

APPENDIX B: CORRESPONDENCE WITH DEDEAT INCLUDING APPLICATION FORM

Acknowledgement of Receipt



Province of the
EASTERN CAPE
ECONOMIC DEVELOPMENT, ENVIRONMENTAL
AFFAIRS AND TOURISM
CACADU REGION

P/Bag X5001 Greenacres,
Port Elizabeth, South Africa, 6057
Phone: +27 (041) 508 5800
Fax: +27 (041) 508 5865
Web: www.dedea.gov.za
E-mail: Ndileka.Mjacu@deaet.ecape.gov.za

Reference: ECm1/LN2/M/12-22

Enquiries: N. Mjacu

Public Process Consultants
PO Box 27688
Greenacres
6057

Fax: 041 373 2002

Attention: Paul-Pierre Steyn

ACKNOWLEDGEMENT OF RECEIPT: APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE A LISTED ACTIVITY AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2010: PROPOSED DEVELOPMENT OF PORTION 62 OF FARM 10 LITTLE CHELSEA, COLLEEN GLEN, WITHIN THE NELSON MANDELA BAY MUNICIPAL AREA.

Receipt of the application by yourself on behalf of Mr. Billy Enslin, dated 13 March 2012 and received on the same date to undertake listed activities as scheduled in Government Notice R. 544, R545 and R. 546 of 18 June 2010 is hereby acknowledged.

The reference number assigned to your application is ECm1/LN2/M/12-22. Please quote the reference number provided in the event of any correspondence/queries in this regard.

The applicant's attention must be drawn to the fact that the activity may not commence prior to an environmental authorisation being granted by DEDEAT.

NDILEKA MJACU
ENVIRONMENTAL OFFICER: EIM
CACADU REGION

DATE: 28 March 2012



EIA Application Form



**PROVINCE OF THE EASTERN CAPE
DEPARTMENT OF ECONOMIC DEVELOPMENT AND
ENVIRONMENTAL AFFAIRS**

APPLICATION FORM FOR ENVIRONMENTAL AUTHORISATION

	(For official use only)
File Reference Number:	
NEAS Reference Number:	
Date Received:	

Application for authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2010

PROJECT TITLE

Proposed Development of Portion 62 of Farm 10 Little Chelsea, Colleen Glen, Nelson Mandela Bay Municipality.

Kindly note that:

1. This application form is current as of 2 August 2010. 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 sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. Spaces are provided in tabular format and will extend automatically when each space is filled with typing.
3. Where applicable **black out** the boxes that are not applicable in the form.
4. Incomplete applications may 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.
6. This application must be handed in at the offices of the relevant competent authority as determined by the Act and regulations.
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 the competent authority. Any interested and affected party should be provided with the information contained in this application on request, during any stage of the application process.

Queries must be addressed to the contact hereunder:

Departmental Details

Alfred Nzo Region	Amathole Region	Cacadu Region
<p>Regional Manager: Environmental Affairs Dept of Economic Development & Environmental Affairs Private Bag X3513 Kokstad, 4700</p> <p>PHYSICAL ADDRESS 100 Main Street Kokstad Opposite Municipal Hall</p> <p>Tel:[039]727 4499 Fax: [040] 727 3282</p>	<p>Regional Manager: Environmental Affairs Dept of Economic Development & Environmental Affairs Private Bag X9060 East London, 5200</p> <p>PHYSICAL ADDRESS Palm Square Business Park Alderwood House Beacon Bay, East London</p> <p>Tel:[043]707 4000 Fax:[043] 748 2069/97</p>	<p>Regional Manager: Environmental Affairs Dept of Economic Development & Environmental Affairs Private Bag X 5001 Greenacres, 6057</p> <p>PHYSICAL ADDRESS Collegiate House, Cnr Belmont Terrace & Castle Hill Central, Port Elizabeth</p> <p>Tel:[041] 508 5800 Fax:[041] 585 1958</p>
<p>Chris Hani Region Regional Manager: Environmental Affairs Dept of Economic Development & Environmental Affairs P O Box 9636 Queenstown, 5320</p> <p>PHYSICAL ADDRESS 104 Cathcart Road, Queenstown</p> <p>Tel: [045]808 4000 Fax:[045]838 3981</p>	<p>Joe Gqabi Region Regional Manager: Environmental Affairs Dept of Economic Development & Environmental Affairs Private Bag X016 Aliwal North, 9750</p> <p>PHYSICAL ADDRESS 10 Smith Street Aliwal North, 9750</p> <p>Tel:[051]6332901 Fax:[051]633 3117</p>	<p>OR Tambo Region Regional Manager: Environmental Affairs Dept of Economic Development & Environmental Affairs Private Bag X5029 Mthatha, 5100</p> <p>PHYSICAL ADDRESS Old Radio Transkei Building, Cnr Victoria & York Roads, Mthatha</p> <p>Tel:[047]531 1191 Fax:[047] 531 2887</p>
<p>Head Office- Bhisho (General Enquiries) Director: Environmental Impact Management Department of Economic Development & Environmental Affairs Private Bag X0054 Bhisho 5605</p> <p>PHYSICAL ADDRESS Bhisho Business Village Block C No. 5 Siwane Street Bhisho Tel: [040] 609 4712/4704 Fax:[040] 609 4700</p>		

View the Department's website at <http://www.deaet.ecape.gov.za/> for the latest version of the documents.

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.

C	0	5	9	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	6	2

(if there are more that 6, please attach a 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)

PROJECT TITLE

Proposed Development of Portion 62 of Farm 10 Little Chelsea, Colleen Glen, Nelson Mandela Bay Municipality.

1. BACKGROUND INFORMATION

Project applicant:	Mr Billy Enslin		
Trading name (if any):	N/A		
Contact person:	Mr Billy Enslin (J.W. Enslin)		
Physical address:	19 Warbler Street, Cotswold Extension, Port Elizabeth		
Postal address:	19 Warbler Street, Cotswold Extension, Port Elizabeth		
Postal code:	6045	Cell:	073 273 3806
Telephone:	041 484 6428	Fax:	041 484 6428
E-mail:	billysdental@aerosat.co.za		

Provincial Authority:	Department of Economic Development, Environmental Affairs and Tourism, Cacadu Region		
Contact person:	Andries Struwig		
Postal address:	Private Bag X 5001, Greenacres		
Postal code:	6057	Cell:	-
Telephone:	041 -585 5800	Fax:	041-585 1958
E-mail:	andries.struwig@deaet.ecape.gov.za		

Landowner:	Mr Billy Enslin		
Contact person:	Mr Billy Enslin (J.W. Enslin)		
Postal address:	19 Warbler Street, Cotswold Extension, Port Elizabeth		
Postal code:	6045	Cell:	073 273 3806
Telephone:	041 484 6428	Fax:	041 484 6428
E-mail:	billysdental@aerosat.co.za		

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

Local authority in whose jurisdiction the proposed activity will fall:	Nelson Mandela Bay Municipality		
Nearest town or districts:	Port Elizabeth		
Contact person:	Jill Miller		
Postal address:	PO Box 11, Port Elizabeth		
Postal code:	6000	Cell:	-
Telephone:	041 506 5630	Fax:	-
E-mail:	jmiller@mandelametro.gov.za		

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

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2. ACTIVITIES APPLIED FOR TO BE AUTHORISED

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 notice) : Describe each listed activity as per project description¹:

GN R545	15.	<p>15. <i>The physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more.</i></p> <p><u>The applicant intends to transform approximately 20 hectares of undeveloped land for residential use.</u></p>
GN R544	11 (xi)	<p>11. <i>The construction of:</i> <i>(iv) infrastructure or structures covering 50 square metres or more</i> <i>where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</i></p> <p><u>Based on aerial imagery for the site, the proposed development does not require construction in or near any watercourses. However the potential presence and location of such features on the site will be confirmed during the EIA process.</u></p>
GN R544	18 (i)	<p>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 of more than 5 cubic metres from:</i> <i>(i) a watercourse;</i></p> <p><u>Based on aerial imagery for the site, the proposed development does not require construction in or near any watercourses. However the potential presence and location of such features on the site will be confirmed during the AIE process.</u></p>
GN R546	14 (a) i.	<p>14. <i>The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation,...</i></p> <p>(a) In Eastern Cape...: <i>i. All areas outside urban areas.</i></p> <p><u>The vegetation proposed for clearing will exceed 5 ha and is predominantly indigenous as defined in the Regulations. The site is located outside an urban area.</u></p>

¹ Please note that this description should not be a verbatim 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

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

Note from Public Process Consultants:

The precautionary approach has been adopted in the identification of listed activities that may be triggered by the proposed development. It is not anticipated that any construction will occur in any watercourses on the site, however this will be confirmed during the EIA process.

3. OTHER AUTHORISATIONS REQUIRED

3.1 DO YOU NEED ANY AUTHORISATIONS IN TERMS OF ANY OF THE FOLLOWING LAWS?

- | | |
|--|--------|
| 3.1.1 National Environmental Management: Waste Act | Yes/No |
| 3.1.2 National Environmental Management: Air Quality Act | Yes/No |
| 3.1.3 National Environmental Management: Protected Areas Act | Yes/No |
| 3.1.4 National Environmental Management: Biodiversity Act | Yes/No |
| 3.1.5 Mineral Petroleum Development Resources Act | Yes/No |
| 3.1.6 National Water Act | Yes/No |
| 3.1.7 National Heritage Resources Act | Yes/No |
| 3.1.8 Other (please specify) | Yes/No |

Note from Public Process Consultants:

The need for additional authorisations / permits or licences will be determined in consultation with the project specialists during the EIA process. No additional applications with regards to the above have been lodged to date.

- | | |
|---|--------|
| 3.2 Have such applications been lodged already? | Yes/No |
| 3.3 If so list the applications that have been lodged already | N/A |

4. DECLARATIONS

4.1 The Applicant

I, **Billy Enslin**, declare that I -

- am, or represent², the applicant in this application;
- have appointed ~~I will appoint~~ (delete that which is not applicable) an environmental assessment practitioner to act as the independent environmental assessment practitioner for this application ~~I will obtain exemption from the requirement to obtain an environmental assessment practitioner³~~;
- will provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the 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 or any person contracted by 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 competent authority;
- will ensure that the environmental assessment practitioner is competent to comply with the requirements of these Regulations 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 competent authority in this regard;
- am responsible for complying with the conditions of any environmental authorisation issued by the competent authority;
- hereby indemnify the Government of the Republic, the competent authority 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 these Regulations;
- will not hold the competent authority 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 these Regulations;
- will perform all other obligations as expected from an applicant in terms of the Regulations;
- all the particulars furnished by me in this form are true and correct; and

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

³ If exemption is obtained from appointing an EAP, the responsibilities of an EAP will automatically apply to the person conducting the environmental impact assessment in terms of the Regulations.

- I realise that a false declaration is an offence in terms of regulation 71 and is punishable in terms of section 24F of the Act.



Signature of the applicant⁴/ Signature on behalf of the applicant:

J.W. ENSLIN

Name of company (if applicable):

2012-03-07

Date:

Signature of the Commissioner of Oaths:

2012-03-07

Date:

LIEUTENANT SAJID MOUNT ROAD

Designation:

Official stamp (below)



⁴ If the applicant is a juristic person, a signature on behalf of the applicant is required as well as proof of such authority. **An EAP may not sign on behalf of an applicant.**

EAP Declaration



**PROVINCE OF THE EASTERN CAPE
DEPARTMENT OF ECONOMIC DEVELOPMENT AND
ENVIRONMENTAL AFFAIRS**

DETAILS OF EAP AND DECLARATION OF INTEREST

	(For official use only)
File Reference Number:	12/12/20/
NEAS Reference Number:	DEAT/EIA/
Date Received:	

Application for authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2010

PROJECT TITLE

Residential Development of Portion 62 of Farm 10 Little Chelsea, Colleen Glen, Nelson Mandela Bay Municipality.

Environmental Assessment Practitioner (EAP): ¹	Public Process Consultants		
Contact person:	Paul-Pierre Steyn		
Postal address:	PO Box 27688		
Postal code:	6057	Cell:	084 302 8364
Telephone:	041 374 8426	Fax:	041 373 2002
E-mail:	paul@publicprocess.co.za		
Professional affiliation(s) (if any)	South African Association of Botanists (SAAB), International Association for Impact Assessment (SA) (IAIAsa)		
Project Consultant:	Billy Enslin (The Applicant)		
Contact person:	Billy Enslin		

Postal address:

19 Warbler Street, Cotswold Extension, Port Elizabeth

Postal code:

6045

Cell:

073 273 3806

Telephone:

041 484 6428

Fax:

041 484 6428

E-mail:

billysdental@aerosat.co.za

4.2 The Environmental Assessment Practitioner

I, **Paul-Pierre Steyn**, declare that –

General declaration:

- I act as the independent environmental practitioner in this application
- I 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
- I declare that there are no circumstances that may compromise my objectivity in performing such work;
- I have expertise in conducting environmental impact assessments, including knowledge of the Act, regulations and any guidelines that have relevance to the proposed activity;
- I will comply with the Act, regulations and all other applicable legislation;
- I will take into account, to the extent possible, the matters listed in regulation 8 of the regulations when preparing the application and any report relating to the application;
- I have no, and will not engage in, conflicting interests in the undertaking of the activity;
- I undertake to disclose to the applicant and the competent authority all material information in my possession that reasonably has or may have the potential of influencing - any decision to be taken with respect to the application by the competent authority; and - the objectivity of any report, plan or document to be prepared by myself for submission to the competent authority;
- I will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected parties and the public and that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced to support the application;
- I will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- I will keep a register of all interested and affected parties that participated in a public participation process; and
- I will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not
- all the particulars furnished by me in this form are true and correct;
- will perform all other obligations as expected from an environmental assessment practitioner in terms of the Regulations; and
- I realise that a false declaration is an offence in terms of regulation 71 and is punishable in terms of section 24F of the Act.

Disclosure of Vested Interest (delete whichever is not applicable)

- I do not have and will not have any vested interest (either business, financial, personal or other) in the proposed activity proceeding other than remuneration for work performed in terms of the Environmental Impact Assessment Regulations, 2010;


Signature of the environmental assessment practitioner:

Public Process Consultants

Name of company:

6 March 2012

Date:


Signature of the Commissioner of Oaths:

2012 - 03 - 07

Date:

WARRANT OFFICER

Designation:

Official stamp (below)

