



DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

Application to the Department of Environmental Affairs and Tourism in terms of Regulation 6 (1) (a) of the Regulations published in terms of section 44 of the National Environmental Management Act, 107 of 1998: Control of Vehicles in the Coastal Zone: (Government Notice No. 1399 of 21 December 2001) as amended (“the Regulations”).

PERMIT APPLICATION: VEHICLE USE IN THE COASTAL ZONE TO UNDERTAKE A TOURISM BUSINESS

| <u>CHECKLIST:</u> APPLICANT HAVE YOU – (place a tick in the appropriate box) | | |
|--|-----|----|
| 1. Provided ALL the information required in this application form? | YES | NO |
| 2. Provided proof of registration of your tour guides and copies of all applicable marketing material in respect of the intended tour or tours in the coastal zone? | YES | NO |
| 3. Attached a detailed map of the area (1:50 000) or copy thereof with the area of intended use, including the proposed tour route(s) clearly indicated? | YES | NO |
| 4. Provided evidence of compliance with the requirements of section 24(4) of the National Environmental Management Act of 1998? | YES | NO |
| 5. In complying with the requirements of section 24(4) of the National Environmental Management Act, have you demonstrated that the intended vehicle use will not cause significant harm to the coastal zone? | YES | NO |
| 6. In complying with the requirements of section 24(4) of the National Environmental Management Act, have you demonstrated that the public will be able to continue to safely use and enjoy the coastal zone? | YES | NO |
| 7. Signed the application form before a Commissioner of Oaths? | YES | NO |
| 8. Paid the stipulated non-refundable application fee of R6500? | YES | NO |

INSTRUCTIONS: You must read these.

1. Please ensure that all the necessary information that is required as annexures or attachments to this application **is** provided so as to facilitate the consideration of your application.
2. Proof that the Applicant employs registered tour guides must be submitted with this application. Copies of certificates or badges of registration and/or accreditation of the tourist guides must therefore be provided.
3. Copies of all applicable marketing material in respect of the intended tour or tours in the coastal zone must be provided.
4. The submission of this application form must be accompanied by the stipulated application fee of **R 6500** (Six thousand five hundred Rand) per application. In order to facilitate payment of your application fee, you are advised to contact the Department telephonically to obtain a reference number **before** depositing the stipulated application fee.
Step 1: Contact Esther Howard on 021 – 402 3511
Step 2: Deposit the application fee into the following account.
Bank: ABSA
Account name: Marine Living Resources Fund
Account number: 4053081071
Branch code: 632005
Step 3: Include the reference number on the bank deposit slip.
Step 4: Attach proof of payment (e.g. copy of the bank deposit slip or other receipt) to the application form.
5. You must provide evidence of compliance with the requirements of section 24(4) of the National Environmental Management Act of 1998 (see Part F below).
6. The environmental assessment submitted in terms of paragraph 5 above must demonstrate that:
 - the intended vehicle use will not cause significant harm to the coastal zone; and
 - the public will be able to continue to safely use and enjoy that part of the coastal zone which is affected by the application.
7. Applicants must provide a certified copy of each of the driver's licences of those persons who will be driving the vehicle or vehicles to which this permit pertains.
8. This application must be completed and signed by the applicant. The applicant's signature must be commissioned by a Commissioner of Oaths. If the application is completed by a third party (such as a consultant or legal representative), then this third party's details must **also** be provided as required in this application.
9. This application must be addressed to the Department of Environmental Affairs and Tourism and handed in at the Department of Environmental Affairs and Tourism: Branch Marine and Coastal Management, 7th Floor, Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001. Alternatively, applications may be posted to the Deputy Director: Integrated Coastal Management, Private Bag X2, Roggebaai, 8012).

10. The Department will submit your completed application for comment to the relevant provincial authority or manager of a protected area if your application affects a protected area. This is due to the co-operative governance requirements of the Constitution (Act No.108 of 1996). Provincial working groups meet monthly to evaluate applications for vehicle use in the coastal zone. The Department will in consultation with the relevant authority endeavour to process your application within a reasonable period of time, defined as 45 to 60 days, subject to inclusion of all the information required in the application form. **You are therefore requested to submit your application form at least 60 days prior to the date on which you propose to use a vehicle in the coastal zone.**

11. **Failure to provide the information requested herein may result in the application not being processed.**

PART A: PERSONAL DETAILS

Full name of applicant
Identity number
Address (physical)
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Address(postal)
.....
Telephone Number (work)
Telephone Number (home)
Cell phone Number
Fax Number
E-mail address

PART B: PURPOSE OF PROPOSED VEHICLE USE

The purpose of the proposed vehicle use must be to enable you to effectively run a tourism business. You must therefore indicate why the use of a vehicle or vehicles in the coastal zone is necessary to conduct the proposed tour or tours.

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PART C: DURATION OF ACCESS REQUIRED

- 1. Please state the date(s) / period for which access is sought, e.g. throughout the year or certain periods only.
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- 2. Do any of the above-nominated dates fall within a school holiday period or on public holidays?
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- 3. If yes, provide details
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- 4. The duration and frequency of the proposed vehicle use in the coastal zone. (i.e. the number of times a day)
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PART D: LOCATION OF AREA(S) OF INTENDED VEHICLE USE IN THE COASTAL ZONE

- 1. Province
- 2. Magisterial District
- 3. Closest City or town
- 4. Surrounding / adjacent land use(s)
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.....
- 5. Has the proposed coastal zone area in which you intend to use a vehicle, historically or ever been frequently used by vehicles?
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- 6. Provide an exact description of extent of area(s) of intended access. This will be facilitated by including a detailed map of the area (1:50 000) or copy thereof with the intended area of use clearly indicated. This map may be attached as an annexure to your application or included in the environmental impact assessment report.
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- 7. Provide an exact description of the point(s) of intended access to / from the coastal zone and indicate where these are located on the map referred to above
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PART E: VEHICLE DETAILS

1. Type(s) of vehicle(s) that is (are) intended to be used in the coastal zone

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2. Registration number(s) of vehicle(s) that is (are) intended to be used in the coastal zone

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PART F: COMPLIANCE WITH SECTION 24(4) OF NEMA

1. You must submit an environmental impact assessment providing evidence of compliance with the requirements of section 24(4) of the National Environmental Management Act of 1998. These requirements are set out in Annexure 1 which is attached to this application form.
2. As a general rule vehicle use will not be permitted in areas considered sensitive or inappropriate. Such areas are listed in paragraph 5.11 of the Department's Guidelines on the Implementation of Regulations pertaining to the Control of Vehicles in the Coastal Zone. Proposals to use vehicles in such areas will therefore require adequate motivation in the *Investigation of the environment likely to be significantly affected by the proposed activity and alternatives thereto* (see first bullet under Annexure 1).
3. The public participation process (see fourth bullet under Annexure 1) must clarify whether the proposed vehicle use in the coastal zone will not adversely and seriously affect any rights of the general public to safely enjoy the coastal zone.

Declaration By Applicant

I hereby confirm that I am fully aware of my responsibilities in terms of Government Notice No. R1399 of 21 December 2001, as amended, and that any failure to comply with it may constitute an offence in terms of the Regulations.

These Regulations are available from the Department of Environmental Affairs and Tourism: Branch Marine and Coastal Management (Tel: 021-402 3511) or it may be downloaded from the website www.mcm-deat.gov.za.

I, the undersigned, do hereby make oath / affirmation, and declare that the information submitted with and in this application is true, correct, and complete, and that the copies of the documents submitted are true and certified copies of the original documents. I understand that if any information furnished in this application is not true or complete, including providing false documentation, the falsification of any document, the making of any misleading or false statements, or the non-disclosure of material information or information which may materially affect the evaluation of this application, this may disqualify the application or lead to it being refused.

Signature of the applicant

.....

Full Name

.....

.....

.....

THUS SIGNED IN MY PRESENCE

Commissioner of Oaths

Full Name

Designation

Office

Address

.....

Signed at (place).....on theday of.....in the year.....

If this application has been prepared or completed by, or on the advice of, any person other than the applicant or an employee of the applicant, then this third party must complete the following as well:

Signature of the third party

.....

Full Name.....

Signed at (place).....on theday of.....in the year.....

NOTE

Your application must either be posted or hand delivered. The application should be addressed to the Department of Environmental Affairs and Tourism

PLEASE DO NOT BIND OR STAPLE THIS FORM TO ANY OTHER DOCUMENTS

Compliance with section 24(4) requires, at a minimum:

- **Investigation of the environment likely to be significantly affected by the proposed activity and alternatives thereto.** The applicant must provide information regarding the geographical area affected by the application, the coastal features (e.g. dunes or inter-tidal zone) affected by the application and the fauna and flora affected by the application. Include photographs illustrating key features of the proposed area of use and specifically sensitive areas and features. The applicant must explain the purpose of the application and relate this specifically to the area affected, i.e. elaborate on why it is necessary for the application to be made in respect of the affected area or environment in preference to other areas or environments. Should any of the relevant environmental investigations be of a highly complex or technical nature, the applicant may be required to submit any aspect of its consultant's findings to an independent expert for review.
- **Investigation of the potential impact of the activity and its alternatives on the environment and assessment of the significance of that potential impact.** The applicant must, on the basis of information and data which are already available, clearly indicate the potential impact resulting from the application on coastal features, fauna and flora. Cumulative effects should also be investigated. This requires an investigation of secondary or indirect as well as primary or direct impacts. For example, vehicle use has direct physical impacts on the environment. Secondary impacts result if access results in an increase in fishing effort. The environmental and socio-economic impacts resulting from the application must be compared to the impacts which would result if the application were not to be made, and where relevant, to the impacts resulting from alternative activities.
- **Investigation of mitigation measures to keep adverse impacts to a minimum, as well as the option of not implementing the activity.** After identifying the potential impacts associated with the application, the applicant must specify measures for mitigating each impact. If it is not possible to mitigate certain impacts, the applicant must clearly indicate this. The applicant must also indicate the anticipated effectiveness of specific mitigation measures. The applicant must relate the environmental impacts mitigated by the introduction of requisite measures to the state of the environment which would result if the application were not to be made.
- **Public information and participation by all interested and affected parties, including all applicable organs of state.** The applicant must *design* an appropriate public information and participation process. The exact nature of each process should be informed by:
 - the size and type of area affected by the application (e.g. urban or rural area);
 - which communities are affected by the application; and
 - which stakeholders are affected by the application (e.g. tourism sector).

Independent review of the application will generally be the responsibility of the Department or the provincial environmental authority. The applicant is responsible for attempting to resolve conflicts between different sectors or interest groups affected by the application. Alternatively, should there be irreconcilable differences between such sectors or groups, the applicant must clearly summarise the positions of the various parties and make appropriate recommendations, taking these differences into account.

- **Reporting on gaps in knowledge, the adequacy of predictive methods and underlying assumptions, and uncertainties encountered in compiling the required information.** The applicant is responsible for clearly indicating the above in the application, regarded as self explanatory.
- **Investigation and formulation of arrangements for the monitoring and management of impacts, and the assessment of the effectiveness of such arrangements after their implementation.** Applications for recreational use areas and boat launching sites must be supported by an environmental management plan which includes details in respect of measures adopted to:
 - mitigate environmental impacts associated with vehicle use;
 - regulate or control vehicle access and use in the affected recreational use area or boat launching site, including associated permit systems;
 - ensure vehicle users comply with control measures and permit conditions;
 - ensure that the environmental impacts of vehicle use are monitored in order to ensure that such use is environmentally sustainable.

The relevant authority or authorities are responsible for ensuring that the requirements of section 24 (g), (h) and (i) are complied with. These requirements are regarded as self explanatory.