

APPLICATION FORM FOR APPROVAL OF A MAINTENANCE MANAGEMENT PLAN



KWAZULU-NATAL PROVINCE

ECONOMIC DEVELOPMENT, TOURISM
AND ENVIRONMENTAL AFFAIRS
REPUBLIC OF SOUTH AFRICA

Provincial Reference Number:

Date Received by Department:

Date Received by District:

(For official use only)

APPLICATION FOR APPROVAL OF A MAINTENANCE MANAGEMENT PLAN

Submitted in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998),
and the Environmental Impact Assessment Regulations, 2014.

PROJECT TITLE

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DISTRICT MUNICIPALITY

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IMPORTANT INFORMATION

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PLEASE NOTE:

- 1) It is the responsibility of the applicant to confirm that the Department is the competent authority to which this application must be submitted (refer to NEMA section 24C).
- 2) This form is current as of **May 2021**. It is the responsibility of the Applicant / Environmental Assessment Practitioner ("EAP") to ascertain whether subsequent versions of the form have been released by the Department.
- 3) 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. A legible font type and size must be used when completing this form. The font size should not be smaller than 10pt.
- 4) Where required, place a tick (✓) in the box you select.
- 5) Incomplete applications or applications that do not meet the requirements in terms of Regulation 16 of the 2014 NEMA EIA Regulations will not be accepted.
- 6) The use of the phrase "not applicable" in this 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 refusal of the application for approval of the Maintenance Management Plan.
- 7) Unless protected by law, all information contained in, and attached to this document, shall become public information on receipt by the competent authority.

PRE-APPLICATION MEETING

- 8) This Department requires that a pre-application meeting be held at the discretion of the relevant district office. Kindly liaise with the relevant district office to determine if a pre-application meeting is required for this application, **before** it is submitted. The Head Office Registry may be contacted on **033 - 264 2898 / 2572** for details of the relevant district office for this application.

- Provide details of the Pre-Application Meeting below (if applicable):

Date of Pre-Application Meeting	Time and Venue of Pre-Application Meeting

- If a Pre-application meeting was held, the minutes of the Pre-Application Meeting **MUST BE ATTACHED** to this application (refer to the List of Appendices).

HEAD OFFICE REGISTRY DETAILS

- 9) The Three copies of this applications with original signatures must be hand delivered or posted to the Head Office Registry of this Department at the address provided below:

Postal address:

Head Office

KwaZulu-Natal Department of Economic Development, Tourism & Environmental Affairs

Private Bag X9152

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**PIETERMARITZBURG
3200**

**Physical address:
270 Jabu Ndlovu Street
PIETERMARITZBURG
3201**

Contact Person: Ms Zama Mbanjwa / Ms. Fikelephi Mthembu

Telephone No: 033 - 264 2898 / 2616
Cellular No.: 081 - 271 9541 / 082 – 796 3470

Email: Zama.Mbanjwa@kznedtea.gov.za / Fikelephi.Mthembu@kznedtea.gov.za

- 10) All documentation delivered to Head Office must be delivered during the official Departmental Office Hours visible on the Departmental premises.
- 11) All EIA related documents (includes application forms, reports or any EIA related submissions) that are faxed; emailed; delivered to Security or placed in the Departmental Tender Box or Job Application Box will NOT be accepted, only hardcopy submissions are accepted.
- 12) Should a specialist report or report on a specialised process be submitted at any stage for any part of this application, the declaration of interest of the specialist must also be submitted.
- 13) 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.
- 14) 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 Maintenance Management Plan.
- 15) The Maintenance Management Plan must also be submitted for comments to the Department of Human Settlements, Water & Sanitation, (in terms of the National Water Act, 1998, Act 36 of 1998) and Ezemvelo KwaZulu-Natal Wildlife.
- 16) This is a guide to information required. Any additional information must also be submitted, in order to ensure that the Department does not need to request additional information from you.**

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IMPORTANT INFORMATION ABOUT MAINTENANCE MANAGEMENT PLANS

With regards to a Maintenance Management Plan, note that:

- 1) It will be agreed to in terms of the NEMA EIA Regulations 2014 and only relates to the applicable activities in Listing Notices 1, 2 and 3;
 - 2) Notwithstanding a possible agreement to the Maintenance Management Plan, any other applicable statutory requirement must still be complied with (e.g. any obligations under the National Water Act, 1998 (Act 36 of 1998) or the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983));
 - 3) Agreement to a Maintenance Management Plan does not absolve you from your general "duty of care" set out in Section 28(1) of the NEMA that states, *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment ."* (Note: When interpreting this "duty of care" responsibility, cognisance must be taken of the National Environmental Management Principles contained in Section 2 of NEMA);
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1. APPLICANT DETAILS

Name of applicant who will undertake the activity:			
Contact person (if other):			
Postal address:			
		Postal code:	
Telephone:		Cell:	
Email:	()	Fax:	()
Name of person who has prepared the Maintenance Management Plan:			
Contact Person (if other):			
Postal address:			
		Postal code:	
Telephone:	()	Cell:	
E-mail:		Fax:	()

If the applicant is not the owner or the person in control of the land or Regulation 39(2) in the EIA Regulations 2014 does not apply):

Name of landowner:			
Contact person:			
Postal address:			
		Postal code:	
Telephone:	()	Cell:	
E-mail:		Fax:	()
In instances where there is more than one landowner, please attach a list of landowners with their contact details.			

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Please provide the following information for each site:

Municipality for proposed project:	
Farm name, erf and portion number etc.:	
Magisterial District or Town:	
Name(s) of water course(s) in question:	
GPS Coordinates for the site:	

2. DESCRIPTION OF THE SITE

- a) Please provide details of the geographical, physical, biological, social, economic, heritage and cultural sensitivity of the site/s.

3. DETAILS OF CURRENT ACTIVITIES ON THE SITE

- a) Have any other activities listed in the EIA Regulations commenced on the site/s?
b) If yes, describe these activities and when and how they commenced.

4. ARRANGEMENTS FOR INTERACTION WITH THE PUBLIC

Describe the measures taken to inform the public about this maintenance management plan. What measures are in place to deal with interactions with the public, if it becomes necessary during implementation of the project.

5. COMMENT/APPROVALS BY OTHER AUTHORITIES

Your proposed maintenance activities will require comments with any of the following authorities?

- ☐ Department of Water and Sanitation
- ☐ Ezemvelo KZN Wildlife
- ☐ Other

Please include details of these interactions, and explain why these were necessary.

6. DESCRIPTION OF IMPACT AND RISK ASSESSMENT PROCESS AND PROPOSED REHABILITATION MEASURES TO BE UNDERTAKEN FOR EACH SITE

a) Environmental management objectives:

Indicate which of the following environmental management objectives apply to the proposed management actions:

- ☐ Prevent degradation of the natural environment
- ☐ Prevent degradation of agricultural resources
- ☐ Mitigate unavoidable environmental degradation

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- ☐ Rehabilitate environmental damage

b)Activities to be undertaken

Please provide details of the proposed activity/ies to be undertaken in accordance with a maintenance management plan as specified in the Listing Notices in terms of the EIA Regulations 2014.

c)Description of environmental impacts

Details of the significance, consequence, extent, duration and probability of impacts must be provided.

d) Description of proposed management tasks

Details of the measures to manage or mitigate the identified environmental impacts must be provided (a schedule of tasks must be provided in the Tables 1 and 2 below).

NOTE: Please attach the following information as an appendix:

- A locality map with scale at least 1:50 000, indicated on the map. The following must be indicated:
 - Position of the project site(s);
 - Road names or numbers of all the major roads as well as access roads to the site(s)
 - North arrow;
 - Legend;
 - GPS co-ordinates for the centre point of the site in degrees and (three) decimal minutes. The projection must be the WGS-84 spheroid in a national or local projection.
- A site map with scale at least 1:10 000 that indicates:
 - Roads that provide access to the site;
 - North arrow;
 - Legend;
 - Locations for various methods, for example,
 - Position of excavator/earth mover,
 - Where soil/sediment/debris will be stored/loaded,
 - etc.
 - Extent of indigenous vegetation, if present
 - The 1:100 year flood line (if known) and/or the 32 m line from its banks

7. METHOD STATEMENTS

Please expand or contract the tables that follow for each task listed in 6(c), where necessary.

NOTE:

The Department is entitled to request further information if it believes it is necessary for consideration of this request.

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Table 1: Method statement that describes immediate proposed tasks, and assessment of their impacts

<p>Description of tasks and subordinate actions:</p> <ul style="list-style-type: none"> • Pre-work required. • Description of work to be done: what, when, where and how. • Access to and from the site. • Disposal of sand, soil, pebbles, rock. 				
Actions	Potential impacts of these actions	Severity of impacts High: Disturbance of area with important conservation value; destruction of rare or endangered species. No possible mitigation, or mitigation is difficult, expensive, time-consuming. Medium: Disturbance of area with potential conservation value or of use as a resource; complete change in species occurrence or variety. Low: Disturbance of degraded area with little conservation value; minor change in species occurrence or variety. Mitigation easily achieved or little required.	Measures to mitigate the severity of these impacts	Corrective/remedial measures if mitigation measures are not properly implemented on site

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Table 2: Method statement that describes future proposed tasks, and assessment of their impacts

Description of tasks and subordinate actions:				
<ul style="list-style-type: none"> • <i>Pre-work required.</i> • <i>Description of work to be done: what, when, where and how.</i> • <i>Access to and from the site.</i> • <i>Disposal of sand, soil, pebbles, rock.</i> 				
<i>Actions</i>	<i>Potential impacts of these actions</i>	<i>Severity of impacts</i> <u>High:</u> Disturbance of area with important conservation value; destruction of rare or endangered species. No possible mitigation, or mitigation is difficult, expensive, time-consuming. <u>Medium:</u> Disturbance of area with potential conservation value or of use as a resource; complete change in species occurrence or variety. <u>Low:</u> Disturbance of degraded area with little conservation value; minor change in species occurrence or variety. Mitigation easily achieved or little required.	<i>Measures to mitigate the severity of these impacts</i>	<i>Corrective/remedial measures if mitigation measures are not properly implemented on site</i>

8. ENVIRONMENTAL MONITORING PROGRAMME

The monitoring programme must detect changes that will inform intervention or remedial measures for good environmental performance. The data collection, management and reporting must be documented and be made available for inspection.

Table 3: Table for monitoring of actions

Part of the water course that is monitored	Frequency of monitoring	Monitoring Procedure	How results are analysed and presented	Comments

9. DECLARATION

The PERSON THAT WILL BE UNDERTAKING THE MAINTENANCE

I, in my **personal capacity** or **duly authorised** (please circle the applicable option) by (name of legal entity) thereto hereby declare that I/we:

- Regard the information contained in this checklist to be true and correct,
- Am fully aware of my responsibilities in terms of the National Environmental Management Act of 1998 ("NEMA") (Act No. 107 of 1998) and that, notwithstanding an agreement to this Maintenance Management Plan, I/we shall comply with any other statutory requirement applicable in terms of the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983), Water Act, 1956 (Act 54 of 1956), the National Water Act, 1998 (Act 36 of 1998), and the Environmental Impact Assessment Regulations ("EIA Regulations") in terms of NEMA;
- Am fully aware that the proposed maintenance constitutes a listed activity in terms of the NEMA EIA Regulations, 2014, and that an environmental assessment for environmental authorisation may be required for any other listed activities;
- Shall undertake only those tasks described in the Maintenance and Management Plan, failing which environmental authorisation will be required, where applicable;
- Shall provide the competent authority with access to all information at my disposal that is relevant to this request;
- Shall be responsible for any costs incurred in complying with environmental legislation;
- Hereby indemnify the government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of, inter alia, any loss or damage to property or person as a consequence of undertaking this maintenance management plan; and
- Am aware that a false declaration is an offence in terms of regulation 48 GN. No. R326, 07 April 2017.

Signature of the applicant:

Date:

Name of institution/company:

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