

**GEORGE****TEL:** +27 (0) 44 873 4923 **FAX:** +27 (0) 44 874 5953**EMAIL:** info@sescs.net **WEBSITE:** www.sescs.net**ADDRESS:** Unit 17 Cathedral Square,
Cathedral Street, George, 6530**PO BOX:** 9087, George, 6530**CAPE TOWN****TEL:** +27 (0) 21 554 5195 **FAX:** +27 (0) 86 575 2869**EMAIL:** betsy@sescs.net **WEBSITE:** www.sescs.net**ADDRESS:** Tableview, Cape Town, 7441**PO BOX:** 443, Milnerton, 7435

REVISED MAINTENANCE MANAGEMENT PLAN

FOR

ROCK REVENTMENT ON ERF 10190 PLETTENBERG BAY
WESTERN CAPE

CLIENT:	The More Family Collection
ENVIRONMENTAL CONSULTANT:	Sharples Environmental Services cc Author: Michael Bennett (EAPASA #2021/3163)
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PROJECT INFORMATION

Project Ref. No:	MWM/BM/MMP/09/24
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COMPILATION		
Role:	Name:	E-Mail Address:
Owner:	Sharples Environmental Services cc	info@sesc.net
Author:	Michael Bennett	michael@sesc.net
Reviewers/Contributors:	John Sharples	john@sesc.net

Expertise
<p>Sharples Environmental Services cc Since 1998, SES has been actively engaged in the fields of environmental planning, assessment and management. We advise private, corporate and public enterprises on a variety of differing land use applications ranging from large-scale residential estates and resorts to golf courses, municipal service infrastructure installations and the planning of major arterials. Our consultants have over 40+ years of combined experience and we operate in the Southern, Eastern and Western Cape regions.</p> <p>MICHAEL BENNETT (Environmental Assessment Practitioner, Report Writer): Michael studied at the University of Cape Town completing a Bachelor of Science degree majoring in Environmental and Geographic Science and Ocean and Atmospheric Science. Michael joined SES in 2014 and has extensive experience in assessments and monitoring and has worked on a variety of technical projects. See Appendix G for his curriculum vitae. Michael is registered with EAPASA as a certified Environmental Practitioner (EAPASA # 2021/3163).</p> <p>JOHN SHARPLES (Managing Director) - John started Sharples Environmental Services in 1998 and has overseen the company's growth and development since then. John also started the Cape Town office in 2010. John holds a Masters in Environmental Management from the University of the Free State as well as a Bachelor's degree in Conservation. He has consulted for 19 years running a team of highly trained and qualified consultants and prior to this gained 12 years of experience working for environmental organizations. John is registered with EAPASA as a certified Environmental Practitioner.</p>

1. INTRODUCTION AND BACKGROUND

Sharples Environmental Services cc (SES) has been appointed to compile a Maintenance Management Plan (MMP) for the existing rock revetment located on Erf 10190 and remainder of Erf 706, Plettenberg Bay, Bitou Municipality.

The existing rock revetment was installed as an emergency repair after the November 2007 flooding of the Bitou and Keurboom estuaries. The location of the mouth may be considered as being in a dynamic equilibrium as a function of fluvial flooding, prevailing sea level and ocean storm events. The implication is that the conditions which led to the need to construct the revetment during 2007/2008 should be expected to recur in future.

The state of the revetment inspected during the site visit in July 2024 is good. The long-term stability of the revetment is dependent on the toe of the structure not being undermined, the units on the slope remaining in position and the crest not being damaged.

The construction of the revetment could not build the toe of the structure on bedrock and relies on additional rock in front of the main slope to form a falling apron in the event of future erosion. The stability of the structure is therefore a function of the amount of rock placed. The revetment appears to be adequate for the maintenance of the integrity of the structure.

This MMP has been prepared to enable immediate emergency repair to the revetment to protect the Milkwood Manor in the event of an event such as the November 2007 flooding of the Bitou and Keurboom estuaries.

2. LEGISLATIVE REQUIREMENTS

2.1 NATIONAL ENVIRONMENTAL MANAGEMENT ACT, NO. 107 OF 1998, AS AMENDED AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED)

The following listed activities contained in the National Environmental Management Act (NEMA) Environmental Impact Assessment (EIA) Regulations, 2014 (as amended 2017), defined in Government Notice (GN) No. R. 327 and 324(as amended) are identified as falling within the ambit of rehabilitation, management and maintenance of dunes and beaches.

Listing Notice 1:

Activity 18 of GN No. R. 327 (as amended):

"The planting of vegetation or placing of any material on dunes or exposed sand surfaces of more than 10 square meters, within the littoral active zone, for the purpose of preventing the free movement of sand, erosion or accretion, excluding where –

- (i) the planting of vegetation or placement of material relates to restoration and maintenance of indigenous coastal vegetation undertaken in accordance with a maintenance management plan; or*
- (ii) such planting of vegetation or placing of material will occur behind a development setback".*

Listing Notice 1:

Activity 19A of GN No. R. 327 (as amended):

"The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—

- (i) the seashore;
- (ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or

(iii) the sea; —

but excluding where such infilling, depositing, dredging, excavation, removal or moving—

(a) will occur behind a development setback;

(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;

(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;

(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or

where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies."

Listing Notice 3

Activity 12 of GN No. R. 324 (as amended)

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

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;

ii) Within critical biodiversity areas identified in bioregional plans;

iii) Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;

iv) On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or

v) On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.

Any activities planned to be undertaken, that may trigger additional listed activities as defined in the aforementioned legislation, or any future amendments, must be addressed by an appropriately qualified and registered environmental assessment practitioner/auditor, to determine if an environmental authorization is required, prior to commencing with the relevant activities.

2.1.1 Section 28 of the National Environmental Management Act, 1998 (Act 107 of 1998)

Section 28 relates to the Duty of Care and remediation of environmental damage. Section 28 states, "(1) Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."

2.2 THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA (ACT NO. 108 OF 1996)

Section 24 of the Constitution of The Republic of South Africa, 1996, states that:

Everyone has the right—

a) to an environment that is not harmful to their health or wellbeing; and

b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that—

(i) prevent pollution and ecological degradation;

(ii) promote conservation; and

- (iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.

2.3 INTEGRATED COASTAL MANAGEMENT ACT (ACT NO. 36 OF 2014)

The Integrated Coastal Management Act (Act No. 36 of 2014) provides guidance on the conservation and management of the marine ecosystem for long-term planning.

Chapter 2 – Coastal Zones

Part 2 - Coastal public property

Section 15. Measures affecting erosion and accretion

(2) No person may construct, maintain or extend any structure, or take other measures on coastal public property to prevent or promote erosion or accretion of the seashore except as provided for in this Act, the National Environmental Management Act or any other specific environmental management Act.

2.3.1 Control of the Use of Vehicles in the Coastal Area Regulations

According to the National Environmental Management Integrated Coastal Management Act, 2008 (Act No. 24 Of 2008) pertaining to the Control of Use of Vehicles in the Coastal Area (2014), Regulation 4, point (11) states:

- a) A permit may be issued for maintenance or maintenance in terms of sub regulation 4(1)(h) if-
 - (i) the applicant pays the application fee if prescribed;
 - (ii) the applicant provides a copy of an environmental authorisation if required;
 - (iii) an environmental authorisation is not required, a letter from the competent authority confirming this;
 - (iv) the applicant provides an environmental management plan if required in the environmental authorisation; and
 - (v) a detailed description of the maintenance or maintenance activity and the extent of the use of a vehicle including the time periods and number of vehicles which may be used.
- b) Such a permit may be issued for a maximum period of five years

If maintenance vehicles are to be utilized for maintenance activities and will be required to enter the dune or beach, a permit must be obtained.

Alternatively, an exemption would need to be applied for in line with Regulation 16 of the National Environmental Management Integrated Coastal Management Act, 2008 (Act No. 24 Of 2008) pertaining to the Control of Use of Vehicles in the Coastal Area (2014).

2.4 WESTERN CAPE CLIMATE CHANGE RESPONSE STRATEGY: 3RD BIENNIAL MONITORING & EVALUATION REPORT 2019/20

According to the Western Cape Climate Change Response Strategy: 3rd Biennial Monitoring & Evaluation Report 2019/20, one of the current Western Cape Climate Change Response Strategy 2014 priority areas for preserving coastal specific biodiversity and ecosystem goods and services in the Western Cape in a changing climate includes:

- Protecting and rehabilitating existing dune fields as coastal buffers / ecological infrastructure;

3. PURPOSE AND SCOPE OF THE MMP

The aim of this maintenance management plan is to define the parameters required to up-keep the existing rock revetment located on Erf 10190 and remainder of 706, including obtaining access to the infrastructure, over Erf 2065 and remainder of 706, using various equipment and vehicles. This MMP further aims to manage and maintain the structure, function and diversity of the dune ecosystem by providing guidance on dune rehabilitation activities in accordance with applicable legislation.

This maintenance plan provides guidelines, which set out steps and actions and when taken, will ensure that the environmental degradation is kept to an absolute minimum if not completely mitigated. This will ensure that sustainable management of the environment, whilst avoiding and/or mitigating any environmental damage during the emergency repair activities.

Any repair and maintenance activities on any other infrastructure, outside of Erf 10190 and remainder of 706, must be applied for and authorised prior to commencement of any repair and / or maintenance activities if any of those activities trigger a listed activity in terms of the amended EIA Regulations, 2014 (as amended).

4. TERMS OF REFERENCE

The following Terms of Reference (ToR) have been set for the compilation of the MMP:

- Consideration of existing and historic approvals
- Ensure compliance with relevant NEMA legislation, policies and guidelines;
- Provide a methodology for compliance with the environmental constraints for working on a beach near the ocean;
- Detail potential impacts to ensure that the MMP covers future maintenance activities of the repairs;
- Address potential current and future impacts associated with future maintenance activities through appropriate management measures;
- Identify areas within the project envelope that may require future maintenance and detail the type of remedial work that may be required
- Detail the responsibilities of the various parties who will do the monitoring; and
- Detail any reporting and monitoring that needs to be done.

5. LOCATION

Erf 10190 and remainder of Erf 706 are located at the end of Salmack Road in Plettenberg Bay, Bitou municipality (Figures 1 and 2).



Figure 1: The location of Milkwood Manor.



Figure 2: Milkwood Manor

6. DESCRIPTION OF THE MAINTENANCE ACTIVITY

6.1 MAINTENANCE OF THE REVETMENT

The rock revetment must be maintained to ensure that it remains effective in protecting the property from the corrosive action of the sea. This MMP is only to be implemented after a damaging storm event when conditions are safe for those involved in the activities. This MMP is not designed as an emergency response to secure the property during an active storm event.

6.1.1 Engineering and Authority consultation

Rock revetments can have a significant impact on the coastline and should not be implemented without specialist assistance from a competent coastal Engineer/consultant and contractor.

Prior to undertaking the maintenance activities on the revetment, a qualified engineer must be consulted / appointed in order to establish the best practical method to undertake maintenance on the revetment without causing damage to the structure or the environment. Once this has been determined the maintenance activities may commence and continue under the guidance of the consulting Engineer.

Prior to the undertaking of the maintenance activities on the revetment, the Department of Environmental Affairs and Development Planning, the Department of Environmental Affairs and Development Planning Sub-Directorate: Coastal Management and the Bitou Municipality must be consulted with.

6.1.2 Timing of the maintenance procedures

Wave action can make the undertaking of the maintenance activities difficult and could also cause damage to the structure. Activities therefore have to be undertaken during a six-hour window on a daily basis if it is expected that construction vehicles will be using the beach. The six-hour window for the undertaking of the activities will be three hours on either side of low tide. This must however be prevented if at all possible.

6.1.3 Revetment material

The same material that was used to create the rock revetment must be used during the maintenance activities. This will ensure that the material is local and that the visual impact is minimal.

Large heavy boulders are less susceptible to the erosive action of the waves. The boulders should weigh between 2.5 and 12 tons each (or as recommended by the engineer) since smaller, lighter rocks could be swept away during extreme weather conditions.

Boulders must be placed in individual layers as opposed to being dumped in a pile to ensure that the revetment is stable and that it does not fail during extraordinary wave action.

6.1.4 Access

Access to the revetment shall be gained by constructing a temporary track over the rock revetment. A ramp, similar to the images below, can be placed on either side of the revetment, enabling machinery to move over the revetment.



Figure 3: Examples of ramps that could be used

The front-end-loader and if need be, an excavator will fetch the rocks from the truck which can then position the rock properly on the revetment. The revetment shall be accessed from the parking area adjacent to Salmack Road or alternatively by driving through the southern gate of the property and accessing the revetment from within the property. It may be necessary to cover the revetment temporarily with sand / gravel, but this must be determined on site by the coastal engineer.

6.1.5 Placement of material

Boulders used for the revetment are heavy and can be cumbersome to put in place. The most effective way to put the boulders into place should be determined by the engineer. Vehicles used to put the boulders in place must be big enough to do work effectively and light enough to prevent any damage to the current structure.

7. POLLUTION PREVENTION

Pollution of the environment must be prevented at all costs. It is therefore necessary to adequately manage any potential sources of such pollution, including spillage and contamination from oil, hydraulic fluid or any other substance with the potential to pollute.

Construction vehicles must be inspected and checked for leaks before moving onto the revetment or coastal sand. Vehicles leaking oil / fuel or hydraulic fluid must be repaired off site and under no circumstances may enter the working area until such time as no leaking is detected from the vehicle. Such repair work must not be undertaken on the property. Any polluted soil / sand must also be cleaned up and removed to an acceptable disposal site. If any significant amount of soil / sand has to be removed, uncontaminated soil / sand must be imported and the site rehabilitated. This shall be at the cost of the contractor. The appointed contractor shall be liable for any clean-up operation cost if the contractor is unable to undertake the clean-up operation.

8. NO-GO AREAS

No-go areas must be established where no construction vehicles or labourers may enter. The working area must be limited to 6m from the beach to accommodate a large excavator. The No-go area must be demarcated.

The public may not enter the working area and the workers may not enter the public area. The No-go area must be indicated on the plan for the maintenance activities.

9. STORAGE AREAS

Rocks and machinery shall be temporarily stored in the parking area, rocks must be placed in such a manner not to cause any damage or pose a safety risk to the public. The storage area must be demarcated.

10. MONITORING AND REPORTING

Monitoring / inspection should ideally be undertaken by an engineer. This should take place after flood events, should they occur. The individual undertaking the inspection must then compile a report on the state and effectiveness of the structure and the environmental management objectives.

The report should contain the following information:

- Date on which the inspection was undertaken
- Effectiveness of the environmental management objectives
- State of the revetment
- Effectiveness of the revetment
- State whether maintenance is required
- Measures in place to respond to unforeseen revetment weakening event.

The report must be compiled by an engineer and submitted to the DEADP within a month of the completion of the maintenance activities.

11. IMPACTS AND MITIGATION MEASURES

11.1. MITIGATION TABLES

	ACTIVITY	MITIGATION MEASURES	TIMEFRAME	RESPONSIBLE PARTY
PRE-COMMENCEMENT OF MAINTENANCE	11.1.1 PLANNING AND PREPARATION	<ul style="list-style-type: none"> It is imperative that internal planning and preparation be undertaken by the applicant prior to any commencement on site. Appoint an appropriately qualified and experienced ECO prior to commencement if machinery is going to be used. Ensure that the contractual documentation compiled for appointment of the relevant contractor, for the undertaking of maintenance works, includes: <ul style="list-style-type: none"> This MMP and all relevant attachments. Clearly define the non-compliances and roles and responsibilities of the appointed engineer, ECO and Contractor. Comply with all relevant conditions pertaining to the approval of the MMP. Obtain any relevant permissions, pertaining to beach access for maintenance vehicles. Obtain any other relevant permits/licenses. Ensure that all environmental pre-maintenance compliance measures, have been met. 	Prior to appointment of Contractor	Applicant/ Appointed Official
MAINTENANCE PHASE	11.1.2 SITE CAMP ESTABLISHMENT (when required)	<ul style="list-style-type: none"> The area chosen for the office and / or site camp must be the minimum reasonably required, which will involve the least disturbance to the environment. The contractor's camp must be approved by the ECO. The contractor's camp may not be situated: <ul style="list-style-type: none"> within a flood plain; within a dune /beach environment; on slopes greater than 1:3(v:h), or; within 32m of a watercourse/estuary. The site layout plan should make provision for site access, parking facilities, site offices, ablution facilities, designated first aid area, hazardous substance storage areas, batching plant, refuelling area (if necessary), and a maintenance area. The site camp would need to be adequately fenced off along the boundary (preferably with 2m high fence and shade netting) and secured to prevent non-maintenance staff wandering around the 	Pre-commencement of maintenance activities / Before site establishment	Maintenance contractor

11.1. MITIGATION TABLES

	ACTIVITY	MITIGATION MEASURES	TIMEFRAME	RESPONSIBLE PARTY
		<p>site camp and possibly getting injured or posing a safety and security risk. Adequate signage needs to be in place, designating the site office / camp as a restricted area to non-maintenance people.</p> <ul style="list-style-type: none"> • The site camp should be positioned in such a way that it does not prohibit public access onto the beach. • An integrated waste management approach must be adopted on site. This approach must include reduction, re-use and recycling. Recycling bins for the various categories (paper, glass, plastic, etc.) should be provided. These bins must be emptied on a weekly basis and dropped off at a collection point for recycling by recycling companies. If this is not possible and no recycling takes place in this district then this clause will not apply. Bins must also be provided for builder's waste. These bins should be emptied on a regular basis and solid waste must be disposed of at a landfill licensed in terms of section 20 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) or the National Environmental Management: Waste Act (Act No. 59 of 2008). Biodegradable refuse generated from the office / site camp, maintenance areas, vehicle yard, storage area or any other area shall be handled as indicated above. Adequate waste receptacles, bins and skips should be available for the collection and removal of waste. • No materials may be stockpiled for more than 90-days. • Fire extinguishers must be present at the site camp. The extinguishers must be in a working condition and recently serviced. It is recommended that all maintenance workers receive basic training in fire prevention and basic fire-fighting techniques and are informed of the emergency procedure to follow in the event of accidental fires. No open fires may be made on the maintenance site during any phase of the project. • A spill kit to neutralise/treat spills of fuel/ oil/ lubricants must be available on site. • The site camp and related site camp facilities must be kept neat and orderly at all times, to prevent potential safety risks and to reduce the visual impact of the site during maintenance. • Once maintenance has been completed the site camp must be removed. Any contaminated soil/sand must be removed and disposed of at an appropriately registered disposal site. 		

11.1. MITIGATION TABLES

	ACTIVITY	MITIGATION MEASURES	TIMEFRAME	RESPONSIBLE PARTY
	11.1.3 SITE ACCESS AND DEMARCATION	<ul style="list-style-type: none"> The existing road network, where possible, should be used to access the maintenance site. All maintenance vehicles need to adhere to traffic laws. The speed of maintenance vehicles and other heavy vehicles must be strictly controlled to avoid dangerous conditions for other road users As far as possible care should be taken to ensure that the local traffic flow pattern is not significantly disrupted and all vehicle operators therefore need to be educated in terms of "best-practice" operation to minimise unnecessary traffic congestion or dangers. Demarcate the working corridor, including access route: <ul style="list-style-type: none"> with shade netting and secured to prevent non-maintenance staff wandering into the maintenance area. Adequate signage needs to be in place, designating the maintenance area as a restricted area to non-maintenance people. Maintain this working corridor daily. 	Ongoing / when required	Maintenance contractor
	11.1.4 Toilet facilities	<ul style="list-style-type: none"> When chemical toilet facilities (1 for every gender of 20 workers) are used it must be located on the site camp, in such a way that the toilets do not cause any form of pollution of the site camp. This is especially important in close proximity to any drainage lines. The toilets must be easily accessible and shall be secured to prevent them from blowing over or being pushed over. Toilets should be placed within the site camp as well as within reasonable proximity to working areas where maintenance teams are operating. The contractor shall ensure that no spillage occurs when chemical toilets are cleaned. The toilet shall be placed on level, bare ground. Performing ablutions outside toilet facilities are strictly prohibited. The toilets must be serviced regularly and kept in an orderly state. Cleaning slips must be obtained from service provider and filed in the environmental file. 	Ongoing / when required	Maintenance contractor
	11.1.5 Waste Management	<ul style="list-style-type: none"> An integrated waste management approach should be adopted. Emphasis must be put on waste minimisation such as reduction, recycling and re-use, where possible. Recycling bins for the various categories (paper, glass, plastic, etc.) should be provided when the maintenance works will take place over more than 2 days. These bins must be emptied regularly and dropped off at a collection point for recycling by recycling 	Ongoing / when required	Maintenance contractor

11.1. MITIGATION TABLES

	ACTIVITY	MITIGATION MEASURES	TIMEFRAME	RESPONSIBLE PARTY
		<p>companies. If this is not possible and no recycling takes place in this district then this clause will not apply.</p> <ul style="list-style-type: none"> All bins shall not be allowed to overflow, since waste may blow around on site and into the surrounding environment. The bins must be water tight, windproof and scavenger proof and be clearly marked for the purpose of waste disposal. If it is informal or short-term (1-2 days) maintenance work, then the vehicle transporting the workers can have a waste bag which is used to deposit any waste generated on site. 		
	11.1.6 The clearance of vegetation	<ul style="list-style-type: none"> The maintenance areas must be properly demarcated prior to activities being undertaken. The areas outside these demarcated areas must be regarded as No-Go areas; All vegetation clearance must be done by means of manual labour, if possible. All vegetation beyond the working corridor must be considered no-go areas. 	Ongoing / when required	Maintenance contractor
	11.1.7 Removal, Moving / Excavation of Ground Material	<ul style="list-style-type: none"> The maintenance area and site access must be properly demarcated. The area outside this demarcated area must be regarded as a "No-Go" area Contaminated material must be disposed of at an appropriate registered facility Only the minimum number of excavations must be undertaken Where practical and feasible, excavations should be done by means of manual labour, with the use of shovels and wheelbarrows; Use can be made of a Tractor-Loader-Backhoe (TLB) where excavation of large amounts of material needs to be excavated, removed, moved and deposited. The removed material (sand) can be spread onto the beach at the toe of the dune. 	Ongoing / when required	Maintenance contractor
	11.1.8 Activities within or within close proximity to the beach or estuary	<ul style="list-style-type: none"> Workers must receive to necessary training to make them aware of the possible pollution they may cause by the actions in close proximity to the beach/estuary. The working corridor on the beach, and within the dune, must be the smallest possible width. The maintenance area must be demarcated to deter labourers from entering the beach/estuary. 	Ongoing / when required	Maintenance contractor

11.1. MITIGATION TABLES

	ACTIVITY	MITIGATION MEASURES	TIMEFRAME	RESPONSIBLE PARTY
		<ul style="list-style-type: none"> • The area beyond the demarcation must be regarded as a no-go area • Vehicles must be inspected for leaks before it goes to site. • No refuelling of vehicles should take place at the sites. Vehicles should have enough fuel to carry out their tasks. • A spill kit must be available at all times in the event of spillage. Polluted ground material must be removed and disposed of at an appropriately licensed disposal facility. • Adequate bins must be provided at the site camp/any designated eating area. These bins must be fitted with lids to prevent the waste from blowing into the beach/estuary or surrounding vegetation. • Utilise existing access paths or access through disturbed/invaded vegetation. No clearing of vegetation outside of the demarcated areas. • Maintenance must have contingency plans for high rainfall events during all relevant activities. • Excavated rock and sediments from the maintenance zone, and including any foreign materials, should not be placed within the beach/estuary. • Cement/concrete batching (when required) is to be located in an area of low environmental sensitivity away from the shoreline/estuary. No batching activities shall occur on the unprotected ground. Adequate surface protection will be required. Concrete batching should be restricted to a level and bunded/sealed surfaces. • Contaminated water containing fuel, oil or other hazardous substances must never be released into the environment. It must be disposed of at an appropriate registered landfill facility. 		
	11.1.9 Erosion Control	<ul style="list-style-type: none"> • Control measures will entail the use of shade netting barriers (or similar) or geo-fabric barriers in areas susceptible to erosion. Poles and logs, staked in along the contours of a slope susceptible to erosion may also be used. 	Ongoing / when required	Maintenance contractor

11.1. MITIGATION TABLES

	ACTIVITY	MITIGATION MEASURES	TIMEFRAME	RESPONSIBLE PARTY
	11.1.10 Rehabilitation	<ul style="list-style-type: none"> • All hazardous waste, spoil material and maintenance litter must be removed from the site camp, on site and within temporary storage areas and disposed of at an appropriate registered landfill facility. • All disturbed areas must be rehabilitated as soon as practically possible. 	Ongoing / when required	Maintenance contractor
	11.1.11 General Maintenance phase nuisances	<ul style="list-style-type: none"> • Noise generating activities will be limited to normal working hours; • Equipment must be in good working condition in order to minimise noise generation. • Labourers and site agents will be educated on how to control activities that have the potential to become disturbances. • Keep the maintenance site clean and tidy 	Ongoing / when required	Maintenance contractor

12. APPLICATION OF 'DUTY OF CARE' PRINCIPLE

The plan must be used to remedy any form of land degradation that has resulted from activities on site and prevent any future degradation from reoccurring. Therefore, any activities that pose a threat to the environment, regardless of their location on the property or footprint, must be remedied. This is in alignment with Section 28 duty of care under NEMA which requires every person who causes, has caused or may cause significant degradation of the environment to take reasonable measures to prevent such degradation from occurring, continuing or recurring, or, in so far as such harm to the environmental is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution and degradation of the environment.

"Reasonable measures" include measures to investigate, assess and evaluate the impact on the environment; cease, modify or control any act causing degradation and remedying the effects of degradation. The compilation of this independent report is one of the reasonable measures being implemented to prevent further degradation. It will provide an account of the impacts and detail measures to remedy the impacts. Further reasonable measures include the implementation of the recommendations and monitoring the success of maintenance and rehabilitation actions.

13. RESPONSIBLE PARTIES / ROLES AND RESPONSIBILITIES

The More Family Collection will be the implementing agent and will ultimately be responsible for compliance with this MMP. The More Family Collection must ensure that each party acting on its behalf (contractors and sub-contractors) adheres to the requirements of this MMP.

Environmental Control Officer

An Environmental Control Officer (ECO) must be appointed to monitor the maintenance activities to the rock revetment – when machinery will be used or when maintenance work will take longer than 2 days. The duties of the ECO will be to:

- Ensure compliance with all the mitigatory measures proposed in this MMP;
- Assist in finding environmentally acceptable solutions to maintenance problems;
- Establishing an environmental awareness program to educate contractors & labourers;
- Inspecting all aspects of the maintenance / repair process;
- Keeping detailed records of all site activities that may pertain to the environment;
- Must ensure that all labours have attended environmental training sessions, which cover the basic requirements of sound environmental practices on construction sites;
- Liaise with site contractors and other members of the maintenance team with regards to the requirements of the MMP;
- Check additional environmental protection measures, should this be necessary.

The ECO should visit the site every day during maintenance (over 2 days) to monitor compliance with the recommendations of this MMP. The ECO should ensure that the correct earthwork practices are adhered to.

The ECO must undertake Environmental Awareness Training before commencement of any work on site. During the training, the ECO will explain the MMP and the recommendations contained therein. The following actions must be taken to ensure that all relevant parties are aware of their environmental role and duties:

1. This MMP must be kept on site at all times.
2. The provisions of this MMP must be explained in detail to all staff during Awareness Training.
3. Training booklets will be handed out to all labourers and must be explained to them.
4. Inspections should be done by the applicant's environmental representative (where applicable) who must be on site at all times

5. Environmental inspections must be conducted each day for the duration of the maintenance by the Environmental Control Officer (where applicable).

The Maintenance Contractor must make allowance for all maintenance site staff, including all subcontractors that will be working at the site, to attend environmental awareness training sessions (undertaken by the ECO) before commencing any work on site. During this training, the ECO will explain the MMP, and the conditions contained therein. Attention will be given to the construction process and how the MMP fits into this process. Other items relating to sound environmental management which must be discussed and explained during the environmental awareness training sessions include:

- The demarcated "No-Go" areas;
- General do's and don'ts of the site;
- Making of fires;
- Waste management, use of waste receptacles and littering;
- Use of the toilets provided;
- Use and control of construction materials and equipment etc.;
- Control, maintenance and refuelling of vehicles;
- Methods for cleaning up any spillage;
- Access and road safety;
- Emergency procedures (e.g., in case of fire, spillage etc.)
- General "best practice" principles, with regards to the protection of environmental resources.

14. ENVIRONMENTAL MONITORING AND REPORTING

The ECO must keep a detailed record of the maintenance / repair activities and compile a monitoring report to the client. The report should include a detailed photographic record of the maintenance / repair activities as well as any environmental issues noted during the course of the maintenance / repair process. The ECO must submit a weekly monitoring report to the Competent Authority during the course of the maintenance / repair process.

The ECO must issue a seven calendar days' notice of commencement of maintenance activities, including proof that the necessary permits to undertake the maintenance have been obtained, to the Competent Authority.

The ECO has the authority to issue verbal and written warnings to contractors, in terms of non-compliance with the MMP. Should verbal and written instructions and/or warnings be ignored, the ECO has the authority to request the Competent Authority to issue pre-determined fines or other penalties.

The ECO has the authority and responsibility to report incidents of non-compliance to the Competent Authority or other relevant authority, at any time.

An appointed auditor must undertake environmental audits within 1 month after the completion of the maintenance / repair process. The Auditor must be independent from the EAP and ECO and must submit an audit report to the Competent Authority.

15. EMERGENCY RESPONSE PROCEDURES

The potential environmental risks that may arise as a result of maintenance activities, or during the maintenance of the revetment must be identified, and appropriate emergency response procedures must be compiled for each emergency scenario. Potential environmental emergencies that require an emergency response include, but are not limited to, unplanned fires, spills of hazardous chemicals etc.

- The maintenance contractor is responsible for identifying potential significant environmental risks that may arise as a result of pre-maintenance, maintenance and rehabilitation activities,

and the contractor must formulate emergency response procedures for these potential incidents.

- The ECO, the contractor and the Holder are responsible for ensuring that all maintenance workers are aware of the emergency procedures and are properly trained on how to identify and respond to an emergency incident during maintenance.
- An emergency procedure must clearly indicate who will take charge during an emergency, and the roles and responsibilities of workers and authorities during an emergency.
- The maintenance contractor is responsible for ensuring that the requirements of the Occupational Health & Safety Act (OHSA) are adhered to during the maintenance phase. The Holder is responsible for ensuring compliance with the OHSA during the undertaking of maintenance activities.

15.1 EMERGENCY PREPAREDNESS

The following measures must be implemented, as appropriate, to ensure effective responses to emergencies:

- All workers on site during the maintenance phase must be properly educated about possible emergency incidents that may arise, how to avoid such incidents and how to respond in the event of an incident. "Refresher" training sessions on emergency procedures must be held if needed.
- All workers must ideally be given basic fire-awareness training, as well as be advised on basic firefighting and safety techniques. Fire-fighting equipment must be available on-site during maintenance and maintenance activities.
- All workers must be trained on how to respond in the event of a spill of a hazardous substance (fuel, chemicals etc.), if hazardous substances are to be used on site.
- A spill kit for containing and/or neutralising spills of hazardous substances (e.g., hydrocarbons) must be available on site at all times, when hazardous substances are present.
- Any incidents of pollution or spillage of hazardous materials during maintenance must be reported to the ECO as soon as possible. The ECO must then (depending on the nature of the spill) notify the relevant authorities, if needed.
- A first aid kit must be available on site at all times.
- Emergency contact numbers (including the fire department, police and ambulance) must be prominently displayed on site at all times and regularly updated.
- All emergency incidents must be recorded in a site incident log. The cause of the incident, the measures taken in response to the incident and the efficacy of those measures must also be recorded. This information must be used to inform future emergency preparedness planning, and to avoid prevent similar incidents from arising again.

16. ENVIRONMENTAL AWARENESS PLAN

Environmental Awareness Training must be conducted prior to the commencement of maintenance activities. It is the holder's responsibility to familiarise himself/herself with the content and requirements of this MMP. The holder is also responsible to ensure that the contractor and all labourers working on site during the maintenance phase are familiar with the content of this MMP.

The following actions must be taken to ensure that all relevant parties are aware of their environmental role and duties:

- This MMP must be kept on site at all times.
- The provisions of this MMP and the conditions of the any relevant permits/licenses/authorizations must be explained in detail to all staff during Awareness Training.

- Training booklets will be handed out to all labourers and must be explained to them.
- The ECO to conduct frequent site visits when applicable.
- Monitoring reports to be compiled by the ECO (when applicable) after each maintenance period. These reports will be circulated to all parties involved (including the holder, contractor and the competent authority).

The Maintenance Contractor must make allowance for all maintenance site staff, including all subcontractors that will be working at the site, to attend environmental awareness training sessions (undertaken by the ECO) before commencing any work on site. During this training, the ECO will explain the MMP and the conditions contained therein. Attention will be given to the maintenance process and how the MMP fits into this process. Other items relating to sound environmental management which must be discussed and explained during the environmental awareness training sessions include:

- The demarcated "No-Go" areas (only where necessary);
- General do's and don'ts of the site;
- Making of fires;
- Waste management, use of waste receptacles and littering;
- Use of the toilets provided;
- Use and control of maintenance materials and equipment etc.;
- Control, maintenance and refuelling of vehicles;
- Methods for cleaning up any spillage;
- Access and road safety;
- Emergency procedures (e.g., in case of fire, spillage etc.)
- General "best practice" principles, with regards to the protection of environmental resources.

Environmental awareness training and education must be ongoing throughout the maintenance of each of the three phases of the development and must be undertaken regularly if deemed necessary (especially if it becomes apparent that there are repeat contraventions of the conditions of the MMP), or as new workers come to site. Translators must be utilised where needed.

17. CONCLUSION

The recommendations and mitigation measures prescribed in this MMP have been formulated with the intention of addressing potential pre-maintenance and maintenance phase impacts on the environment. It is likely that if the conditions, requirements and recommendations of the above MMP are implemented as described and the relevant stakeholders adhere to the various mitigation measures, then the project will be completed without unforeseen negative environmental impacts.

GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ENVIRONMENTAL AFFAIRS DEPARTEMENT VAN OMGEWINGSAKE

No. R 496

27 June 2014

NATIONAL ENVIRONMENTAL MANAGEMENT INTEGRATED COASTAL MANAGEMENT ACT, 2008 (ACT NO. 24 OF 2008)

CONTROL OF USE OF VEHICLES IN THE COASTAL AREA

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby make the regulations pertaining to the control of use of vehicles in the Coastal Area under section 83(1)(g),(n),(p) and (r) of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008), as set out in the Schedule hereto.



BOMO EDITH EDNA MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS

SCHEDULE**ARRANGEMENT OF REGULATIONS****Regulation**

- 1 Definitions
- 2 General prohibition
- 3 Permissible uses
- 4 Permits to use vehicles in coastal area
- 5 Assessment of impact of using vehicles in the coastal area
- 6 Consideration of application
- 7 Decisions
- 8 Suspension, amendment and cancellation of permits and exemptions
- 9 Vehicle use at launch sites
- 10 Law enforcement
- 11 Co-operation with authorised officers
- 12 Procedure with regard to seized vehicles
- 13 Offences and penalties
- 14 Presumptions
- 15 Forfeiture
- 16 Exemptions
- 17 Conflict with other regulations and policies
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- 19 Commencement

1. Definitions

In these Regulations, unless the context indicates otherwise, a word or expression that is defined in the Act bears the same meaning in these Regulations, and in addition-

"Act" means the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008);

"authorised officer" means -

- (a) any person appointed as a fishery control officer in terms of the Marine Living Resources Act, 1998 (Act No. 18 of 1998);
- (b) an environmental management inspector appointed in terms of the National Environmental Management Act; and
- (c) all peace officers as defined in the Criminal Procedure Act;

"beach or surf launch site" means a natural location within the coastal zone, with no slipway, jetty or other construction or structure, where a vessel may be launched directly into the water and includes a natural location in the coastal area, which can only be accessed by an artificially compacted or hardened surface;

"coastal area" means—

- (a) coastal public property;
- (b) littoral active zone; and
- (c) any area between the high-water mark and up to 500 meters landwards of the high-water mark where dunes, wetlands, mangroves, lagoons, salt marshes, salt pans, mud flats occur, but not exceeding the boundary of the coastal zone as determined in the Act;

"Criminal Procedure Act" means the Criminal Procedure Act, 1977 (Act No. 51 of 1977);

"dune" means a mound or ridge of loose wind-blown material, usually sand, whether covered by vegetation or not;

"emergency" means a serious situation or occurrence that happens unexpectedly or is reasonably foreseeable and that requires immediate action;

"fishing competition" means an interprovincial, national, or international recreational sport fishing competition sanctioned by, and held under the auspices of, the South African Shore Angling Association;

"harbour" means a port or harbour proclaimed in terms of any law and managed by an organ of State;

"integrated management plan" has the meaning assigned to it in the World Heritage Convention Act, 1999 (Act No. 49 of 1999);

"management authority" means the organisation or authority appointed in terms of the Protected Areas Act or in terms of the World Heritage Convention Act, 1999 (Act No. 49 of 1999), to manage a coastal protected area including any authority or organisation who has been appointed or contracted to manage a coastal protected area in terms of section 14 of the Protected Areas Act or section 13 of the World Heritage Convention Act, 1999 (Act No. 49 of 1999);

"permissible use" means a use of a vehicle within the coastal area referred to in regulation 3 and for which a permit under these regulations is not required;

"physically disabled person" means a person with permanent severe mobility impairment who has been certified as such by the National Council for Persons with Physical Disabilities in South Africa;

"privately used launch site" means a site—

- (a) constructed adjacent to or proximate to privately owned property;
- (b) used by the owner or occupiers of such property to launch a vessel in the coastal area;
- (c) which is not for use by the general public;
- (d) where no fees, levies or charges are imposed for launching a vessel; and
- (e) excludes a beach or surf launch site.

"public launch site" means a site listed by notice in the *Gazette* in terms of the Public Launch Site Regulations, as a site where a vessel may be launched in the coastal zone, but excludes a privately used launch site;

"Public Launch Site Regulations" means the regulations published in terms of the Act relating to the listing and management of public launch sites;

"public road" has the meaning assigned to it in the National Road Traffic Act, 1996 (Act No. 93 of 1996);

"relevant authority" means the delegated authority or the Minister as referred to in regulations 4 and 16;

"scientific research" means research carried out by a museum, recognised institute established for the purpose of scientific research, or research carried out by a registered research unit of a tertiary institution;

"tourism business" means a commercial business using vehicles in the coastal area for the purpose of conducting eco-tours and which employs tourist guides;

"tourist guide" means a tourist guide as defined in the Tourism Act, 1993 (Act No. 72 of 1993);

"use" in relation to a vehicle includes driving, operating, being conveyed by, or being seated in the driver's seat of a stationary vehicle;

"vehicle" means—

- (a) any self-propelled conveyance which is designed to transport one or more persons on land including those designed for the construction or maintenance or infrastructure;
- (b) a trailer;
- (c) any motorised aircraft which may land in the coastal area; or
- (d) a vessel which is able to move on land.

“vehicle use launch site” means a public launch site listed by notice in the *Provincial Gazette* in terms of the Public Launch Site Regulations, as a site which allows a vehicle to be used to launch a vessel in the coastal area but excludes a privately used launch site; and

“vessel” has the meaning assigned to it in the Act, but excludes non-motorised waterborne craft which do not require a vehicle or any other equipment to launch into the water.

2. General prohibition

- (1) No person may use a vehicle in the coastal area unless that use—
 - (a) is a permissible use under regulation 3;
 - (b) is authorised in terms of a permit granted under regulation 4;
 - (c) is authorised in terms of an exemption granted under regulation 16; or
 - (d) is lawful in terms of regulation 18.

3. Permissible uses

- (1) Subject to section 58 of the Act, the following uses of vehicles within the coastal area are permissible without a permit or exemption granted under these regulations:
 - (a) the use by any person of a vehicle—
 - (i) on a public road;
 - (ii) on private land by the owner or with the written permission of the owner or lawful occupier of that land;
 - (iii) on a road within a coastal protected area where written permission has been granted by the management authority of that coastal protected area, or provided that such use is authorised in the protected area management plan or integrated management plan compiled by the management authority;
 - (iv) within a mining area as defined in section 1 of the Minerals and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002);

- (v) in coastal public property within an operational harbour area that has already been physically modified from its original natural state; or
- (vi) in an emergency in order to safeguard human life or health, property or any aspect of the environment;
- (b) the use of a vehicle within a vehicle use launch site, or privately used launch site;
- (c) the use by a physically disabled person of an electrically propelled wheelchair that is specifically designed and manufactured for use by such person;
- (d) the use of a vehicle by an employee or agent of an organ of state acting in the course and scope of their employment or mandate, or by any person contracted by an organ of state, for the purposes of performing the public duties of that organ of state mandated by law; or
- (e) the use of a vehicle by members of the National Sea Rescue Institute for the purpose of performing the public duties of that organisation including authorised training exercises.

4. Permits to use vehicles in coastal area

- (1) A permit to use a vehicle in the coastal area may be issued by the Minister for the purposes of—
 - (a) carrying out a non-recreational activity in terms of a right, permit or exemption granted under the Act, the Marine Living Resources Act, 1998 (Act No. 18 of 1998) or the Sea Fishery Act, 1988 (Act No. 12 of 1988);
 - (b) scientific research;
 - (c) operating a tourism business;
 - (d) accessing private property provided there is no reasonable alternative access to the property;
 - (e) producing an advertisement, film, still photograph or a television programme;
 - (f) access by a physically disabled person;
 - (g) hosting a fishing competition; or
 - (h) the construction or maintenance of infrastructure authorised by a law.
- (2) An application for a permit shall be made to the Minister.
- (3) A permit may be issued subject to conditions as determined by the Minister.

- (4)(a) A permit may be issued for non-recreational activities in terms of sub-regulation 4(1)(a) if—
- (i) the applicant pays the application fee if prescribed; and
 - (ii) the applicant demonstrates that the use of a vehicle is required in the coastal area to effectively carry out the non-recreational activity;
- (b) Such a permit may be issued for a maximum period of five years, provided that the permit will only be valid if the holder thereof is also the holder of a valid permit or exemption granted under the Act, the Marine Living Resources Act, 1998 (Act No. 18 of 1998) or the Sea Fishery Act, 1988 (Act No. 12 of 1988).
- (5)(a) A permit may be issued for scientific research in terms of sub-regulation 4(1)(b) if—
- (i) the applicant demonstrates that the use of the vehicle is required to effectively carry out the scientific research; and
 - (ii) the applicant provides an approved research proposal from the research institution, organisation or tertiary institution; or
 - (iii) the applicant is in possession of a valid permit, licence or other written permission from an organ of state to conduct scientific research where required by law.
- (b) Such a permit may be issued for a maximum period of five years.
- (6)(a) A permit may be issued for tourism in terms of sub-regulation 4(1)(c) if—
- (i) the applicant pays the application fee if prescribed;
 - (ii) the applicant demonstrates that the use of the vehicle is required to effectively conduct the tourism business;
 - (iii) the applicant provides proof of registration of its tour guides and copies of all marketing material for the intended tour in the coastal area;
 - (iv) the applicant is in possession of a valid permit, licence or other written permission from an organ of state to conduct a tourism business, where required by law;
 - (v) the applicant provides an operational plan setting out the activities that will be undertaken during a tour, the number of trips per day, the length of a tour, the number of people per tour that can be accommodated and any equipment or infrastructure which will be utilised; and

- (vi) the applicant provides an environmental plan for the proposed vehicle use in the coastal area which plan must, as a minimum, address the following issues:
 - (aa) a detailed description of the environment that may be affected by the tourism activity, and the manner in which the physical, biological, social, economic and cultural aspects of the environment may be affected or impacted on by the activity;
 - (bb) proposed management or mitigation measures that will be implemented to minimise environmental impacts and respond to any negative impact which may occur during the tourism activity;
 - (cc) measures to be taken to rehabilitate the affected environment if required; and
 - (dd) a description of any consultation process with interested and affected parties that was undertaken and a summary of any comments that were received during such consultation process.
- (b) Such a permit may be issued for a maximum period of five years.
- (7)(a) A permit may be issued to access private property in terms of sub-regulation 4(1)(d) if—
 - (i) the applicant provides proof that the use and occupation of the property is lawful; and
 - (ii) the applicant demonstrates that no reasonable alternative access route to the property exists.
- (b) Such a permit may be issued for a maximum period of five years.
- (8)(a) A permit may be issued for filming in terms of sub-regulation 4(1)(e) if—
 - (i) the applicant pays the application fee if prescribed;
 - (ii) the applicant provides an environmental plan for the proposed vehicle use in the coastal area which plan must, as a minimum, address the following issues:
 - (aa) a detailed description of the environment that may be affected by the filming activity, and the manner in which the physical, biological, social, economic and cultural aspects of the environment may be affected or impacted on by the filming activity;
 - (bb) proposed management or mitigation measures that will be implemented to minimise environmental impacts and

respond to any negative impact which may occur during the filming activity:

- (cc) measures to be taken to rehabilitate the affected environment if required; and
 - (dd) a description of any consultation process with interested and affected parties that was undertaken and a summary of any comments that were received during such consultation process;
 - (iii) the applicant provides a detailed description of the proposed advertisement, production or filming activity and the purpose of the proposed vehicle use;
 - (iv) the proposed vehicle use does not depict or promote the inappropriate or illegal use of a vehicle in the coastal area in South Africa or may not be recognisable as an area in South Africa; and
 - (v) the applicant is in possession of a valid permit, licence or other written permission from an organ of state to conduct filming, where required by law.
- (b) Such a permit may be issued for the duration of the production up to a maximum of one year.
- (9)(a) A permit may be issued for a physically disabled person in terms of sub-regulation 4(1)(f) if—
- (i) the applicant pays the application fee if prescribed; and
 - (ii) the applicant provides written confirmation from the National Council for Persons with Physical Disabilities in South Africa that he or she is a physically disabled person.
- (b) Such a permit may be issued for a maximum period of five years.
- (10)(a) A permit may be issued for a fishing competition in terms of sub-regulation 4(1)(g) if—
- (i) the applicant pays the application fee if prescribed;
 - (ii) the applicant submits a code of conduct or similar document issued by the organisers of the fishing competition that regulates the use of vehicles by participants;
 - (iii) the applicant provides an environmental plan for the proposed vehicle use in the coastal area which plan must, as a minimum, address the following issues:

- (aa) a detailed description of the environment that may be affected by the fishing competition, and the manner in which the physical, biological, social, economic and cultural aspects of the environment may be affected or impacted on;
 - (bb) proposed management or mitigation measures that will be implemented to minimise environmental impacts and respond to any negative impact which may occur during the fishing competition;
 - (cc) measures to be taken to rehabilitate the affected environment if required; and
 - (dd) a description of any consultation process with interested and affected parties that was undertaken and a summary of any comments that were received during such consultation process; and
 - (iv) the applicant is in possession of a valid permit, licence or other written permission from an organ of state to conduct a fishing competition, where required by law.
- (b) Such a permit may be issued for the duration of the competition, provided that a permit shall only be issued for a single specified organised recreational fishing competition.
- (11)(a) A permit may be issued for construction or maintenance in terms of sub-regulation 4(1)(h) if—
- (i) the applicant pays the application fee if prescribed;
 - (ii) the applicant provides a copy of an environmental authorisation if required;
 - (iii) an environmental authorisation is not required, a letter from the competent authority confirming this;
 - (iv) the applicant provides an environmental management plan if required in the environmental authorisation; and
 - (v) a detailed description of the construction or maintenance activity and the extent of the use of a vehicle including the time periods and number of vehicles which may be used.
- (b) Such a permit may be issued for a maximum period of five years.
- (12) For any application for a permit the Minister must be satisfied that—
- (a) the intended vehicle use will not cause significant harm to the coastal area; and

- (b) members of the public will be able to continue to safely use and enjoy that part of the coastal area.
- (13) When considering an application for a permit to use a vehicle in the coastal area of a coastal protected area, the Minister shall only issue a decision on the application in consultation with the management authority of the coastal protected area where such management authority is not the delegated authority to issue such permits.
- (14) The Minister may, on application subject to a renewal fee, renew a permit for a further period of not more than two years, whereafter a new application must be made in terms of regulation 4.
- (15) Any permit issued in terms of these regulations is not transferable.

5. Assessment of impact of use of vehicles in coastal area

Notwithstanding anything to the contrary in these regulations, the Minister may require an applicant to fulfill the requirements of section 24(5)(bA) of the National Environmental Management Act in relation to the investigation, assessment or communication of the potential impacts of the activity concerned.

6. Consideration of application

- (1) The relevant authority referred to in regulation 4 and 16 must refuse to consider an incomplete application for a permit or exemption.
- (2) The relevant authority may, after considering an application submitted in terms of these regulations—
 - (a) request the applicant to carry out further investigations and/or submit additional information within a specified time frame, failing which the application will be regarded as incomplete;
 - (b) request the applicant to consult with specific organisations, authorities, persons or interested parties and submit the results of the required consultations;
 - (c) refuse the application; or
 - (d) issue a permit or exemption.
- (3) A permit or exemption may be issued subject to conditions.

7. Decision

- (1) A permit or exemption must include—
 - (a) the geographic location and precise description of the area for which the permit or exemption is being issued;

- (b) the name, address and telephone number of the applicant;
 - (c) the conditions included in the permit or exemption; and
 - (d) the date of expiry or the duration of the permit or exemption.
- (2) A decision to refuse a permit or exemption must include—
- (a) the reasons for the decision; and
 - (b) the date of the decision.

8. Suspension, amendment and cancellation of permits and exemptions

- (1) Subject to sub-regulation (2), a permit or exemption issued under these regulations may at any time be suspended, cancelled or amended.
- (2) A permit or exemption may be suspended, cancelled or amended, if—
- (a) the relevant authority is satisfied on the basis of information that was not considered when the permit or exemption was issued, that it is necessary or desirable to suspend, cancel or amend the permit or exemption to prevent deterioration or further deterioration of the environment within the coastal area;
 - (b) other similar permits or exemptions held by other persons in the same vicinity have also been reviewed and the suspension, cancellation or amendment does not unfairly discriminate against the holder in relation to other holders of similar permits or exemptions in the same vicinity;
 - (c) the permit holder or exemption holder is in breach of a condition contained in the permit or exemption;
 - (d) the permit holder or exemption holder provided incorrect or false information in the application for the permit or exemption;
 - (e) the holder of a permit or exemption has been convicted of an offence in terms of the Act, the National Environmental Management Act or a specific environmental management act or any regulations issued thereunder; or
 - (f) the reason for the issuing of the permit or exemption no longer exists.
- (3) A permit or exemption may be amended—
- (a) if an error needs to be corrected or rectified;
 - (b) at the request of the applicant;
 - (c) for the proper management and implementation of these Regulations; or

- (d) where the conditions or circumstances have changed since the original permit or exemption was issued.

9. Vehicle use at public launch sites

- (1) No person shall use a vehicle to launch a vessel from a public launch site—
 - (a) which is not listed in terms of the Public Launch Site Regulations; and
 - (b) which site is not a vehicle use launch site.

10. Law enforcement

- (1) Any authorised officer may in addition to any powers he or she may have in terms of the National Environmental Management Act or the Criminal Procedure Act—
 - (a) arrest any person whom he or she has reasonable grounds to believe has committed or is committing an offence in terms of these regulations;
 - (b) seize any vehicle if he or she on reasonable grounds believes that the vehicle—
 - (i) has been or is being used in the commission of an offence in terms of these regulations;
 - (ii) may afford evidence of the commission or suspected commission of an offence in terms of these regulations; or
 - (iii) is intended to be used in the commission of an offence in terms of these regulations; and
 - (c) at any time within 30 days of the alleged commission of the offence, issue a written notice in terms of the Criminal Procedure Act, stipulating an admission of guilt fine which shall not exceed R2500, to any person whom he or she has reasonable grounds to believe has committed or is committing an offence in terms of these regulations.
- (2) Any person issued with a written notice in terms of sub-regulation 10(1)(c) may in terms of the Criminal Procedure Act, pay an admission of guilt fine as stipulated in a written notice.

11. Co-operation with authorised officers

- (1) The driver or passenger of any vehicle in the coastal area must comply immediately with any lawful instruction given or request made by an authorised officer.
- (2) Any person who has been granted a permit or exemption to use a vehicle in the coastal area under these regulations, must immediately produce such permit or exemption if requested to do so by an authorised officer.

- (3) No person shall—
- (a) assault, obstruct, resist, delay, threaten, intimidate, abuse or otherwise interfere with an authorised officer in the performance of his or her duties, or any other person lawfully assisting and acting under the instructions of an authorised officer;
 - (b) incite or encourage any other person to assault, resist, obstruct, threaten, intimidate, abuse or otherwise interfere with any authorised officer while exercising or performing his or her powers or duties, or any other person lawfully assisting and acting under the instructions of an authorised officer;
 - (c) fail to comply with the lawful requirements of any authorised officer; or
 - (d) give any false or misleading particulars to an authorised officer.

12. Procedure with regard to seized vehicles

- (1) Any vehicle seized under these regulations must—
- (a) be immediately delivered to a police official if the authorised officer is not a police official as defined in section 1 of the Criminal Procedure Act; and
 - (b) be dealt with in accordance with the provisions of the Criminal Procedure Act, except as otherwise provided in these regulations.
- (2) If any vehicle has been seized in terms of regulation 10 and a person who has been properly charged with an offence in relation thereto fails to appear to answer the charge within 90 days of the seizure, the Director-General may apply to the court for it to be forfeited to the State and the court shall make any order it considers appropriate.
- (3) If the lawful owner of a seized vehicle fails to take delivery of the vehicle within 90 days of being notified by registered post at his or her last-known address that he or she may take possession of the vehicle, the vehicle shall be forfeited to the State and disposed of as the Director-General in his or her discretion considers appropriate.
- (4) If the owner of a vehicle or the person having the possession, care or control of it at the time of its seizure is served with a written notice or convicted of an offence in terms of these regulations and a fine is imposed, the vehicle may be detained until all fines, orders for costs and penalties imposed in terms of these regulations have been paid.
- (5) If any payment contemplated in sub-regulation (4) is not made within such time as the court may determine, the court may order the vehicle to be forfeited to the State.

13. Offences and penalties

Any person who contravenes any provision of these regulations shall be guilty of an offence and liable on conviction to a fine up to a maximum of R500 000 per vehicle per offence, or to imprisonment not exceeding two years, or to both such fine and such imprisonment.

14. Presumptions

- (1) If in the course of any proceedings in connection with an offence under these regulations it is proved that—
 - (a) a person was sitting behind the steering wheel or at the controls of a vehicle, whether or not the vehicle was stationary, it shall be *prima facie* proof that the person was using that vehicle in that place.
 - (b) a person used a vehicle in the coastal area other than on a public road, it shall be *prima facie* proof that—
 - (i) the vehicle was used in a manner that was not permissible under regulation 3;
 - (ii) was not authorised in terms of a permit granted under regulation 4 or an exemption under regulation 16, or
 - (iii) was not lawful in terms of regulation 18.

15. Forfeiture

- (1) A court convicting any person of an offence under these regulations may declare any vehicle used in committing the offence, or the rights of the convicted person to such vehicle, to be forfeited to the State.
- (2) Any vehicle ordered to be forfeited in terms of these regulations shall be disposed of as the Director-General in his or her discretion considers appropriate.

16. Exemptions

- (1) Any person, including an organ of state, may apply in writing to the Minister for an exemption from obtaining a permit or from complying with any of the requirements in regulation 4 for the granting of a permit.
- (2) The Minister shall only issue an exemption if satisfied that granting such exemption will not result in significant harm to the coastal area, will not seriously affect any rights of the general public to enjoy the coastal area, and is in the public interest, alternatively in the interests of protecting the environment.

17. Conflict and Repeal

- (1) These regulations will prevail if there is any conflict between any of the provisions in them and any other regulations, by-laws or other subordinate legislation relating to the use of vehicles in the coastal area made under any Act.

- (2) Except for regulation 7 thereof, the Regulations for the Control of Use of Vehicles in the Coastal Zone, published in terms of the National Environmental Management Act and promulgated under Government Notice No. 1399 in Government Gazette 22960 of 21 December 2001 and Government Notice No. 1426 in Government Gazette 27066 of 7 December 2004 are hereby repealed.

18. Transitional provisions

- (1) Any permit or exemption issued under regulations repealed by these Regulations shall be deemed to be a permit or exemption issued in terms of these Regulations and shall remain valid until revocation, cancellation, amendment or expiry of such permit or exemption.
- (2) Any boat launch site licence issued under regulations repealed by these Regulations or repealed by the Public Launch Site Regulations, shall remain valid and shall be deemed to be a vehicle use launch site for the purposes of regulation 3(1)(b), until a list of public launch sites has been published in terms of the Public Launch Site Regulations.
- (3) An application for a permit or exemption lodged in terms of Regulation 6 or 20 of the Control of Use of Vehicles in the Coastal Zone, published in terms of the National Environmental Management Act and promulgated under Government Notice No. 1399 in Government Gazette 22960 of 21 December 2001 and Government Notice No. 1426 in Government Gazette 27066 of 7 December 2004, which is pending when these Regulations take effect, must despite the repeal of those regulations be dispensed with in terms of those regulations as if those regulations were not repealed and a decision taken in terms of those regulations must be deemed as a decision taken in terms of these Regulations.

19. Short title and commencement

These regulations are called the Control of Use of Vehicles in the Coastal Area Regulations and shall commence on the date of publication in the *Gazette*.



**forestry, fisheries
& the environment**

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

Application to the Department of Forestry, Fisheries and the Environment in terms of Regulation 4 (1) (h) of the Regulations published in terms of section 83 of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008): Control of Use of Vehicles in the Coastal Area: (Government Notice No. R. 496 of 27 June 2014) (“the Regulations”).

**PERMIT APPLICATION: VEHICLE USE IN THE COASTAL AREA FOR
CONSTRUCTION OR MAINTENANCE OF INFRASTRUCTURE AUTHORISED
BY LAW**

DEPARTMENTAL POSTAL DETAILS

Department of Forestry, Fisheries and the Environment
Attention: Director: Coastal Development & Protection

2nd Floor, East Pier Building
East Pier Road
Victoria and Alfred Waterfront
Cape Town
8000

Completed application form can also be submitted via
email to : ORVPermitting@dfpe.gov.za

View the Department's website on <http://www.dfpe.gov.za> for the latest version of this document

<u>Appendix Checklist</u>		Tick the box if the appendix is attached
Appendix A	A copy of your identity document	<input type="checkbox"/>
Appendix B	Proof of payment of the application fee (if applicable)	<input type="checkbox"/>
Appendix C	A copy of the environmental authorisation or, if one is not required, a copy of the letter from the competent authority confirming this	<input type="checkbox"/>
Appendix D	A copy of the environmental management plan (if required in the environmental authorisation)	<input type="checkbox"/>
Appendix E	A detailed map of the area (1:50 000) or copy thereof, showing the area of intended use and the proposed access points / routes	<input type="checkbox"/>
Appendix F	Photographs of the proposed access points to the coastal area and its surroundings	<input type="checkbox"/>
Appendix G	Photographs of vehicles intended to be used in the coastal area	<input type="checkbox"/>
Appendix H	Copies of the identity documents and driver's licences of all persons who will be driving the vehicle(s)	<input type="checkbox"/>
Appendix I	Other (if applicable)	<input type="checkbox"/>

Please Note: All the above appendices must be attached to the Application Form, even if a similar application for the above activity was previously submitted to the Department.

NOTES: YOU MUST READ THESE

1. This Application Form is current as of 30 November 2022. It is the responsibility of the Applicant / Environmental Assessment Practitioner ("EAP") to ascertain whether subsequent versions of the Application Form have been published or produced by the competent authority. Note that this Application Form replaces all the previous versions. This updated Application Form must be used for all **new** applications. A copy of this form and its appendices must be kept by the applicant and must be attached to the renewal Application Form if / when the applicant applies for renewal of the permit (if applicable).
2. This document is divided into the following sections and **all sections must** be completed in full:
 - Section A: Applicant Details
 - Section B: Proposed Access and Activity Information
 - Section C: Duration of Access Required
 - Section D: Vehicle Details
 - Section E: Effect on the Environment
 - Section F: Rights of the Public
 - Section G: Mitigation and Monitoring Measures
 - Section H: Assumptions and Uncertainties
 - Section H: Recommendations of the EAP
 - Section I: Appendices

3. Please ensure that all the necessary information required as annexures or attachments to this application are provided to facilitate the consideration of your application. Applications must be submitted to the address or email address listed on Page 1 of this Application Form.
4. 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. The font size should not be smaller than 12pt (e.g. Arial Narrow 12). A digital copy of the Application Form is available on the Department's website (details on Page 1).
5. The use of "not applicable" in the Application Form must be done with circumspection and all fields must be completed. It is essential to answer all relevant questions to ensure that the application can be properly assessed. Failure to fully complete the Application Form could result in a request for further information, which could cause unnecessary delays in the processing of the application.
6. Unless protected by law, all information contained in and attached to this Application Form will become public information on receipt by the competent authority. This application must be completed and signed by the applicant.. If the application is completed by a third party (such as a consultant or legal representative), then this third party's details must **also** be provided as required in this application.
7. The Department will submit your completed application for comment to the relevant provincial authority and / or manager of a protected area if your application affects a protected area. This is due to the co-operative governance requirements of the Constitution of the Republic of South Africa. The Department will, in consultation with the relevant authority(ies), endeavour to process your application within a reasonable period of time, defined as 60 (sixty) working days, subject to inclusion of all the information required in the application form. You are therefore requested to submit your application form **at least 60 (sixty) working days prior** to the date on which you propose to use a vehicle(s) in the coastal area.
8. The timeframes stated in paragraph 7 above only commences once all required information requested in this Application Form has been submitted to the Department and includes a duly completed Application Form.
9. Additional information may be requested at any time during the application process if incomplete information was submitted or if new information requiring further investigations or information comes to light during consultation with the relevant authority(ies) or site visit(s).
10. If applicable - please note that on expiry of the previous permit issued to you, you must return the original certificate(s) issued with that permit, at your own cost, to the Department within 10 (ten) working days of the expiry of that permit.
11. A permit for construction or maintenance of infrastructure authorised by law in term so of regulation 4(1)(h) requires the payment of an application fee as published in the relevant *Government Gazette*, can be issued for a maximum period of 5 (five) years and may be renewed once for a maximum period of 2 (two) years, upon application. The renewal Application Form and all its appendices must be submitted to the Department at least **50 (fifty) working days** before the expiry of the original permit. If the original permit lapses before a renewal application is received by the Department, a new application must be submitted to the Department (i.e. a renewal application

will only be considered if received by the Department while the original permit is still valid). Submission of an application for renewal does not automatically extend the validity of the original permit; therefore the activity may not continue after expiry of the original permit unless a renewal or new permit has been granted by the Department. Permits may only be renewed once, after which a new application must be submitted.

12. Should the applicant wish to be exempted from complying with any requirements specified in regulations 4 for the granting of a permit, the exemption Application Form must be completed and submitted to the Minister. The Minister shall only issue an exemption if satisfied that granting such an exemption will not result in significant harm to the coastal area, will not seriously affect any rights of the general public to enjoy the coastal area, and is in the public interest, or alternatively in the interest of protecting the environment. The exemption Application Form can be obtained from the web address on Page 1 of this Application Form.

13. Additional information may be requested at any time during the application process if incomplete information was submitted or if new information requiring further investigations or information comes to light during consultation with the relevant authority(ies) or site visit(s). Consultations by the applicant with specific organisations, authorities, persons or interested parties may be requested by the Department and the application will be considered incomplete until the results of such consultations have been submitted to the Department in writing.

SECTION A: APPLICANT DETAILS

Mark the appropriate box (if using computer) "☐" and provide a detailed description/motivation where required.

Applicant Name:			
Organisation / Club Affiliated to (if any):			
RSA Identity Number / Passport Number:			
Trading name (if any):			
Company Registration Number:			
Postal address:			
		Postal code:	
Telephone:		Cell:	
E-mail:			

Project Consultant:		
Contact person:		
Postal address:		
		Postal code: <input type="text"/>
Telephone:	<input type="text"/>	Cell: <input type="text"/>
E-mail:	<input type="text"/>	
Environmental Assessment Practitioner ("EAP"):		
Contact person:		
Postal address:		
	<input type="text"/>	Postal code: <input type="text"/>
Telephone:	<input type="text"/>	Cell: <input type="text"/>
E-mail:	<input type="text"/>	
EAP Qualifications:		
EAP registrations / Associations:		
Landowner of property to be accessed (if different from the applicant):		
Contact person:		

Postal address:			
		Postal code:	
Telephone:		Cell:	
E-mail:			

Please note:

- In instances where there is more than one landowner (e.g. where several alternative access points exist or where the access to the coastal area traverses several adjoining properties), please attach a list of landowners with their contact details to the back of this form.
- A copy of applicant's Identity Document must be attached to the application as **Appendix A**

SECTION B: PROPOSED ACCESS AND ACTIVITY INFORMATION

Cross out the appropriate box "☒".

Is an environmental authorisation required to carry out the activity?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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Please note:

- Proof of payment of the *Gazetted* application fee must be attached to the application as **Appendix B**. A copy of the *Gazetted* fees can be obtained from the Department using the contact details on page 1.
- A copy of the environmental authorisation or, if one is not required, a copy of the letter from the competent authority confirming this must be attached to the application as **Appendix C**
- If an environmental management plan is required as part of the environmental authorisation, a copy of this plan must be attached to the application as **Appendix D**

Please provide a detailed description of the construction or maintenance activity:

Access point location(s):			
Farm / Erf name(s) & number(s) including portion(s) for which access is sought via the coastal area:			
Physical address of the property for which access is sought:			
Coordinates:	Latitude (S)		
	Longitude (E)		
Access point name:			Distance (m/km):
Coordinates:	Latitude (S):		
	Longitude (E):		
Access point name:			Distance (m/km):
Coordinates:	Latitude (S):		
	Longitude (E):		
Access point name:			Distance (m/km):
Coordinates:	Latitude (S):		
	Longitude (E):		
Access point name:			Distance (m/km):
Coordinates:	Latitude (S):		
	Longitude (E):		
Access point name:			Distance (m/km):
Coordinates:	Latitude (S):		
	Longitude (E):		

Please note:

- Where numerous properties are crossed, attach a list of property descriptions and street addresses to the application form.
- Where numerous access points / routes exist, indicate all possible access points / routes on a map attached as **Appendix E**

Province in whose area of jurisdiction the activity falls:			
Municipality in whose area of jurisdiction the activity falls:			
Closest City or Town:		Distance (km):	

Locality map:	<p>A locality map must be attached to the application as Appendix E. The scale of the locality map must be at least 1:50 000. The scale must be indicated on the map. The map must indicate the following:</p> <ul style="list-style-type: none"> • an accurate indication of the access point(s) requested, all possible alternative access points as well as the areas of intended use; • road names or numbers of all the major roads as well as the roads that provide access to the site(s) • a north arrow; • a legend; • the prevailing wind direction; • GPS co-ordinates (Indicate the position of the proposed access points to and from the coastal area using the latitude and longitude of each access points. 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); • property boundaries; and • all natural features within the vicinity of the site (e.g. watercourses, shoreline, dunes, etc.)
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Site Access

Is there an existing access public road leading to the coastal area?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Describe the type of access road to the coastal area (for existing access and access to be constructed):				
Does the route within the coastal area (if any) pass through or adjacent to any Protected Area or Marine Protected Area (MPA)?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>

Provide a brief description:

Please Note: indicate the position of the access road on the locality map (this must be attached as **Appendix E**)

Site photographs

Colour photographs of the access point(s) and its surroundings (taken of and from the access point(s), 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 locality map. 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 **Appendix F** to this form.

Land use character of surrounding area

Please indicate the land use characters surrounding the area and give more details.

- Untransformed area, residential area, nature, or protected area, harbour/ etc

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).

APPLICATION HISTORY

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

Has an ORV permit for this ORV permit category previously been considered by this Department?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If so, please give a brief description of the type of the application(s) (In instances where there were more than one application, please list all applications):				
<div></div>				
Has any one of the previous application(s) for this ORV permit category been approved or refused?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If so provide a list of the successful and unsuccessful application(s) and the date of the decision(s):				

Provide detail on the period of validity of decision and expiry dates of the above permit(s):				
For what recreational purpose (if any) is the area of intended vehicle use used by the public:				
Bathing	<input type="checkbox"/>	Fishing	<input type="checkbox"/>	Other (specify)
If any of the above applies, indicate the approximate number of people per day per activity:				

SECTION C: DURATION OF ACCESS REQUIRED

Please state the date(s) / period for which access is sought below.					
Maximum period allowed in the regulations		YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Other (please specify):		YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
From (date):		To (date):			
Do any of the above-nominated dates fall within a school holiday period or on public holidays?		YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
If yes, please provide details:					
The duration and frequency of the proposed vehicle use in the coastal area (i.e. the number of times a day vehicular access is sought).					

SECTION D: VEHICLE AND DRIVER DETAILS

Describe the type(s) of vehicle(s) that is / are to be used in the coastal area (make and registration number(s)):

List all drivers of the abovementioned vehicle(s) to whom this permit application applies:

Please state all measures to be implemented to ensure that disturbance of the coastal environment due to vehicle use is minimised

Please note:

- Photographs of the vehicles to be used in the coastal area must be attached as **Appendix G**. Photographs from the front and side of each vehicle must be provided.
- Copies of the driver's licences and identity documents of all drivers must be attached as **Appendix H**

SECTION E: EFFECT ON THE ENVIRONMENT

As a general rule vehicle use will not be permitted in areas considered sensitive or inappropriate, including:

- Mangrove forests, dunes, wetlands, saltmarshes, estuaries, river mouths, or any vegetated areas considered sensitive;
- Beaches with unsuitable physical attributes or natural barriers such as steep gradients, rocky headlands or outcrops, wave-cut rocky platforms;
- Areas providing habitat for sensitive species such as turtle nesting sites and bird roosting and nesting sites;
- Sites of cultural significance, including archaeological and palaeontological sites, such as shell middens; and
- Protected areas such as coastal parks, coastal nature reserves and marine protected areas.

Proposals to use vehicles in such areas will therefore require adequate motivation.

GRADIENT OF THE SITE

Indicate the general gradient of the coastal area within which vehicle use is proposed (cross out the appropriate box).

Flat	<input type="checkbox"/>	Flatter than 1:10 (gently sloping)	<input type="checkbox"/>	1:10 – 1:5 (steep)	<input type="checkbox"/>	Steeper than 1:5 (very steep)	<input type="checkbox"/>
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FEATURES OF COASTLINE

Indicate the word(s) that best describes the coastal area, access route and adjacent areas for each of the categories on the left (cross out ("☒") the appropriate box(es)).

Terrain	Rocky outcrops	<input type="checkbox"/>	Rocky shores	<input type="checkbox"/>	Calcified dunes	<input type="checkbox"/>	Cliffs	<input type="checkbox"/>	Sandy Shore	<input type="checkbox"/>
Soil	Clay	<input type="checkbox"/>	Mud	<input type="checkbox"/>	Silt	<input type="checkbox"/>	Sand	<input type="checkbox"/>	Gravel	<input type="checkbox"/>
Coastal area	Accreting	<input type="checkbox"/>	Eroding	<input type="checkbox"/>	Stable	<input type="checkbox"/>				
Estuary	Mouth	<input type="checkbox"/>	Moving	<input type="checkbox"/>	Stable	<input type="checkbox"/>	Floodplain	<input type="checkbox"/>		
Other features (describe):										

Is there any soil erosion present on or near the access point(s) and / or coastal area within which vehicle use is proposed?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
If yes, please specify extent:				

Indicate the word(s) that best describes the features of the access point(s) and its surroundings (cross out ("☒") the appropriate box(es))

> 30 m between the high water mark and the base of fixed dunes	<input type="checkbox"/>	Vegetated Parallel Dunes	<input type="checkbox"/>	Unvegetated Parallel Dunes	<input type="checkbox"/>
Area or site of special attraction	<input type="checkbox"/>	Dune Blowouts Present	<input type="checkbox"/>		
Other (describe):	<input type="checkbox"/>				

FAUNA, VEGETATION AND / OR GROUNDCOVER

Cross out ("☒") the block the type of animal species present on the site:

Amphibians	<input type="checkbox"/>	Birds	<input type="checkbox"/>	Mammals	<input type="checkbox"/>
Insects	<input type="checkbox"/>	Reptiles	<input type="checkbox"/>	Other (please specify below):	<input type="checkbox"/>

Are any rare or endangered animal species known to occur on or near the site? Please explain:

Cross out ("☒") the block the vegetation types / groundcover present on the site:

Indigenous Vegetation - good condition	<input type="checkbox"/>	Indigenous Vegetation with scattered aliens	<input type="checkbox"/>	Indigenous Vegetation with heavy alien infestation	<input type="checkbox"/>
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface	<input type="checkbox"/>	Veld dominated by alien species	<input type="checkbox"/>	Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe below (if applicable)	<input type="checkbox"/>
Bare soil	<input type="checkbox"/>	Building or other structure	<input type="checkbox"/>	Sport field	<input type="checkbox"/>
Other (describe below)	<input type="checkbox"/>	Cultivated land	<input type="checkbox"/>	Paved surface	<input type="checkbox"/>

COASTAL PUBLIC PROPERTY AND THE COASTAL PROTECTION ZONE

Will granting the proposed vehicle access negatively impact the following:						
Public access (other than the permit holder) to the intertidal zone	YES	<input type="checkbox"/>	UNSURE	<input type="checkbox"/>	NO	<input type="checkbox"/>
Reason(s):						
Sensitive coastal ecosystems	YES	<input type="checkbox"/>	UNSURE	<input type="checkbox"/>	NO	<input type="checkbox"/>
Reason(s):						

The natural functioning of dynamic coastal processes such as lateral dune movement (including increasing the risk posed by dynamic coastal processes to people, property and economic activities)	YES	<input type="checkbox"/>	UNSURE	<input type="checkbox"/>	NO	<input type="checkbox"/>
Reason(s): <div></div>						
The ecological integrity of the coastal environment	YES	<input type="checkbox"/>	UNSURE	<input type="checkbox"/>	NO	<input type="checkbox"/>
Reason(s): <div></div>						
The natural functioning of the littoral active zone	YES	<input type="checkbox"/>	UNSURE	<input type="checkbox"/>	NO	<input type="checkbox"/>
Reason(s): <div></div>						

SECTION F: RIGHTS OF THE PUBLIC

As a general rule vehicle use will not be permitted on beaches used by large numbers of people for passive forms of recreation such as bathing and strolling if such vehicle use is considered to pose a threat to the safety of members of the public.

State in detail why the proposed use of a vehicle in the coastal area will not adversely and seriously affect any rights of the general public to safely enjoy the coastal area:

Describe the current uses of the area within which vehicular use is proposed:

SECTION G: MITIGATION AND MONITORING MEASURES

Please Note: 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 describe the manner in which the vehicle use has impacted (where a permit was previously granted) / will impact on the following aspects:

GEOGRAPHICAL AND PHYSICAL ASPECTS:

(e.g. dunes, erosion, degradation of the coastline, estuaries, proximity to the coast, etc.)

BIOLOGICAL ASPECTS:

Has / will the activity impact(ed) 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	<input type="checkbox"/>	NO	<input type="checkbox"/>
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If yes, please describe:

Please describe the manner in which any other biological aspects were / might be / will be impacted:

List all mitigation measures to limit the impact of the activity on the physical, biological and social aspects of the area of intended vehicle use:

SECTION H: ASSUMPTIONS AND UNCERTAINTIES

Please describe the underlying assumptions of the information supplied:

Please describe any uncertainties:

SECTION H: RECOMMENDATIONS OF THE EAP

Note: Only to be completed if this Application Form was completed by an EAP

In my view (EAP), the information contained in this Application Form and the documentation attached hereto is sufficient to make a decision in respect of the activity applied for.	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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If "NO", list the aspects that should be further assessed through additional specialist input / assessment:

--

If "YES", please indicate below whether in your opinion the application should be granted a permit:

Application should be granted a permit:

YES

☐

NO

☐

Please provide reasons for your opinion and any conditions, including mitigation measures that should in your view be considered for inclusion in a permit:

--

Declaration By Applicant

I hereby confirm that I am fully aware of my responsibilities in terms of Government Notice No. R. 496 of 27 June 2014 and that any failure to comply with it may constitute an offence in terms of the Regulations.

These Regulations are available from the Department of Forestry, Fisheries and the Environment: Branch Oceans and Coasts, e-mail ORVPermitting@dfre.gov.za or may be downloaded from the website <http://www.dfre.gov.za/>

I, the undersigned, do hereby declare that the information submitted with and in this application is true, correct, and complete, and that the copies of the documents submitted are true and copies of the original documents. I understand that if any information furnished in this application is not true or complete, including providing false documentation, the falsification of any document, the making of any misleading or false statements, or the non-disclosure of material information or information which may materially affect the evaluation of this application, this may disqualify the application or lead to it being refused. If it later transpires that the info was false then the exemption may be withdrawn.

Signature of the applicant	
Full Name	
Signed at (place)	

Date	
-------------	--

If this application has been prepared or completed by, or on the advice of, any person other than the applicant or an employee of the applicant, then this third party must complete the following as well:

Signature of the third party	
Full Name	
Signed at (place)	
Date	