



**forestry, fisheries  
& the environment**

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

**Application to the Minister of the Department of Forestry, Fisheries and the Environment in terms of Regulation 16 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”)**

## **EXEMPTION APPLICATION: 2014 OFF-ROAD VEHICLES (ORV) REGULATIONS**

### **DEPARTMENTAL POSTAL DETAILS**

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

2<sup>nd</sup> Floor, East Pier Building  
East Pier Road  
Victoria and Alfred Waterfront  
Cape Town  
8000

Completed application form can also be sent via  
email to : [ORVPermitting@dfffe.gov.za](mailto:ORVPermitting@dfffe.gov.za)

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

<u>Type of exemption required</u>	Tick the applicable box
<b>Exemption from obtaining a permit</b>	<input type="checkbox"/>
<b>Exemption from a specific provision of regulation 4 (Please specify):</b>  <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	<input type="checkbox"/>

**Please Note:** The Minister may only grant exemption if the following criteria are met:

- Granting the exemption will not result in significant harm to the coastal area;
- Granting the exemption will not seriously affect the rights of the general public to enjoy the coastal area; and
- Granting the exemption is in the public interest, alternatively in the interest of protecting the environment

<u>Appendix Checklist</u>		Tick the box if the appendix is attached
<b>Appendix A</b>	<b>A copy of your identity document</b>	<input type="checkbox"/>
<b>Appendix B</b>	<b>A detailed map of the area (1:50 000) or copy thereof, showing the area of intended use and the proposed access points / route</b>	<input type="checkbox"/>
<b>Appendix C</b>	<b>Written support from the relevant Provincial and Municipal authorities</b>	<input type="checkbox"/>
<b>Appendix D</b>	<b>Photographs of vehicles intended to be used in the coastal area</b>	<input type="checkbox"/>
<b>Appendix E</b>	<b>Copies of the identity documents and driver's licences of all persons who will be driving the vehicle(s)</b>	<input type="checkbox"/>
<b>Appendix F</b>	<b>Other (if applicable)</b>	<input type="checkbox"/>

**Please Note:** All the above appendices must be attached

### 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 **exemption** applications. A copy of this form and its appendices must be kept by the applicant and must be submitted to the delegated authority upon request.
  
2. This document is divided into the following sections:
  - Section A: Applicant Details
  - Section B: Exemption Details
  - Section C: Proposed Access and Activity Information
  - Section D: Duration of Access Required
  - Section E: Vehicle Details
  - Section F: Effect on the Environment
  - Section G: Rights of the Public

Section H: Public interest / interest of protecting the environment

All required sections must be completed in full.

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 email address or address listed on Page 1 of this Application Form. Applications not containing the required signature(s) shall not be considered by the relevant authority until such signed document(s) has / have been received.
4. The required information must preferably 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). If the application is completed by hand, the required information must be attached to the Application Form where the spaces provided are insufficient.
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 have 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). 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.

10. Please note that, on expiry of this exemption (if authorised), you must return the original certificate(s) issued with the exemption, at your own cost, to the Department within 10 (ten) working days of the expiry of the permit.
11. A renewal application cannot be submitted for an exemption. A new exemption application may be submitted to the Department for consideration. This should preferably be submitted to the Department **at least 50 (sixty) working days prior** to the expiry of the valid exemption (if applicable).
12. Mark the appropriate box "" and provide a detailed description /motivation where required.

## SECTION A: APPLICANT DETAILS

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:			

**Please note:**

- A copy of applicant's Identity Document must be attached to the application as **Appendix A**

## SECTION B: EXEMPTION DETAILS

Is exemption from obtaining a permit sought?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If no, please tick the appropriate box below to indicate the permit category from which exemption from specific requirements is sought.				
4(1)(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)				<input type="checkbox"/>
4(1)(b) scientific research				<input type="checkbox"/>

4(1)(c) operating a tourism business	<input type="checkbox"/>
4(1)(d) accessing private property provided there is no reasonable alternative access to the property	<input type="checkbox"/>
4(1)(e) producing an advertisement, film, still photograph or a television programme	<input type="checkbox"/>
4(1)(f) access by a physically disabled person	<input type="checkbox"/>
4(1)(g) hosting a fishing competition	<input type="checkbox"/>
4(1)(h) the construction or maintenance of infrastructure authorised by a law	<input type="checkbox"/>

Please provide the details of the specific requirement(s) for which exemption is sought:

Please provide a detailed motivation detailing why the exemption should be granted:

**Please note:**

- Where additional authorisations are required for the specific vehicle use or activity for which the vehicle use is required, copies of such authorisation or proof that such authorisations have been applied for must be attached to this application form

**SECTION C: PROPOSED ACCESS AND ACTIVITY INFORMATION**

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:

**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 B**

Access point name:		<input type="text"/>	Distance (m/km):	<input type="text"/>
Coordinates:	Latitude (S):	<input type="text"/>		
	Longitude (E):	<input type="text"/>		
Access point name:		<input type="text"/>	Distance (m/km):	<input type="text"/>
Coordinates:	Latitude (S):	<input type="text"/>		
	Longitude (E):	<input type="text"/>		
Access point name:		<input type="text"/>	Distance (m/km):	<input type="text"/>
Coordinates:	Latitude (S):	<input type="text"/>		
	Longitude (E):	<input type="text"/>		
Access point name:		<input type="text"/>	Distance (m/km):	<input type="text"/>
Coordinates:	Latitude (S):	<input type="text"/>		
	Longitude (E):	<input type="text"/>		

**Please note:**

- The Department may authorise some or all of the access points or may authorise alternate access points if deemed more

suitable. The Department reserves the right to refuse an application for access to the coastal area if sound reasons exist.

- If the space provided is insufficient, the list of access points must be attached as an appendix to this application.
- 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 supplied in decimal degrees and contain at least 6 decimal places to ensure accuracy one metre. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection);
- If access to the coastal public property is to be obtained via private property, please provide written confirmation from the property owner that (s)he grants access via their private property.

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

**Please note:** Written support from the relevant Provincial and Municipal authorities must be attached as **Appendix C**

Locality map:	<p>A locality map must be attached to the application as <b>Appendix B</b>. 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"> <li>• an accurate indication of the access point(s) requested, all possible alternative access points as well as the areas of intended use;</li> <li>• road names or numbers of all the major roads as well as the roads that provide access to the site(s)</li> <li>• a north arrow;</li> <li>• a legend;</li> <li>• property boundaries; and</li> <li>• all natural features within the vicinity of the site (e.g. watercourses, shoreline, dunes, etc.)</li> </ul>
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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"/>
Provide details:				
Describe the type of access road (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 B**)

**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

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**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**

Has an exemption for this activity 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)				
Has any one of the previous exemption application(s) 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):				



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Provide detail on the period of validity of decision and expiry dates of the above exemption(s):

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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):	<input type="checkbox"/>	
<table border="1"><tr><td style="height: 30px;"></td></tr></table>						

If any of the above applies, indicate the approximate number of people per day per activity

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#### SECTION D: DURATION OF ACCESS REQUIRED

Please state the date(s) / period for which access is sought below.

From (date):	<input type="text"/>	To (date):	<input type="text"/>
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Do any of the above-nominated dates fall within a school holiday period or on public holidays? YES  NO

If yes, please provide details:

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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)

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#### SECTION E: 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)):

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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 list the persons who will accompany the applicant in the vehicle(s) and state their respective functions:

**Please note:**

- Photographs of the vehicles to be used in the coastal area must be attached as **Appendix D**. 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 E**

**SECTION F: 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.

**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 where within which vehicle use is proposed?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
If yes, please specify extent:				

**FAUNA, VEGETATION AND / OR GROUND COVER**

Please note: The Department may request specialist input / studies depending on the nature of the biodiversity occurring on the site and potential impact(s) of the activity(ies). To assist with the identification of the biodiversity occurring on site and the ecosystem status consult <http://bgis.sanbi.org> or [BGIShelp@sanbi.org](mailto:BGIShelp@sanbi.org). Information is also available on compact disc (“cd”) from the Biodiversity-GIS Unit, Tel: (021) 799 8698. This information may be updated from time to time, and it is the Applicant / EAP’s responsibility to ensure that the latest version is used. A map of the relevant biodiversity information (including an indication of the habitat conditions as per (c) below) may be provided as an overlay map to the locality map as an appendix to this form. This information may be requested by the competent authority if deemed necessary for making an informed decision on the application.

Cross out (“☒”) the block **and** describe (where applicable) 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):	<input type="checkbox"/>

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

Cross out ("☒") the block **and** describe (where applicable) 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	<input type="checkbox"/>
Bare soil	<input type="checkbox"/>	Building or other structure	<input type="checkbox"/>	Sport field	<input type="checkbox"/>
Other (describe) <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	<input type="checkbox"/>	Cultivated land	<input type="checkbox"/>	Paved surface	<input type="checkbox"/>

Please provide a detailed motivation which clearly demonstrates why granting the exemption will not result in significant harm to the coastal area:

**COASTAL PUBLIC PROPERTY AND THE COASTAL PROTECTION ZONE**

Will granting the proposed vehicle access negatively impact the following:						
Public access (other than the exemption holder) to the intertidal zone	YES	<input type="checkbox"/>	UNSURE	<input type="checkbox"/>	NO	<input type="checkbox"/>
Reason(s): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>						
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):						
The ecological integrity of the coastal environment	YES	<input type="checkbox"/>	UNSURE	<input type="checkbox"/>	NO	<input type="checkbox"/>
Reason(s):						
The natural functioning of the littoral active zone	YES	<input type="checkbox"/>	UNSURE	<input type="checkbox"/>	NO	<input type="checkbox"/>
Reason(s):						

**SECTION G: 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 H: PUBLIC INTEREST / INTEREST OF PROTECTING THE ENVIRONMENT**

Please state in detail why granting an exemption to the applicant would be in the public interest, or in the interests of protecting the environment:

**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@dffe.gov.za](mailto:ORVPermitting@dffe.gov.za) or may be downloaded from the website <http://www.dffe.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.

<b>Signature of the applicant</b>	
<b>Full Name</b>	
<b>Signed at (place)</b>	
<b>Date</b>	

**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:**

<b>Signature of the third party</b>	
<b>Full Name</b>	
<b>Signed at (place)</b>	
<b>Date</b>	