognition	
EAP name:	Janet Ebersohn		
EAPASA Registration Number	2019/1286		
EAP Qualifications:	Bsc.Hons Environmental Management		
Professional affiliation/registration:	EAPASA		
Physical address:	Sedgefield		
Postal address:	P.O. Box 1252, Sedgefield		
Postal code:	6573	Cell:	082 55 77 122
Telephone:		Fax:	086 402 9562
E-mail:	janet@ecoroute.co.za		

The appointed EAP must meet the requirements of Regulation 13 of GN R982 of 04 December 2014, as amended.

If appointed, the declaration of independence of the EAP and undertaking under oath or affirmation that all the information submitted or to be submitted for the purposes of the application is true and correct must be submitted as **APPENDIX 6**.

4. DETAILS OF IMPLEMENTATION OF PREVIOUS ENVIRONMENTAL AUTHORISATION/ENVIRONMENTAL MANAGEMENT PROGRAMME

Was the activity commenced with during the validity period of the environmental authorisation? If yes, please describe the implementation of the Environmental Authorisation and previous Environmental Management Programme to date:	YES	
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Environmental Authorisation was issued on 08/06/2020 with reference number 14/12/16/3/3/1/2071, for the development of Erf 1262 Wilderness. Clearing of vegetation on the lower level of the site has commenced according to the approved EA. Eradication of alien plants has commenced.

The access point for the new driveway entrance requires vegetation to be removed within the road reserve for sightlines, as requested by the Roads Authority. This activity requires an approved Maintenance Management Plan.

The location of the sightlines is within the road reserve of the Waterside Road, within the Provincial Roads authority. The vegetation to be disturbed is Garden Route Granite Fynbos (endangered) and falls within a Critical Biodiversity Area. These activities trigger Listed activity 12 of Listing Notice 3 of the EIA Regulations, 2014 as amended.

A meeting with the Department of Environmental, Forestry and Fisheries (DEFF) was held on 16/08/2022 to discuss the amendments to the approved SDP for the development on Erf 1262 Wilderness, including the new access for the driveway. Requirements for clearing of vegetation for sightlines was discussed and it was determined that an Environmental Maintenance Management Plan is adequate as a BAR is not triggered.

There is an approved EMPr for the development on Erf 1262, that was compiled by Andrew West Environmental Consultancy in February 2020 for the Environmental Authorisation process. As the sightlines do not form part of this development, the EMMP will focus on the clearance of vegetation in order to minimise loss of habitat and minimise the loss of vegetation by using appropriate methods and mitigations.

5. EXCLUSION ACTIVITIES APPLIED FOR

For an application for adoption of the Maintenance Management Plan that involves more than one listed activity that, together, make up one development proposal, all the listed activities pertaining to this application must be provided below.

Activity No(s):	Provide the relevant Basic Assessment Activity(ies) as set out in Listing Notice 1 of the EIA Regulations, 2014 as amended	Describe the portion of the proposed project to which the applicable listed activity relates.
Activity No(s):	Provide the relevant Scoping and EIA Activity(ies) as set out in Listing Notice 2 of the EIA Regulations, 2014 as amended	Describe the portion of the proposed project to which the applicable listed activity relates.
Activity No(s):	Provide the relevant Basic Assessment Activity(ies) as set out in Listing Notice 3 of the EIA Regulations, 2014 as amended	Describe the portion of the proposed project to which the applicable listed activity relates.
12	The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. a. Western Cape	The clearance of vegetation for sightlines within the road reserve for the new driveway access point onto Waterside Road.

- i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;

Please provide the reasons and/or a motivation for the application for adoption of the Maintenance Management Plan:

The new position of the entrance road was determined by a consulting engineer, as the Department of Transport and Public Works (Western Cape) required the existing access road to be closed. The new position of the access road will be opposite the Melkhout Avenue entrance onto Waterside Road. This requires additional clearing for sight lines along Waterside Road (figure 1).



FID	Shape	Id	area	Area_Sq_m
0	Polygon	0	88	88
1	Polygon	0	107	107
2	Polygon	0	46	46
3	Polygon	0	126	126
4	Polygon	0	0	37

Figure 1: Overlay showing entrance to Erf 1262 Wilderness, with sightlines highlighted (orange and hash) that require vegetation clearing.

The new road position allows for safer entrance and exit from the property. The existing entrance will be closed and rehabilitated. The sightlines are required to provide sufficient line of sight and visibility for safe use of the stretch of road. Vegetation that has encroached into the road reserve poses a risk to users of the road, specifically where there are intersections. It should also be noted that vegetation encroaching in to the road reserve has been previously disturbed when the road was constructed, and maintained thereafter.

6. RIGHTS OR INTERESTS OF OTHER PARTIES

In your opinion, will this proposed adoption of the Maintenance Management Plan adversely affect the rights and interests of other parties?	<input checked="" type="checkbox"/>	NO
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Please provide a detailed motivation of your opinion.
The development requires an access point for the driveway at the safest location, which has been determined by a consulting engineer, as well as safe line of sight and visibility for road users on that stretch of road. The maintenance of the road reserves will not adversely affect the rights and interests of other parties as this form part of the upkeep and safety of the road for all users.

NOTE: The Department is entitled to request further information if it believes it is necessary for the consideration of the application.

7. LIST OF APPENDICES

		SUBMITTED	
APPENDIX 1	Copy of the pre-application meeting minutes	YES	
APPENDIX 2	Certified copy/ies of the Environmental Authorisation and all subsequent Amendments thereto or original commissioned Affidavit/Affirmation under oath	YES	
APPENDIX 3	Certified copy/ies of the Environmental Management Programme and all subsequent Amendments thereto or original commissioned Affidavit/Affirmation under oath		NO
APPENDIX	List of land owners (with contact details)		NO
APPENDIX	List of Local/Provincial Authorities (with contact details)		NO
APPENDIX 6	Declaration of independence of the EAP and undertaking under oath or affirmation, if appointed	YES	

8. DECLARATION

I, Azni Khail November, declare that I will comply with all my legal obligations in terms of this application and provide accurate information to everyone concerned in respect to this application.



Signature of the Applicant:

Department of Transport and Public Works - WCG
Name of Company or Organisation:

03 October 2022
Date:

APPENDIX 1

COPY OF THE PRE-APPLICATION MEETING MINUTES

(Attached)

APPENDIX 2

**CERTIFIED COPY/IES OF THE ENVIRONMENTAL AUTHORISATION AND ALL SUBSEQUENT
AMENDMENTS THERETO OR ORIGINAL COMMISSIONED AFFIDAVIT/AFFIRMATION
UNDER OATH**

(Attached)

APPENDIX 3

**CERTIFIED COPY/IES OF THE ENVIRONMENTAL MANAGEMENT PROGRAMME AND ALL
SUBSEQUENT AMENDMENTS THERETO OR ORIGINAL COMMISSIONED
AFFIDAVIT/AFFIRMATION UNDER OATH**

(N/A)

APPENDIX 4
LIST OF LAND OWNERS AND THEIR WRITTEN CONSENT

(N/A)

APPENDIX 5
LIST OF LOCAL/PROVINCIAL AUTHORITIES

(N/A)

APPENDIX 6
DECLARATION OF THE EAP & UNDERTAKING UNDER OATH/ AFFIRMATION

(Attached)