



agriculture & environmental affairs

Department:
Agriculture
& Environmental Affairs
PROVINCE OF KWAZULU-NATAL

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APPLICATION FOR ENVIRONMENTAL AUTHORISATION

Submitted in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2010.

PROJECT TITLE

Proposed Establishment of a New Dairy, 650 000 m³ Dam and the Cultivation of an additional 15 ha of Virgin Veld, on The Farm Clovelly No. 16370, Underberg, KwaZulu-Natal.

DISTRICT MUNICIPALITY

Sisonke District Municipality

Kindly note that:

1. It is the responsibility of the applicant to ascertain whether subsequent versions of the form have been published or produced by the competent authority.
2. The application must be typed within the spaces provided in the form. The size of the space provided is not necessarily indicative of the amount of information required.
3. Where required, place a cross in the box you select.
4. Incomplete applications will be returned to the applicant for revision.
5. The use of the phrase "not applicable" in the form must be done with circumspection. Should it be done in respect of material information required by the competent authority for assessing the application, it may result in the rejection of the application as provided for in the Regulations.

Application for Environmental Authorization

6. This application must be handed in or posted to the appropriate Regional Offices of this Department as provided below and determined by the Act and regulations:

- **FOR APPLICATIONS IN NORTHERN KWAZULU-NATAL** (Amajuba, Umkhanyakude, Uthungulu, Umzinyathi and Zululand District Municipalities)

Environment: North Region
KwaZulu Natal Department of Agriculture & Environmental Affairs
Private Bag X1048
RICHARDS BAY
3900

4th Floor ABSA Building
Lakeview Terrace
RICHARDS BAY

Contact Person: Ms Zama Mbanjwa
Telephone No.: (035) 780 6765

- **FOR APPLICATIONS IN SOUTHERN KWAZULU-NATAL** (Ethekwini Metro, Ilembe, Sisonke, Ugu, Umgungundlovu and Uthukela District Municipalities):

Environment: South Region
KwaZulu-Natal Department of Agriculture & Environmental Affairs
Private Bag X6005
HILTON
3245

A Block
4 Pin Oak Avenue
HILTON

Contact Person: Ms Mavis Padayachee
Telephone No.: (033) 343 8428

View this Department's website at <http://www.agriculture.kzntl.gov.za> for further information.

7. No faxed or e-mailed applications will be accepted.
8. Unless protected by law, all information filled in on this application will become public information on receipt by this Department. Any interested and affected party must be provided with the information contained in this application on request, during any stage of the application process.

PROJECT DESCRIPTION

The Applicant proposes to expand his existing dairy operations by establishing a second dairy on his property. The Applicant currently milks 900 cows. The Applicant proposes to increase this herd to 1 500. The Applicant also proposes to establish a 650 000 m³ dam, which will supply water to the farm for irrigation and stock watering. The dairy expansion also includes the cultivation of 15 ha of virgin veld.

1. BACKGROUND INFORMATION

Project applicant:

Trading name (if any):	The Clovelly Farming Trust		
Contact person:	A.P.D. Turner		
Physical address:	Clovelly Farm, Underberg		
Postal address:	P.O. Box 70, Underberg		
Postal code:	3257	Cell:	082 537 2208
Telephone:	033 701 1588	Fax:	-
E-mail:	apdturner@vodamail.co.za		

Owner or person in control of the land: (if the applicant is not the owner or the person in control of the land)

Same as above.

Contact person:			
Postal address:			
Postal code:		Cell:	
Telephone:		Fax:	
E-mail:			

In instances where there is more than one landowner, please include details of landowners with their contact details to this application.

PLEASE NOTE: Written notice of the proposed activity must be given to the owner or person in control of the land on which the activity is to be undertaken. Proof of serving such a notice must be attached to this application form.

District Municipality:	Sisonke District Municipality
Local Municipality:	Kwa Sani Local Municipality

In instances where the project includes more than one local or district municipality, please provide a list.

<u>Contact person at Local Municipality:</u>	Ms. James		
Postal address:	P O Box 43, Himeville		
Postal code:	3256	Cell:	-
Telephone:	(033) 702 1060	Fax:	(033) 702 1148
E-mail:	mm@kwasani.co.za		

In instances where there is more than one local authority involved, please include details of local authorities with their contact details to this application.

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Property description/physical address:	The Farm Clovelly No. 16370
	(Farm name, portion etc.) Where a large number of properties are involved (e.g. linear activities), please attach a full list to this application.
Nearest town/s:	Underberg
Directions to the physical address:	From Underberg drive 9.4 km towards Pietermaritzburg on the R617. The Entrance gate is signposted as Clovelly, and is located on the left hand side of the road.
Current land-use zoning:	Unzoned, used for agriculture
	In instances where there is more than one current land-use zoning, please attach a list of current land use zonings that also indicate which portions each use pertains to, to this application.

Is a change of land-use or a consent use application required?	YES	
Must a building plan be submitted to the local authority?	YES	

Locality map: A A3 locality map must be attached to the back of this document, as Appendix A. The scale of the locality map must be relevant to the size of the development (at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map.) The map must indicate the following:

- an accurate indication of the project site position in relation to known landmarks such as towns/villages, as well as the positions of the alternative sites, if any;
- road access from all major roads in the area;
- road names or numbers of all major roads as well as the roads that provide access to the site(s);
- all roads within a 1km radius of the site or alternative sites; and
- a north arrow;
- a legend; and
- locality GPS co-ordinates (Indicate the position of the activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees, minutes and seconds...

Site identification and linkage

Please indicate all the Surveyor-General 21 digit site (erf/farm/portion) reference numbers for all sites (including portions of sites) that are part of the application.

N	0	F	S	0	0	0	0	0	0	0	1	6	3	7	0	0	0	0	0
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(if there are more than 6, please expand the list with the rest of the numbers)
 (These numbers will be used to link various different applications, authorisations, permits etc. that may be connected to a specific site)

Please provide the **geographical coordinates** for the site

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Latitude /Longitude	Degrees	Minutes	Seconds
South	29	49	24.92
East	29	34	09.62

2. ACTIVITIES APPLIED FOR TO BE AUTHORISED AND PROJECT SCHEDULE

- 2.1. For an application for authorisation that involves more than one listed or specified activity that, together, make up one development proposal, all the listed activities pertaining to this application must be indicated.

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant or notice)	Describe each listed activity as per the project description (and not as per wording of the relevant Government Notice) ¹ :
GNR 544	Part 8	<i>The construction of a hatchery or agri-industrial infrastructure outside industrial complexes where the development footprint covers an area of 2 000 square metres or more.</i> The new dairy will cover an area over 2 000 m².
GNR 544	Part 11	<i>The construction of:...</i> <i>(i) canals;</i> <i>(ii) channels;</i> <i>(iii) bridges;</i> <i>(iv) dams;</i> <i>(x) buildings exceeding 50 square metres in size; or</i> <i>(xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a water course, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</i> The Applicant proposes to establish a 650 000 m³ dam.
GNR 544	Part 12	<i>The construction of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50000 cubic metres or more, unless such storage falls within the ambit of activity 19 of Notice 545 of 2010;</i> The Applicant proposes to establish a 650 000 m³ dam.
GNR 544	Part 18	<i>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 or more than 5 cubic metres from:</i> <i>(i) a watercourse;...</i> The Applicant proposes to establish a 650 000 m³ dam which will entail the movement of more than 5 m³ of soil.
GNR 544	Part 26	<i>Any process or activity identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004);</i> The Applicant proposes to cultivate 15 ha of virgin veld.
GNR 544	Part 31	<i>The expansion of facilities for the concentration of animals for the purpose of commercial production in densities that will exceed—</i> <i>(i) 20 square metres per large stock unit, where the expansion will constitute more than 500 additional units...</i> The Applicant proposes to expand his dairy herd from 900 to 1500 head of cattle.
GNR 545	Part 19	<i>The construction of a dam where the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall is 5 metres or higher or where the high-water mark of the dam covers an area of 10 ha or more.</i> The Applicant proposes to establish a 650 000 m³ dam which will include the construction of a dam wall higher than 5 m.

¹ Please note that this description should not be a repetition of the listed activity as contained in the relevant Government Notice, but should be a brief description of activities to be undertaken as per the project description, i.e. describe the components of the desired development

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GNR 546	Part 14	<p>The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for: (1) purposes of agriculture or afforestation inside areas identified in spatial instruments adopted by the competent authority for agriculture or afforestation purposes; (2) the undertaking of a process or activity included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the activity is regarded to be excluded from this list; (3) the undertaking of a linear activity falling below the thresholds in Notice 544 of 2010.</p> <p>The Applicant proposes to cultivate 15 ha of virgin veld.</p>
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Please note that any authorisation that may result from this application will only cover activities specifically applied for.

- 2.2. **Please note** that a project schedule, indicating the different phases and timelines of the project, must be attached to this application form.

3. STATE DEPARTMENTS IDENTIFIED IN TERMS OF S240

Please indicate to which State departments reports related to your application will be forwarded to provide comments in terms of section 24 0 (2) of NEMA:

Please note: details of the relevant contact person and the address of the State department must be provided. Add the names and other details for State departments not listed.

YES	NO	Name of Department	Contact person	Address
X		Ezemvelo KZN Wildlife	Donimic Wieners	P O Box 13053, Cascades, 3202
X		Amafa	Weziwe Tshabalala	P O Box 2685, PMB, 3200
X		Department of Water Affairs	Renelle Pillay	P O Box 1018, Durban, 4000
X		Department of Agriculture, Forestry and Fisheries	Mr. W.M. Rozani	Private Bag X 9029, Pietermaritzburg, 3200
	X	Department of Cooperative Governance and Traditional Affairs		
X		Department of Transport	Michele Schmid	Pvt Bag x9043, PMB, 3200
	X	Department of Human Settlements		
	X	Department of Health		
X		Provincial Department of Agriculture	N. P. Myeni	Pvt Bag X9059, PMB 3200

Please note that this Department may amend the abovementioned list. If the list is amended you will be notified accordingly. Reports must be submitted to all State departments listed above, including those identified by this Department. This Department will inform the abovementioned State departments that their comments must, in terms of section 24 O (3) of NEMA be provided within 40 days of such a request.

4. ECONOMIC AND SOCIAL INFORMATION

4.1. Capital value

Please provide an estimate of the capital value of your project on completion:

Capital value of your project (estimate):	R 30 million
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4.2. Job creation

Please provide details of the number of employees expected to benefit from the operational phase of your project:

Category	Number of employees
Permanent employees	30
Contract workers	0

5. TYPE OF APPLICATION

5.1. Application for Basic Assessment²

Is this an application that is subject to a basic assessment (as defined in the Regulations)? YES NO

Please indicate when the basic assessment report will be submitted:

N/A

5.2. Application for Scoping and Environmental Impact Assessment (EIA)³

Is this an application that is subject to Scoping and EIA (as defined in the Regulations)? YES NO

Please indicate when the Scoping Report (including the Plan of Study for EIA) will be submitted:

APRIL 2013

Determining whether basic assessment or Scoping & EIR is to be applied to your application

² **Please note:** If you are applying for the authorization of an activity which is subject to Scoping and EIR and are of the view that this Department will be able to reach a decision with information provided in a basic assessment report, a written motivation for this change must be submitted to this Department for approval and attached to this form.

³ **Please note:** If you are applying for the authorization of an activity which is subject to basic assessment and are of the view that this Department will only be able to reach a decision with information provided in an application subject to Scoping and EIR, a written motivation for this change must be submitted to this Department for approval and attached to this form.

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6. DECLARATIONS

6.1. Declaration by the applicant

I, A. P. D. Turner, declare that I-

- am, or represent⁴, the applicant in this application;
- have appointed an environmental assessment practitioner to act as the independent environmental assessment practitioner for this application;
- will provide the environmental assessment practitioner and the KZN Department of Agriculture, Environmental Affairs and Rural Development with access to all information at my disposal that is relevant to this application;
- will be responsible for the costs incurred in complying with the Environmental Impact Assessment Regulations, 2010, including but not limited to –
 - costs incurred in connection with the appointment of the environmental assessment practitioner;
 - costs incurred in respect of the undertaking of any process required in terms of the Regulations;
 - costs in respect of any fee prescribed by the Minister or MEC in respect of the Regulations;
 - costs in respect of specialist reviews, if the competent authority decides to recover costs; and
 - the provision of security to ensure compliance with conditions attached to an environmental authorisation, should it be required by the KZN Department of Agriculture, Environmental Affairs and Rural Development;
- will ensure that the environmental assessment practitioner is competent to comply with the requirements of the EIA Regulations, 2010 and will take reasonable steps to verify whether the EAP complies with the Regulations;
- will inform all registered interested and affected parties of any suspension of the application, as well as of any decisions taken by the KZN Department of Agriculture, Environmental Affairs and Rural Development in this regard;
- am responsible for complying with the conditions of any environmental authorisation issued by the KZN Department of Agriculture, Environmental Affairs and Rural Development;
- hereby indemnify the Government of the Republic of South Africa, the KZN Department of Agriculture, Environmental Affairs and Rural Development and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action which the applicant or environmental assessment practitioner is responsible for in terms of the EIA Regulations, 2010;
- will not hold the KZN Department of Agriculture, Environmental Affairs and Rural Development responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to obtaining an environmental authorisation or prior to an appeal being decided in terms of the EIA Regulations, 2010;
- will perform all other obligations as expected from an applicant in terms of the EIA Regulations, 2010;
- all the particulars furnished by me in this form are true and correct; and
- I realise that a false declaration is an offence in terms of regulation 71 of the EIA Regulations, 2010 and is punishable in terms of section 24F of the National Environmental Management Act, 1998 (Act 107 of 1998).

Signature of the applicant⁵/ Signature on behalf of the applicant

Clovelly Farming Trust

Trading name (if applicable)

Date

⁴ If this is signed on behalf of the applicant, proof of such authority from the applicant must be attached.

⁵ If the applicant is a juristic person, a signature on behalf of the applicant is required as well as proof of such authority.

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6.2. Declaration by the environmental assessment practitioner

Environmental assessment practitioner (EAP):⁶

Trading name (if any):	Green Door Environmental		
Contact person:	Rebecca Bowd		
Postal address:	PO Box 11, Hilton		
Postal code:	3245	Cell:	072 181 4236
Telephone:	033 343 4176	Fax:	033 343 4201
E-mail:	rebecca@greendoorgroup.co.za		
Education Qualifications ⁷ :	BA (Hons) – Environmental Science and Geography - University College Chichester, England (2001) Master of Environment and Development - University of KwaZulu-Natal (2006)		
Professional affiliation(s) (if any) ⁸	EAPSA; IAIA; SAIEA; IWMSA		

I, Rebecca Bowd declare that I

- am the independent environmental practitioner in this application;
- do not have and will not have any vested interest (either business, financial, personal or other) in the undertaking of the proposed activity, other than remuneration for work performed in terms of the Environmental Impact Assessment Regulations, 2010;
- will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant;
- declare that there are no circumstances that may compromise my objectivity in performing such work;
- have expertise in conducting environmental impact assessments, including knowledge of the National Environmental Management Act, 1998 (Act 107 of 1998), regulations and any guidelines that have relevance to the proposed activity;
- will comply with the National Environmental Management Act, 1998 (Act 107 of 1998), regulations and all other applicable legislation;
- will take the provisions of regulation 7(2) of the EIA Regulations, 2010 into account when preparing any report relating to this application;
- undertake to disclose to the applicant and the KZN Department of Agriculture, Environmental Affairs and Rural Development all material information in my possession that reasonably has or may have the potential of influencing its decision with respect to this application;
- will ensure that information containing all reports in respect of this application is distributed or made available to interested and affected parties and that their participation is facilitated in such a manner that they will be provided with a reasonable opportunity to participate and provide comments on the reports;
- will provide the competent authority with access to all information at my disposal regarding this application, whether such information is favourable to the applicant or not;
- declare that all the particulars furnished by me in this form are true and correct;
- realise that a false declaration is an offence in terms of regulation 71 of the EIA Regulations, 2010 and is punishable in terms of section 24F of the National Environmental Management Act, 1998 (Act 107 of 1998); and
- will comply with all the requirements as indicated in the National Environmental Management Act, 1998 (Act 107 of 1998) and Environmental Impact Assessment Regulations, 2010.

Signature of the environmental assessment practitioner

Green Door Environmental

Trading name

Date:

^{7 8} Please include details of names, education qualifications and professional affiliations of the EAP and each representative of the EAP appointed to manage this application.