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|  | (For official use only) |
| File Reference Number: | DC/ |
| NEAS Reference Number: | KZN/EIA/ |
| Date Received: |  |

**Application for Environmental Authorisation**

**Submitted in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and regulation 12(1) of the Environmental Impact Assessment (EIA) Regulations, 2010 (Government Notice No. R 543, 18 June 2010).**

**PROJECT TITLE**

|  |
| --- |
| **NGWEGWENI ACCESS ROAD – NKANDLA WARD 4** |

**DISTRICT MUNICIPALITY**

|  |
| --- |
| **UTHUNGULU DISTRICT MUNICIPALITY** |

**IMPORTANT INFORMATION**

**PLEASE NOTE:**

1. It is the responsibility of the applicant to ascertain whether subsequent versions of the form have been produced by the Department.
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.

**FEES APPLICABLE FOR APPLICATIONS FOR ENVIRONMENTAL AUTHORIZATIONS**

1. The following fees for the consideration and processing of applications for an environmental authorization will be applicable from **01 April 2014** (refer to the Annexure in Government Notice No.141 dated 28 February 2014):

|  |  |
| --- | --- |
| **Application** | **Fee** |
| Application for an environmental authorization subject to a Basic Assessment in terms of the EIA Regulations | R2 000.00 |
| Application for an environmental authorization subject to a Scoping and Environmental Impact Report in terms of the EIA Regulations  | R10 000.00 |

1. Where an applicant is required to pay fees for an application for environmental authorization as contemplated in section 6, this must be made by means of a bank deposit or electronic fund transfer into the bank account of this Department (refer to section 8).
2. **Payment reference number for applications for environmental authorizations** and **banking details** for the Department:

|  |  |
| --- | --- |
| Reference number (**only reference number to be used for environmental authorization applications**): | **03026982** |
| Account name: | **KwaZulu-Natal Provincial Government Agriculture** |
| Bank name: | **ABSA** |
| Branch code: | **630495** |
| Account number: | **4072480963** |

1. Proof of payment of fees (if applicable) for an environmental authorization application must be attached as **Appendix 10** to this application form and submitted with it. Proof of payment is either a stamped deposit slip or an electronic fund transfer payment advice.

**INSTANCES WHERE FEES FOR APPLICATIONS FOR ENVIRONMENTAL AUTHORIZATIONS ARE NOT APPLICABLE**

1. Where an application is for a community based project funded by a government grant or the application is made by an organ of state, the fees for considering and processing applications for an environmental authorization do not apply (refer to regulation 2 in Government Notice No.141 dated 28 February 2014).
2. Where an applicant is not required to pay a fee as contemplated in section 6 of this form, a **written motivation** (with proof of funding if a government grant is applicable) must be attached as **Appendix 11** to this application form and submitted with it.
3. If you have any queries regarding the EIA process or fees applicable for applications for environmental authorizations please contact the relevant District Office of this Department. These contact details are obtainable from Regional Offices (see below).

**REGIONAL OFFICE DETAILS**

1. The original application must hand delivered or posted to the appropriate Regional Offices of this Department as provided below. **No faxed or e-mailed applications will be accepted** Regional Office details are:
* **FOR APPLICATIONS IN NORTHERN KWAZULU-NATAL** (Amajuba, Umkhanyakude, Uthungulu, Umzinyathi and Zululand District Municipalities)

**Environment: North Region**

**KwaZulu Natal Department of Agriculture, Environmental Affairs & Rural Development**

**Private Bag X1048, RICHARDS BAY, 3900**

**4th Floor ABSA Building, Lakeview Terrace, RICHARDS BAY**

**Contact Person: Ms Zama Mbanjwa**

**Telephone No.: (035) 780 6765**

**Alternative Contact Person: Ms Jacqueline Ndlovu**

**Telephone No: (035) 780 6881**

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

**Environment: South Region**

**KwaZulu-Natal Department of Agriculture, Environmental Affairs & Rural Development**

**Private Bag X6005, HILTON, 3245**

**A Block, 4 Pin Oak Avenue, HILTON**

**Contact Person: Ms Mavis Padayachee**

**Telephone No.: (033) 343 8495**

1. 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.
2. Please note an exemption application must be finalized before lodging an application for environmental authorisation with the Department.
3. If an Environmental Assessment Practitioner (EAP) has not been appointed at the time of the submission of this application form, the declaration from the EAP must be included in the Basic Assessment Report.
4. Pages 2 and 3 may be deleted from the application form submitted to the Department.

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# **List of appendices**

|  |  |  |
| --- | --- | --- |
|  |  | **SUBMITTED** |
| Appendix 1 | List of land owners (with contact details) and proof of notification of land owners. | YES |  |
| Appendix 2 | Listing Notice 3 Map with details of activities triggered (as confirmed by the Department) |  | N/A |
| Appendix 3 | Copies of Environmental Authorisations obtained for the same property (if applicable) |  | N/A |
| Appendix 4 | Approval by the Department to submit an application subject to BA rather than S&EIR or S&EIR rather than a BA (if applicable) | YES |  |
| Appendix 5 | Approval by the Department that a combined application in terms of Regulation 14(1) of the EIA Regulations may be submitted (if applicable)  |  | N/A |
| Appendix 6 | Project schedule  | YES |  |
| Appendix 7 | Locality Map | YES |  |
| Appendix 8 | Details of the written agreement with the Department of a deviation of the public participation process (Regulation 54(5) of the EIA Regs) (if applicable) |  | N/A |
| Appendix 9 | Exemption Notice (if applicable) |  | N/A |
| Appendix 10 | Proof of payment of environmental authorization fees (if applicable). Proof of payment includes a stamped deposit slip or an electronic fund transfer payment advice.  |  | N/A |
| Appendix 11 | A written motivation explaining why the payment of environmental authorization fees are not applicable (an application for a community based project funded by a government grant or an application by an organ of state). | YES |  |
|  |  |  |  |

# **PROJECT description**

Please provide a **detailed** description of the project.

|  |
| --- |
| The project involves the upgrade of approximately 4.3kms of existing community graded roads including the installation of several 600mm diameter culverts with inlet and outlet headwalls of brick construction and storm water discharge side drains. The construction of a single culvert to provide a river / stream crossing is also required |

1. **Strategic Infrastructure Projects**

|  |  |  |
| --- | --- | --- |
| Does the project form part of any of the Strategic Infrastructure Projects (SIPs) as described in the National Development Plan, 2011? |  | NO |

# **Background information**

|  |  |
| --- | --- |
| **Project applicant**: |  |
| Trading name (if any): | Nkandla Local Municipality |
| Contact person: | Technical Director - Mr. N. Nyandu |
| Physical address: | Maria Street, Nkandla, KZN. |
| Postal address: | P.O. Box 161, Nkandla, KZN. |
| Postal code: | 3855 | Cell: | 071 381 4090 |
| Telephone: | 035 833 0040 | Fax: |  |
| E-mail: |  |  |  |
|  |  |  |  |
|  |
| **Owner or person in control of the land:** (if the applicant is not the owner or the person in control of the land) | The Ingonyama Trust Board |
| Contact person: | Mr. Duncan Pakkies – Head of Real Estate |
| Postal address: | P.O. Box 601, Pietermaritzburg, KZN. |
| Postal code: | 3202 | Cell: |  |
| Telephone: | 033 846 9900 | 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 in Appendix 1.**  |
|  |  |
| District Municipality: | Uthhungulu District Municipality |
| Local Municipality: | Nkandla Local Municipality |
|  | In instances where the project includes more than one local or district municipality, please provide a list. |
|  |  |
| Contact person at Local Municipality: | Technical Director – Mr. N. Nyandu |
| Postal address: | P.O. Box 161, Nkandla, KZN |
| Postal code: | 3855 | Cell: | 071 381 4090 |
| Telephone: | 035 833 0040 | Fax: |  |
| E-mail: |  |  |  |
| In instances where there is more than one local authority involved, please include details of local authorities with their contact details in an Appendix. |
|  |  |
|  |  |
|  |
| Property description/physical address:  | RESERVE No. 19 - 7638 |
|  | (Farm name, portion etc.) Where a large number of properties are involved (e.g. linear activities), please attach a full list in an Appendix to the application.  |
|  |  |
|  |  |
| Nearest town/s: | Nkandla |
| Directions to the physical address: | From Melmoth take the R68 towards Babanango. Travel for approximately 22.5kms on this road and then follow the signpost for Nkandla (straight on). Continue for a further 22kms to a T-junction and turn right. Travel for a further 1.2kms and turn right onto the access road. |
| Current land-use zoning: |  |
|  | In instances where there is more than one current land-use zoning, please attach a list of current land use zonings in the Appendix and also indicate which portions are relevant to this application. |
| Is a change of land-use or a consent use application required? |  | NO |
| Must a building plan be submitted to the local authority? |  | NO |

|  |  |
| --- | --- |
| Locality map: | An A3 locality map must be attached to the back of this document, as Appendix 9. 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.

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| R | E | S | E | R | V | E |  | N | o. | 1 | 9 |  | 7 | 6 | 3 | 8 |  |  |  |  |
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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

|  |  |  |  |
| --- | --- | --- | --- |
| **Latitude /Longitude** | **Degrees** | **Minutes** | **Seconds** |
| **South**  | 28° | 34’  | 47.25’ |
| **East** | 31°  | 04’  | 08.10’ |

# **Activities applied for**

* 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]](#footnote-1):** |
| GN R.544 – 18th. June 2010 | Activity No. 10 | The construction of bulk storm water outlet structures where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse. |
| GN R.544 – 18th. June 2010 | Activity No. 22 | The construction of a road, outside urban areas,(i) with a reserve wider than 13.5metres or,(ii) where no reserve exists where the road is wider than 8 metres. |
| GN R.544 – 18th. June 2010 | Activty No. 39 | The expansion of bulk storm water outlet structures within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, where such expansion will result in an increased development footprint. |
| GN R.544 – 18th. June 2010 | Activty No. 47 | The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre -(i) where the existing reserve is wider than 13.5metres or,(ii) where no reserve exists, where the existing road is wider than 8 metres. |

**Please note** that any authorisation that may result from this application will only cover activities specifically applied for.

1. **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** |
| **** |  | Ezemvelo KZN Wildlife | Acting Coordinator for IEM - Planning DivisionMs. Dinesree Thambu:Tel.: 033 845 1999 (Planning)Fax.: 033 845 1499E-mail: dinesree.thambu@kznwildlife.com | Ezemvelo KZN Wildlife,P.O. Box 13053, Cascades,Pietermaritzburg, 3202.Queen Elizabeth Park,Peter Brown Drive,Montrose, 3201. |
| **** |  | Amafa | Wezi Tshabala / Selo MokhanyaTel.: 033 394 6543Fax.: 033 342 6097On-line applications only | Archaeology Dept., AMAFA,Heritage KwaZulu Natal,P.O. Box 2685,Pietermaritzburg, 3200. |
| **** |  |  Department of Water Affairs | Mr. Sean Naidoo,Water Quality Dept.Tel.: 031 336 2889Fax.: 031 305 9915E-mail: mdletsheh@dwa.gov.za | P.O. Box 1018, Durban, 4000W.A.R.M.S., 10th. Floor Southern Life Building,88 Jo Slovo Street,Durban, 4001.Att.: Mr. Sean Naidoo. |
| **** |  | Department of Agriculture, Forestry and Fisheries | Ms. Karen Moodley,Directorate: Forestry Regulations and SupportTel: 033 392 7731E-mail: KarenM@daff.gov.za | Forestry Regulation, P/Bag X9029, Pietermaritzburg, 3200.Old Mutual Building,5th. Floor,185 Langalibalele St.,Pietermaritzburg, 3201. |
| **** | **X** | Department of COGTA |  |  |
| **** | **X** | Department of Transport |  |  |
| **** |  | Department of Human Settlements | Mr. Z. Mbonane,Tel.: 035 874 8004Fax.: 035 874 2681judith.dlamini@kznhousing.gov.zaCell: 083 295 0163 (Judith) | Regional Manager,Project Management,Northern Region,P/Bag X02, Ulundi, 3838. |
|  | **X** | Department of Health  |  |  |
| **** |  | Uthungulu District Municipality | Municipal Manager – Mr. Bonginkosi Biyela, Tel.: 035 799 2501; E-mail: sceo@uthungulu.co.za | Uthungulu House, Kruger Road, Richards Bay, 3900.P/Bag X1025, Richards Bay, 3900. |

**Please note:** This Department will inform the relevant State departments that their comments must, in terms of section 24 O (3) of NEMA be provided within 40 days of such a request.

# **ECONOMIC AND SOCIAL INFORMATION**

Provide details on the anticipated socio-economic values associated with the proposed project

|  |  |
| --- | --- |
| Anticipated CAPEX value of the project on completion | **R 5 284 393.88** |
| What is the expected annual turnover to be generated by or as a result of the project? | **R 5 284 393.88 (within one financial year)** |
| New skilled employment opportunities created in the construction phase of the project | **2** |
| New skilled employment opportunities created in the operational phase of the project | **2** |
| New un-skilled employment opportunities created in the construction phase of the project | **8** |
| New un-skilled employment opportunities created in the operational phase of the project | **4** |
| What is the expected value of the employment opportunities during the operational and construction phase? | **Construction: R307 200 (Local labour)****Operational: R72 000 Annual (Local Labour)** |

# **Type of application**

1. **Application for Basic Assessment**

|  |  |  |
| --- | --- | --- |
| Is this an application that is subject to a basic assessment (as defined in the Regulations)? | **YES** |  |
|  |  |  |
| Please indicate when the basic assessment report will be submitted: |  |  |
|  |

1. **Application for Scoping and Environmental Impact Assessment (EIA**

|  |  |  |
| --- | --- | --- |
| Is this an application that is subject to Scoping and EIA (as defined in the Regulations)? |  | **NO** |
|  |  |  |
| Please indicate when the Scoping Report (including the Plan of Study for EIA) will be submitted: |
|  |

# **APPLICATIONS FOR exemption**

If the applicant has obtained exemption from any provision of the Act as it relates to environmental impact assessment or from any provision of GN R. 543, as allowed by GN R543 (50), a copy of this notice must be provided in **Appendix 10.**

# **Declarations**

1. **Declaration by the applicant**

I, ,declare that I-

* am, or represent[[2]](#footnote-2), 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 & 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 and Environmental Affairs;
* 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 & Rural Development in this regard;
* am responsible for complying with the conditions of any environmental authorisation issued by the KZN Department of Agriculture and Environmental Affairs;
* hereby indemnify the Government of the Republic of South Africa, the KZN Department of Agriculture, Environmental Affairs & 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 & 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;
* I 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 am aware that a false declaration is an offence in terms of regulation 71(1) of the EIA Regulations, 2010 and that it is punishable in terms of regulation 71(2) of the EIA Regulations, 2010.

Signature of the applicant[[3]](#footnote-3)/ Signature on behalf of the applicant

**NKANDLA LOCAL MUNICIPALITY**

Trading name (if applicable)

Date

1. **Declaration by the environmental assessment practitioner.**

|  |
| --- |
| **Environmental assessment practitioner (EAP):[[4]](#footnote-4)** |
| Trading name (if any): | GEOFF SILK CIVIL AND MINING CONSULTANT CC |
| Contact person: | GEOFFREY ROBERT SILK |
| Postal address: | 54 PRESIDENT STREET, VRYHEID, KZN. |
| Postal code: | 3100 | Cell: | 083 448 8299 |
| Telephone: | 034 980 7643 | Fax: | 086 620 6772 |
| E-mail: | silkgr@telkomnsa.net |  |  |
| Education Qualifications[[5]](#footnote-5): | B.Sc. (Hons.) – Civil Engineering |
| Professional affiliation(s) (if any)[[6]](#footnote-6) | EAPSA |

I, GEOFFREY ROBERT SILK 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 (Act107 of 1998), regulations and any guidelines that have relevance to the proposed activity;
* will comply with the National Environmental Management Act, 1998 (Act107 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;
* I am aware that a false declaration is an offence in terms of regulation 71(1) of the EIA Regulations, 2010 and that it is punishable in terms of regulation 71(2) of the EIA Regulations, 2010; and
* I 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

GEOFF SILK CIVIL & MINING CONSULTANT CC

Trading name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

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 [↑](#footnote-ref-1)
2. If this is signed on behalf of the applicant, proof of such authority from the applicant must be attached. [↑](#footnote-ref-2)
3. If the applicant is a juristic person, a signature on behalf of the applicant is required as well as proof of such authority. [↑](#footnote-ref-3)
4. [↑](#footnote-ref-4)
5. 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. [↑](#footnote-ref-5)
6. [↑](#footnote-ref-6)