

# Application for Environmental Authorization



**edtea**

**Department :**

Economic Development, Tourism and  
Environmental Affairs

**PROVINCE OF KWAZULU-NATAL**

File Reference Number:  
NEAS Reference Number:  
Date Received:

(For official use only)

DC/

KZN/EIA/

## 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

Proposed Cultivation of Virgin Land, on 15ha of Farm Hunters Rest, Sub 1 of Farm Kromme Draai, Erf 1033 and on 12 ha of Farm Patience, Sub 20 of Farm Kromme Draai Erf 1033, in Bergville, Okhahlamba Local Municipality, Uthukela District (Dc23)

### DISTRICT MUNICIPALITY

UThukela District (DC 23)

# Application for Environmental Authorization

## 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**

6. 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

7. 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).
8. **Payment reference number for applications for environmental authorizations and banking details** for the Department:

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

9. 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**

10. 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).

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11. 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.
12. 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**

13. 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 Economic Development, Tourism & Environmental Affairs  
Private Bag X1048, RICHARDS BAY, 3900**

**4<sup>th</sup> 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 Economic Development, Tourism & Environmental Affairs  
Private Bag X6005, HILTON, 3245**

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

**Contact Person: Ms Mavis Padayachee  
Telephone No.: (033) 343 8495**

14. 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.
15. Please note an exemption application must be finalized before lodging an application for environmental authorisation with the Department.
16. 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.
17. Pages 2 and 3 may be deleted from the application form submitted to the Department.

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## LIST OF APPENDICES

		<b>SUBMITTED</b>	
Appendix 1	List of land owners (with contact details) and proof of notification of land owners.	<del>YES</del>	N/A
Appendix 2	Listing Notice 3 Map with details of activities triggered (as confirmed by the Department)	<del>YES</del>	N/A
Appendix 3	Copies of Environmental Authorisations obtained for the same property (if applicable)	YES	<del>N/A</del>
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	<del>N/A</del>
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)	YES	<del>N/A</del>
Appendix 6	Project schedule	<del>YES</del>	
Appendix 7	Locality Map	<del>YES</del>	
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)	YES	<del>N/A</del>
Appendix 9	Exemption Notice (if applicable)	YES	<del>N/A</del>
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.	<del>YES</del>	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	<del>N/A</del>

## 1. PROJECT DESCRIPTION

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

Proposed Cultivation of Virgin Land, on 15ha of Farm Hunters Rest, Sub 1 of Farm Kromme Draai Erf 1033 and on 12 ha of Farm Patience, Sub 20 of Farm Kromme Draai Erf 1033 with a total area of 333 ha in Bergville under Okhahlamba local Municipality, within Uthukela District. The development will require the clearing of indigenous vegetation for crop irrigation to increase agricultural production.

### (a) Strategic Infrastructure Projects

Does the project form part of any of the Strategic Infrastructure Projects (SIPs) as described in the National Development Plan, 2011?	YES	<input checked="" type="checkbox"/> NO
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## 2. BACKGROUND INFORMATION

### **Project applicant:**

Trading name (if any):	Hunters Rest Farm		
Contact person:	Andrew Trodd		
Physical address:	Hunters Rest Farm, Bergville, 3350		
Postal address:	P O Box 89, Bergville, 3350		
Postal code:	3350	Cell:	072 258 6690
Telephone:	036 448 1146	Fax:	
E-mail:	<a href="mailto:huntersrest@intekom.co.za">huntersrest@intekom.co.za</a>		

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

Hunters Rest Farm Trust

Contact person:	Andrew Trodd		
Postal address:	P O Box 89, Bergville, 3350		
Postal code:	3350	Cell:	072 258 6690
Telephone:	036 448 1146	Fax:	
E-mail:	<a href="mailto:huntersrest@intekom.co.za">huntersrest@intekom.co.za</a>		

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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:	Uthukela (DC 23)		
Local Municipality:	Okhahlamba Local Municipality		
In instances where the project includes more than one local or district municipality, please provide a list.			
Contact person at Local Municipality:	Sbongile Nene		
Postal address:	P.O. Box 71, Bergville, 3350		
Postal code:	3350	Cell:	082 528 8800
Telephone:	036 448 8000/30	Fax:	036 448 1986
E-mail:	Sbongile.nene@okhahlamba.org.		

In instances where there is more than one local authority involved, please include details of local authorities with their contact details in an Appendix.

N/A

Property description/physical address:	Sub 1 of farm Kromme Draai Erf 1033, on Hunters Rest Farm and Sub 20 of Farm Kromme Draai Erf 1033 on Patience Farm, Bergville		
(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:	Bergville		
Directions to the physical address:	From Bergville CBD, travel West using N11 for 10km. The farm your right		
Current land-use zoning:	Agricultural Zoned		

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?

Must a building plan be submitted to the local authority?

YES	<del>NO</del>
YES	<del>NO</del>

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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.

F	A	R	M		K	R	O	M	M	E		D	R	A	A	I				
S	U	B		1		O	F		E	R	F		1	0	3	3				
N	0	S	G	0	0	0	0	0	0	0	0	1	0	3	3	0	0	0	0	1
H	U	N	T	E	R	S		R	E	S	T									
F	A	R	M		K	R	O	M	M	E		D	R	A	A	I				
S	U	B		2	0		O	F		E	R	F		1	0	3	3			
V	0	S	G	0	0	0	0	0	0	0	0	1	0	3	3	0	0	0	2	0
P	A	T	I	E	N	C	E		F	A	R	M								

(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	40	58.0
East	29	22	39.3
South	28	40	27.6
East	29	23	54.6

### 3. ACTIVITIES APPLIED FOR

- a. 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) <sup>1</sup> :
R546 of 18 June 2010 Listing Notice 3	12	Clearing of 15ha and 12ha of indigenous vegetation. (Note that no vegetation study was conducted on the site visit).

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

### 4. 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
Yes		Ezemvelo KZN Wildlife	Dominic Wiener	PO Box 13069, Cascades, 3202 Tel: 033 845 1999 Fax: 033 845 1001
Yes		Amafa	Annie van de Venter	P.O. Box 2685, Pietermaritzburg, 3200 Tel: 0333 946543 Fax: 0333 426097
Yes		Department of Water Affairs	Manisha Maharaj	P.O. Box 1018, Durban 4000 Tel: 031 336 2700 Fax:
Yes		Department of	Hlengiwe Gumede	P O Box 345

<sup>1</sup> 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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		Agriculture, Forestry and Fisheries		Pietermaritzburg, 3200 Tel: 033 345 3515
	No	Department of Cooperative Governance and Traditional Affairs		
	No	Department of Human Settlements		
Yes		Okhahlamba Municipality	Sbongile Nene	PO Box 71 Bergville 3350 Tel: 036 448 8000/30 Fax: 036 448 1986
Yes		Uthukela District Municipality	Gugu Mazibuko	PO Box 116, Ladysmith 3370 Tel: 036 368 2400 Fax: 036 637 5608

**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.

### 5. 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 1 500 000.00 (estimated)
What is the expected annual turnover to be generated by or as a result of the project?	R400 000-00
New skilled employment opportunities created in the construction phase of the project	1
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	2
New un-skilled employment opportunities created in the operational phase of the project	2
What is the expected value of the employment opportunities during the operational and construction phase?	R1.2million

### 6. TYPE OF APPLICATION

#### (a) Application for Basic Assessment

Is this an application that is subject to a basic assessment (as defined in the Regulations)?

<b>YES</b>	<b>NO</b>
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Please indicate when the basic assessment report will be submitted:

January 2015

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### (b) Application for Scoping and Environmental Impact Assessment (EIA)

Is this an application that is subject to Scoping and EIA (as defined in the Regulations)?

YES	NO
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Please indicate when the Scoping Report (including the Plan of Study for EIA) will be submitted:

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### 7. 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**.

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### 8. DECLARATIONS

#### (a) Declaration by the applicant

I, \_\_\_\_\_, declare that I-

- am, or represent<sup>2</sup>, 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 Economic Development, Tourism & Environmental Affairs 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 Economic Development, Tourism & 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 Economic Development, Tourism & Environmental Affairs in this regard;
- am responsible for complying with the conditions of any environmental authorisation issued by the KZN Department of Economic Development, Tourism & Environmental Affairs;
- hereby indemnify the Government of the Republic of South Africa, the KZN Department of Economic Development, Tourism & Environmental Affairs 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 Economic Development, Tourism & Environmental Affairs 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.

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Signature of the applicant<sup>3</sup>/ Signature on behalf of the applicant

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Trading name (if applicable)

---

Date

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<sup>2</sup> If this is signed on behalf of the applicant, proof of such authority from the applicant must be attached.

<sup>3</sup> 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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### (b) Declaration by the environmental assessment practitioner.

#### Environmental assessment practitioner (EAP):<sup>4</sup>

Trading name (if any):	Environmental Agency (Pty) Ltd		
Contact person:	Dan Mkhwanazi		
Postal address:	27 Umkhamba Drive, Ladysmith 3370		
Postal code:	27 Umkhamba Drive, Ladysmith 3370	Cell:	074 1414 157
Telephone:	036 631 0806	Fax:	08 666 44 334
E-mail:	<a href="mailto:dan@environmentalAgency.co.za">dan@environmentalAgency.co.za</a>		
Education	B.Sc.		
Qualifications <sup>5</sup> :			
Professional affiliation(s) (if any) <sup>6</sup>	IAIAsa		

I, Dan Mkhwanazi 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 Economic Development, Tourism & Environmental Affairs 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

Environmental Agency (Pty) Ltd

Trading name

Date

<sup>5 8</sup> Please include details of names, education qualifications and professional affiliations of the EAP and each representative of the EAP appointed to manage this application.