



**Western Cape
Government**

Environmental Affairs and
Development Planning



LAND MANAGEMENT REGION 2

TP - C Pieter

REFERENCE: 16/3/1/6/E2/27/2286/13
ENQUIRIES: NATASHA BIEDING
DATE OF ISSUE: 2014-01-20

The Municipal Manager
Overstrand Municipality
P O Box 20
HERMANUS
7200

FILE NO:	151/331
SCAN NO:	
COLLABORATOR NO:	585352

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Attention: H van der Stoep

Dear Sir/Madam

RE. THE PROPOSED OVERSTRAND DRAFT ENVIRONMENTAL MANAGEMENT FRAMEWORK (JUNE 2013).

1. The abovementioned and the correspondence dated 4 October 2013, your reference "Overstrand IDF" that was received by this Department on 8 October 2013, refers.
2. On 18 June 2010 the Minister of Water and Environmental Affairs promulgated regulations in terms of Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), viz, the Environmental Impact Assessment ("EIA") Regulations 2010 (Government Notice No. R. 543, R. 544, R. 545, R. 546 and R. 547 in Government Gazette No. 33306 of 18 June 2010). These regulations came into effect on 2 August 2010 (Government Notice No. R. 660, R. 661, R. 662, R. 663, R. 664 and R. 665 in Government Gazette No. 33411 of 2 August 2010). The EIA regulations 2010 replace the EIA regulations that were promulgated in 2006 and also introduce new provisions regarding EIAs as well as regulations regarding Environmental Management Frameworks ("EMF's").
3. Please note that the abovementioned document, viz. the Draft Overstrand EMF (June 2013) was reviewed in terms of the requirements pertaining to EMFs of the NEMA EIA Regulations (Government Notice No. R. 547 of 18 June 2010). In this regard, the Draft Overstrand EMF (June 2013) appears to meet such requirements. However, in terms of Section 5 (1) of the requirements pertaining to EMFs of the NEMA EIA Regulations, 2010 it is stated that "the Minister or MEC in concurrence with the Minister may adopt with or without amendments, an environmental management framework initiated in terms of regulation 3".
4. In view of the above, please be informed that a formal request from the Overstrand Municipality to adopt the Draft Overstrand EMF (June 2013) must first be submitted to this Department, and be granted before the said EMF may be implemented/used for its intended purpose.

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5. Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
6. The Department reserves the right to revise its initial comments and request further information from you based on any new or revised information received.

Yours faithfully



**HEAD OF DEPARTMENT
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**