

**Application to the Department of Environmental Affairs in terms of Regulation 4 (1) (f) 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 THE PURPOSE OF ACCESS BY A PHYSICALLY DISABLED PERSON**

**DEPARTMENTAL POSTAL DETAILS**

Department of Environmental Affairs

Directorate: Coastal Conservation Strategies

Attention: Director: Coastal Conservation Strategies

2nd Floor, East Pier Building

East Pier Road

Victoria and Alfred Waterfront

Cape Town

8000

**OR**

P O Box X4390

Cape Town

8000

Queries should be directed to the Sub-Directorate: Coastal Protection and Development

<Tel:021> 819 2598

e-mail: ORVPermitting@environment.gov.za

View the Department’s website on [http://www.environment.gov.za](http://www.environment.gov.za/) for the latest version of this document

|  |  |  |
| --- | --- | --- |
| **Appendix Checklist** | | Tick the box if the appendix is attached |
| **Appendix A** | **A certified copy of your identity document** |  |
| 1. **Appendix B** | 1. **Proof of payment of the application fee (if applicable)** |  |
| **Appendix C** | **A certificate from the National Council for Persons with Physical Disabilities in South Africa stating that the applicant has a permanent severe mobility impairment** |  |
| 1. **Appendix D** | 1. **A detailed map of the area (1:50 000) or copy thereof, showing the area of intended use and the proposed access points / routes** |  |
| **Appendix E** | **Photographs of vehicles intended to be used in the coastal area** |  |
| **Appendix F** | **Certified copies of the identity documents and driver’s licences of all persons who will be driving the vehicle(s)** |  |
| **Appendix G** | **Other (if applicable)** |  |

**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 03 October 2016. 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. In terms of the Regulations, for an applicant to obtain this permit must provide a certificate obtained from the National Council for Persons with Physical Disability in South Africa (NCPPDSA), which certify the applicant as a person with permanent severe mobility impairment. The contact details of the NCPPDSA are as follows:

The National Director:

Tel: 011 452 2774

E-mail: [nationaloffice@ncppdsa.org.za](mailto:nationaloffice@ncppdsa.org.za)

1. 3. This document is divided into the following sections and **all sections must** be completed in full:
2. Section A: Applicant Details
3. Section B: Proposed Access and Activity Information
4. Section C: Duration of Access Required
5. Section D: Vehicle Details
6. Section E: Effect on the Environment
7. Section F: Rights of the Public
8. Section G: Mitigation and Monitoring Measures

Section H: Assumptions and Uncertainties

1. 4. 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 listed on Page 1 of this Application Form. **E-mailed applications will be accepted (at the e-mail address listed on Page 1 of this Application Form) provided that appendices which must be certified are certified and the Declaration by the Applicant is commissioned by a commissioner of oaths before being scanned and submitted to the Department.** Applications not containing the required signature(s) shall not be considered by the relevant authority until such signed document(s) has / have been received.
2. 5. 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).
3. 6. 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.
4. 7. 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. The applicant’s signature must be commissioned by a Commissioner of Oaths. 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.

8. 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 (Act No. 108 of 1996). Provincial working groups meet as required to evaluate applications for vehicle use in the coastal area. 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.

9. 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.

10. 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).

11. 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.

12. Permits for carrying the purpose of access to the coastal area by a physically disable person in term so of regulation 4(1)(f) requires the payment of an application fee as published in the relevant *Government Gazette* and 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.

13. 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.

##### **SECTION A: APPLICANT DETAILS**

Write in the appropriate box (*if using computer*) “⌧”.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Applicant Name: |  | | | | | | | |
| RSA Identity Number /  Passport Number: |  | | | | | | | |
| Postal address: |  | | | | | | | |
|  |  | | | | | | Postal code: |  |
| Telephone: | ( | |  | | ) |  | Cell: |  |
| Fax: | ( |  | | ) | |  | E-mail: |  |
| Landowner of property to be accessed (if different from the applicant): |  | | | | | | | |
| Contact person: |  | | | | | | | |
| Residential address: |  | | | | | | | |
|  |  | | | | | | Postal code: |  |
| **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 property traverses several adjoining properties), please attach a list of landowners with their contact details to the back of this form. * A certified copy of applicant’s Identity Document must be attached to the application as **Appendix A** | | | | | | | | |

##### **SECTION B: PROPOSED ACCESS AND ACTIVITY INFORMATION**

Write in the appropriate box (*if using computer*) “⌧”.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 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: | | |  | | | | | |
|  | | | | | | | | |
| 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**:

* 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 certificate from the National Council for Persons with Physical Disabilities in South Africa stating that the applicant has a permanent severe mobility impairment must be attached to the application as **Appendix C**
* 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.
* 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 D**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 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: | A locality map must be attached to the application as **Appendix D**. 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:   * an accurate indication of the access point(s) requested, all possible alternative access points as well as the area(s) 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; * property boundaries; and * all natural features within the vicinity of the site (e.g. watercourses, shoreline, dunes, etc.) | | | |

**Site Access**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Is there an existing access road leading to the coastal area? | YES |  | NO |  |
| If there is an existing road, is it a legal, promulgated road? | YES |  | NO |  |
| Provide details: | | | | |
|  | | | | |
| 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 pass through or adjacent to any Protected National Environment (PNE), Marine Reserve, Biosphere, nature Reserve, National or World Heritage Site, Conservancy, Ramsar Site or National Park? | YES |  | NO |  |
| Provide a brief description: | | | | |
|  | | | | |
| **Please Note:** indicate the position of the access road on the locality map (this must be attached as **Appendix D**) | | | | |

### **Land use character of surrounding area**

### Cross out (“⌧”) the block that reflects the land uses and / or prominent features that occur within a +/- 500m radius of the access point(s) and areas within the coastal area where vehicles will be used.

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

### **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 |  | No | |  |
| 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 application(s) for this ORV permit category been approved or refused? | | | | | Yes |  | No | |  |
| 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 |  | Fishing |  | Other (specify) | | | |  | |
|  | | | | | |
| If any of the above applies, indicate the approximate number of people per day per activity: | | | | | | | | | |
|  | | | | | | | | | |

### **APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Were the following legislation considered during the completion of this Application Form? | | | | |
| The National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”) | YES |  | NO |  |
| The National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) (“the ICM Act”) | YES |  | NO |  |
| Other (please specify): | | | | |
|  | | | | |

### 

##### **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 |  | | NO |  |
| Other (please specify) | | | | YES |  | | NO |  |
| From (date): |  | To (date): |  | | | | | |
| Do any of the above-nominated dates fall within a school holiday period or on public holidays? | | | | YES | |  | NO |  |
| 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 E.** Photographs from the front and side of each vehicle must be provided.

* Certified copies of the driver’s licences and identity documents of all drivers must be attached as **Appendix F**

##### **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 sitesand 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 |  | Rocky shores |  | Calcified dunes |  | Cliffs |  | Sandy Shore |  |
| Soil | | Clay |  | Mud |  | Silt |  | Sand |  | Gravel |  |
| Coastal area | | Accreting |  | Eroding |  | Stable |  |  | | | |
| Estuary | | Mouth |  | Moving |  | Stable |  | Floodplain |  |  | | |
| 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 |  | NO |  |
| If yes, please specify extent: | | | | |
|  | | | | |

Indicate the surface water present on and or adjacent to the coastal area within which vehicle use is proposed (cross out (“⌧”) the appropriate boxes)?

**FAUNA, VEGETATION AND / OR GROUNDCOVER**

Please note: The Department may request specialist input / studies depending on the nature of the biodiversity occurring on the site and potential impact(s) of the activity(ies). To assist with the identification of the biodiversity occurring on site and the ecosystem status consult <http://bgis.sanbi.org> 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 the type of animal species present on the site:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Amphibians |  | Birds |  | Mammals |  |
| Insects |  | Reptiles |  | Other (please specify below): |  |
|  | | | | | |
| 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 |  | Indigenous Vegetation with scattered aliens |  | Indigenous Vegetation with heavy alien infestation |  |
| Indigenous Vegetation in an ecological corridor or along a soil boundary / interface |  | Veld dominated by alien species |  | Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe below (if applicable) |  |
| Bare soil |  | Building or other structure |  | Sport field |  |
| Other (describe below) |  | Cultivated land |  | Paved surface |  |
|  | | | | | |

### **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 |  | UNSURE |  | NO |  |
| Reason(s): | | | | | | |
|  | | | | | | |
| Sensitive coastal ecosystems | YES |  | UNSURE |  | NO |  |
| 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 |  | UNSURE |  | NO |  |
| Reason(s): | | | | | | |
|  | | | | | | |
| The ecological integrity of the coastal environment | YES |  | UNSURE |  | NO |  |
| Reason(s): | | | | | | |
|  | | | | | | |
| The natural functioning of the littoral active zone | YES |  | UNSURE |  | NO |  |
| Reason(s): | | | | | | |
|  | | | | | | |

##### **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.)

|  |
| --- |
|  |

### **SECTION H: ASSUMPTIONS AND UNCERTAINTIES**

### Please describe the underlying assumptions of the information supplied:

|  |
| --- |
|  |

### Please describe any uncertainties:

|  |
| --- |
|  |

##### **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 Environmental Affairs: Branch Oceans and Coasts (Tel: 021 819 2451), e-mail ORVPermitting@environment.gov.za or may be downloaded from the website** [**http://www.environment.gov.za/**](http://www.environment.gov.za/)

I, the undersigned, do hereby make oath / affirmation and 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 certified 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.

**THUS SIGNED IN MY PRESENCE**

Commissioner of Oaths…………………………………………………………………………….

Full Name…………………………………………………………………………………………….

Designation…………………………………………………………………………………………..

Office………………………………………………………………………………………………….

Address………….……………………………………………………………………………………

………………………………………………………………………………………………………..

Signature of the applicant

………………………………

Full Name

………………………………

………………………………

………………………………

Signed at (place)…………………………….…….on the….…..day of……..………….……in the year…………..

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)……..…………………...……on the…….…..day of………………….……in the year………..

**NOTE**

**Your application must either be posted or hand delivered. The application should be addressed to the Department of Environmental Affairs.**

**PLEASE DO NOT BIND OR STAPLE THIS FORM TO ANY OTHER DOCUMENTS**