



**APPLICATION FOR AMENDMENT  
of an Environmental Authorisation or Environmental Management Programme in  
terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998)  
Environmental Impact Assessment Regulations, 2014 (as amended on 7 April 2017)**

**September 2017**

(For official use only)	
EIA/WML/AEL Reference Number:	
EIA/WML/AEL NEAS Reference Number:	
Exemption Reference Number:	
Exemption NEAS Reference Number:	
Date Received by Department:	
Application fee amount:	
Specific Fee Reference Number:	
Application fee paid on:	

**PROJECT TITLE**

**EA AMENDMENT RELATED TO THE FLATS - THE CONSTRUCTION OF A RESIDENTIAL  
DEVELOPMENT ON ERF NO. 11330, STELLENBOSCH**

**Note the following:**

1. The content of the Department's Circular EADP 0028/2014 (dated 9 December 2014) on the "One Environmental Management System" and the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), any subsequent Circulars, and guidelines must be taken into account when completing this Form.
2. This form must always be used for applications for amendment of an Environmental Authorisation or an Environmental Management Programme where this Department is the competent authority.
3. This form is current as of **September 2017**. 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. Visit the Department's website at <http://eadp.westerncape.gov.za/> to check for the latest version of this form.
4. An **application fee is applicable (refer to note 12 below as well as section 1 on page 3)**.
5. Only the **holder** of an Environmental Authorisation may apply for an amendment to the Environmental Authorisation in question.
6. An Environmental Authorisation can only be amended if the Environmental Authorisation in question **is still in force/is still valid on the day of receipt of such amendment application by the competent authority**. The competent authority shall not accept or process an application for amendment of an Environmental Authorisation if such Environmental Authorisation is not valid on the day of receipt of such amendment application.
7. A copy of the Environmental Authorisation and /or approved Environmental Management Programme (EMPr) which is the subject of the amendment application must be submitted together with this form.
8. If, in addition to this application, an application for a variation/transfer/renewal of a Waste Management Licence in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) ("the Waste Act") and/or a variation/transfer/renewal of an Atmospheric Emission Licence in terms of the National Environmental: Air Quality Act, 2004 (Act No. 39 of 2004) ("NEM:AQA") must also be submitted, then separate application forms in terms of the applicable legislation must be completed and submitted simultaneously to the relevant authorities, but a single assessment process must be undertaken. Copies of such applications must be attached to this Application Form.
9. The required information 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. The tables may be expanded where necessary.
10. The use of "not applicable" in the form must be done with circumspection. Incomplete applications or applications that do not meet the requirements in terms of Chapter 5 of the NEMA EIA Regulations, 2014 (as amended), must be **resubmitted**.
11. Unless protected by law, all information contained in, and attached to this application, will become public information on receipt by the Department. Upon request, the applicant/EAP must provide any interested and affected party with the information contained in or submitted with the application form.
12. An application for amendment lapses if the applicant fails to meet any of the timeframes prescribed in terms of the EIA Regulations, 2014. If authorisation is required from a number of different authorities, the authorities might also require that an integrated process be followed. As such, it is recommended that the applicant/EAP approach the Department prior to submission of the application for guidance on the process to be followed – in this regard it must be noted that the Department has developed a **Notice of Intent** form to be submitted to the Department to allow for informed guidance by the Department but also for determination of the application fee and the provision of a specific fee reference number;
13. This form must be submitted to the Department at the details provided below. If the application for amendment to the EMPr relates to a Waste Management Licence, this form must also be submitted for the attention of the Director: Waste Management (tel: 021 483 2756 and fax: 021 483 4425) at the same postal address as the Cape Town Office. If the application for amendment to the EMPr relates to an Atmospheric Emission Licence, this form must also be submitted for the attention of the Director: Air Quality Management (tel: 021 483 2798 and fax: 021 483 3254) at the same postal address as the Cape Town Office.

**DEPARTMENTAL DETAILS**

<b>CAPE TOWN OFFICE: REGION 1 (City of Cape Town &amp; West Coast District)</b>	<b>CAPE TOWN OFFICE: REGION 2 (Cape Winelands District &amp; Overberg District)</b>	<b>GEORGE OFFICE: REGION 3 (Central Karoo District &amp; Eden District)</b>
<p>Applications, requests for specific fee reference numbers and queries must be sent to the following details: Department of Environmental Affairs and Development Planning</p> <p>Attention: Directorate: Development Management (Region 1) Private Bag X 9086 Cape Town, 8000 Tel: (021) 483-5829 Fax (021) 483-4372</p> <p>Registry Office 1<sup>st</sup> Floor Utilitas Building 1 Dorp Street, Cape Town</p>	<p>Applications, requests for specific fee reference numbers and queries must be sent to the following details:</p> <p>Department of Environmental Affairs and Development Planning Attention: Directorate: Development Management (Region 2) Private Bag X 9086 Cape Town, 8000 Tel: (021) 483-5842 Fax (021) 483-3633</p> <p>Registry Office 1<sup>st</sup> Floor Utilitas Building 1 Dorp Street, Cape Town</p>	<p>Applications, requests for specific fee reference numbers and queries must be sent to the following details:</p> <p>Department of Environmental Affairs and Development Planning Attention: Directorate: Development Management (Region 3) Private Bag X 6509 George, 6530 Tel: (044) 805-8600 Fax (044) 874-2423</p> <p>Registry Office 4<sup>th</sup> Floor, York Park Building 93 York Street, George</p>

## 1. FEES

If the relevant application fee was already confirmed with the Department and a specific fee reference number obtained following the submission of a **Notice of Intent** to the Department, then all that is still required is:

- for the Specific Fee Reference number to be provided:

NA
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- to confirm the fee paid:

R NA
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and

- for the proof of payment to be attached to this application form.

**OR**

If the relevant application fee was not already confirmed with the Department and a specific fee reference number not yet obtained:

- An applicant must pay a fee for the processing of EIA applications as set out in the Fee Regulations<sup>1</sup> published in terms of sections 24(5) and 44(1) of the National Environmental Management Act, 1998 (Act No. 107 of 1998). A fee of **R2 000** is applicable to an application for amendment of Environmental Authorisation applications and the transfer and the renewal of a waste management licence.
- **An applicant is excluded from having to pay the application fee if:**
  - The activity is a community based project funded by a government grant; or
  - The applicant is an Organ of State.
- Where an applicant is **not required** to pay a fee, the applicant must inform the Department in writing by attaching proof thereof and a motivation to the application form.

### Department of Environmental Affairs and Development Planning banking details:

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<b>Bank:</b>	<b>Nedbank</b>
<b>Branch Code:</b>	<b>145209</b>
<b>Account Number:</b>	<b>145 204 5003</b>
<b>Type of Account:</b>	<b>Current Account</b>
<b>Status:</b>	<b>Tax exempted</b>

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- **NB: Your specific fee reference number MUST be used as a deposit reference when making a payment.**
- You are required to complete the information in the **Request for a specific fee reference number** form attached to this application form as Appendix 1 and submit the form to the Department as directed. This must be done prior to completing the rest of the application form in order to obtain the specific fee reference number required for the payment of the application fees. Once a specific fee reference number has been obtained from the Department, it must be inserted into the application form and proof of payment attached when the application form is submitted to the Department. An application may not be submitted without the specific fee reference number and proof of payment. The Department will respond to a request for a specific fee reference number in writing.
- If there is uncertainty as to the application process that must be followed the Department should be approached for guidance prior to submission of the application.
- In the event that any **refunding of fees paid is required**, the "BAS Entity Maintenance" form must be completed, which can be obtained from the Department. Any refund must first be confirmed with the Department.
- Please refer to the national guideline *Guidance Document on the Fee Regulations* (April 2014), obtainable from <http://www.environment.gov.za/legislation/guidelines> for more information.

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<sup>1</sup> Government Notice No. 141 published in Government Gazette No. 37383 on 28 February 2014 and No. R. 43 and R. 44 published in Government Gazette No. 38417 on 23 January 2015 refer.

## 2. BACKGROUND INFORMATION

Highlight the Departmental Region in which the application falls	CAPE TOWN OFFICE: REGION 1 (City of Cape Town & West Coast District)	CAPE TOWN OFFICE: REGION 2 (Cape Winelands District & Overberg District)	GEORGE OFFICE: REGION 3 (Central Karoo District & Eden District)
<b>Duplicate this section where there is more than one applicant</b> Name of applicant:	Stellenbosch Municipality		
RSA Identity/ Passport Number:	NA		
Name of contact person for applicant (if other):	Myra Francis		
RSA Identity/ Passport Number:	NA		
Company/ Trading name (if any):	NA		
Company Registration Number:	NA		
Postal address:	PO Box 17		
	Stellenbosch	Postal code: 7599	
Telephone:	+27 21808 8462	Cell: +27 79 453 5052	
E-mail:	Myra.Francis@stellenbosch.gov.za	Fax: F: +27 21887 6167	
SPECIFIC FEE REFERENCE NUMBER:	NA		
Company of Environmental Assessment Practitioner (EAP):	Eco Impact Legal Consulting (Pty) Ltd		
EAP name:	Jessica Hansen		
Postal address:	P.O. BOX 45070		
	Claremont	Postal code: 7735	
Telephone:	+27 21808 8462	Cell: +27 83 666 8046	
E-mail:	admin@ecoimpact.co.za	Fax: 021 6719976	
EAP Qualifications:	MSc Zoology		
EAP Registrations/Associations:	Pri.Sci.Nat – Environmental Science - 400192/16		
Name of landowner:	Stellenbosch Municipality		
Name of contact person for landowner (if other):	Myra Francis		
Postal address:	PO Box 17		
	Stellenbosch	Postal code: 7599	
Telephone:	+27 21808 8462	Cell: +27 79 453 5052	
Name of Person in control of the land:	Myra Francis		
Name of contact person for person in control of the land:	Myra Francis		
Postal address:	PO Box 17		
	Stellenbosch	Postal code: 7599	
Telephone:	+27 21808 8462	Cell: +27 79 453 5052	
E-mail:	Myra.Francis@stellenbosch.gov.za	Fax: F: +27 21887 6167	

**Note:** In instances where there is more than one landowner, please attach a list of landowners, with their contact details, to the back of this form.

Municipality in whose area of jurisdiction the proposed activity will fall:	Stellenbosch Municipality		
Contact person:	Myra Francis		
Postal address:	PO Box 17		
	Stellenbosch	Postal code: 7599	
Telephone:	+27 21808 8462	Cell: +27 79 453 5052	
E-mail:	Myra.Francis@stellenbosch.gov.za	Fax: F: +27 21887 6167	

**Note:** In instances where there is more than one Municipality involved, please attach a list of Municipalities, with their respective contact details, to the back of this form.

Property location of all proposed sites:	Idas Valley, Stellenbosch. Erf 11330, Ou Helshoogte Road, Idas Valley, Stellenbosch		
Farm/Erf name(s) & number(s) (including portion) of all proposed sites:	ERF 11330 Stellenbosch		
Property size(s) (m <sup>2</sup> ) of all proposed sites:	Erf 11330, approximately 6.26ha		
Development footprint size(s) in m <sup>2</sup> :	Erf 11330, approximately 5.36ha		
SG Digit code(s) of all proposed sites:	C0670000000113300000		
Coordinates of all proposed sites:	33°	55'	17"
Latitude (S)			
Longitude (E)	18°	53'	44"

**Note:** Coordinates must be provided in degrees, minutes and seconds using the Hartebeesthoek94 WGS84 co-ordinate system. Where numerous properties/sites are involved (e.g. linear activities), you may attach a list of property descriptions and street addresses to this form.

Street address of all proposed sites:	Erf 11330, Ou Helshoogte Road, Idas Valley, Stellenbosch		
Magisterial District or Town:	Stellenbosch		
Closest City/Town:	Idas Valley	Distance	0 (km)
Current zoning of all proposed sites:	Residential		

**Note:** In instances where more than one zoning is applicable, attach a list or map of the properties that indicates their respective zoning to this form.

Is a rezoning application required?	YES	NO
Is a consent use application required?	YES	NO
Locality map:	<p>A locality map must be attached to the application form, as an Appendix. The scale of the locality map must be 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 include the following:</p> <ul style="list-style-type: none"> <li>• an accurate indication of the project site position as well as the positions of the alternative sites, if any;</li> <li>• road names or numbers of all the major roads as well as the roads that provide access to the site(s)</li> <li>• a north arrow;</li> <li>• a legend;</li> <li>• the prevailing wind direction; and</li> <li>• GPS co-ordinates (Indicate the position of the proposed activity with the latitude and longitude at the centre point for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should be to at least three decimal places. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection)</li> </ul>	
Landowner(s) Consent:	<p>If the applicant is not the owner or person in control of the land on which the activity is proposed to be undertaken, and the proposed amendment will impact on the activity undertaken/to be undertaken on the land or if the amendment relates to the transfer of rights and obligations, he/she must obtain written consent from all landowners or persons in control of the land (of the site and all alternative sites). This must be attached to this document as Appendix 2.</p> <p><b>Note:</b> The consent of the landowner or person in control of the land is not required for: a) linear activities; b) an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource; or c) strategic integrated projects ("SIPs") as contemplated in the Infrastructure Development Act, 2014 (Act No. 23 of 2014).</p>	
Project Plan (e.g. Gantt chart)	<p>A project schedule must be submitted as an Appendix, and must include milestones for:</p> <ul style="list-style-type: none"> <li>• public participation (dates for advertisements, workshops and other meetings, obtaining comment from organs of state including state departments);</li> <li>• the commencement of parallel application processes required in terms of other statutes and where relevant, the alignment of these application processes with the EIA process;</li> <li>• the submission of the key documents (e.g. Basic Assessment Report, Scoping Reports, EIA Reports and Environmental Management Programmes).</li> </ul> <p><b>Note:</b> All the above dates must take into account the statutory timeframes for authority responses that are stipulated in the NEMA EIA Regulations, 2014 (as amended). Possible appeals may impact on project timeframes/milestones. Regulation 45 states that "An application in terms of these Regulations lapses, and a competent authority will deem the application as having lapsed, if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless extension has been granted in terms of regulation 3(7)." It is recommended that the Department be approached for guidance on the process to be followed, prior to submitting an application.</p>	

### 3. DETAILS OF THE ENVIRONMENTAL AUTHORISATION/EMPr TO BE AMENDED

3.1. Is the Environmental Authorisation/Environmental Management Programme still in force/still valid?	YES	NO
3.2. If yes, until when is the Environmental Authorisation/EMPr valid/ when does the Environmental Authorisation/EMPr expire?	25 November 2021	
3.3. Who is the holder of the Environmental Authorisation?	Stellenbosch Municipality	
3.4. When was the EMPr approved?	25 November 2016 and again on 22 November 2018	

**Note:** A copy of the Environmental Authorisation/EMPr must be attached to this form.

### 4. AMENDMENT APPLIED FOR

4.1. Describe the amendment(s) that are being applied for:
The current EA (Appendix C) states- "60 flat units (0.56ha) that will be located on one erf in the central region of the site"  It is requested that this be amended to state: "96 flat units (0.56ha) that will be located on one erf in the central region of the site"
4.2. Provide a concise motivation for the application for amendment:
Following further planning, it was determined that more flat units could be accommodated within the same structure.  The footprint and height will not be increased. The internal layout of the flats has been amended to accommodate more flats.

### 5. NON-SUBSTANTIVE OR SUBSTANTIVE AMENDMENT?

Is the proposed application for a non-substantive (in terms of Part 1 of Chapter 5 of the EIA Regulations, 2014 (as amended)) or a substantive amendment (in terms of Part 2 of Chapter 5 of the EIA Regulations, 2014 (as amended))?	Substantive	Non-substantive
5.1. Will the proposed amendment change the scope of the Environmental Authorisation?	YES	NO
5.2. Will the proposed amendment increase the level or nature of the impacts, which impacts were assessed and considered when the initial application for Environmental Authorisation was made.	YES	NO
5.3. Does the proposed amendment relate to a proposed change of ownership or transfer or rights and obligations?  <b>Note:</b> If yes, a letter by the person to whom the rights and obligations are to be transferred, must be submitted with this form indicating that the person: (a) accepts the rights and obligations contained in the Environmental Authorisation and (b) has the ability to implement the mitigation and management measures and to comply with the conditions of the Environmental Authorisation.	YES	NO
5.4. Does the proposed change, on its own, constitute a listed activity?	YES	NO

### 6. IMPACTS ASSOCIATED WITH THE PROPOSED AMENDMENT

For **substantive amendments** (in terms of Part 2 of Chapter 5 of the EIA Regulations, 2014 (as amendment)), a report on an assessment of all impacts related to the proposed change (including the advantages and disadvantages associated with the proposed change) and measures to ensure avoidance, management and mitigation of impacts associated with such proposed change; and any proposed changes to the EMPr (including an amended EMPr with the proposed changes effected) must be submitted to the Department:

- within 90 days of receipt of the application by the Department, which report has been subjected to a public participation process which must be agreed to with the Department; or
- within 140 days of receipt of the application by the Department, as significant changes have been made or significant new information has been added to the report, which changes or information was not contained in the report consulted on during the initial public participation process which was agreed to with the Department and undertaken as part of the amendment application and that the revised report will be subjected to another public participation process of at least 30 days.

6.1. Describe the proposed assessments that will be undertaken to inform the application for the substantive amendment:

An assessment of all impacts related to the proposed change was done and an assessment of all impacts in accordance with standard methodology is detailed in **"APPENDIX D IDAS VALLEY EA AMENDMENT IMPACT REPORT"**. The impacts assessed included water and electricity usage, increased housing and increased traffic. No additional impacts were noted during the assessment. The building has the SAME footprint and is the same height. The internal layout of the flats has been amended.

Advantages associated with the proposed change:

- Increased housing. 36 additional units. The proposed development will provide much needed residential housing. The reason for this development is to provide the community with subsidy housing to cater for the current and growing population.
- Densification.

Low-density development is threatening long-term sustainability and has created the following challenges:

- Environmentally sensitive and good agricultural land on the urban edge and elsewhere is rapidly being consumed by urban development, and valuable biodiversity resources and areas of scenic and amenity value are being threatened.
- The unit cost of providing the necessary infrastructure required to service low-density forms of urban development is far greater than the unit and operating cost of servicing medium to higher-density forms of urban development.
- Lastly, the inefficiency caused by this fragmented and low density form of development has serious economic implications, limiting access to opportunities and causing operational inefficiencies and a wastage of supporting economic resources (both natural and built).

Densification is viewed as a necessary step to promote the longer-term sustainability of valuable natural, urban and rural environments.

Disadvantages associated with the proposed change:

- Increase in water and electricity usage.
- Increased traffic due to the general increase in residents to the area.

Measures to ensure avoidance, management and mitigation of impacts associated with proposed change:

- Ongoing maintenance of infrastructure and energy and water efficient technologies.
- Ongoing maintenance of infrastructure.
- The internal roads should have minimum 4,5-metre wide blacktops.
- All bellmouths should have a radius of at least 4 metres.
- A paved sidewalk should be provided along the extension of Assegai Street through Erf 11330.

Any changes to the Environmental Management Programme ("EMPr"):

Only change required is two numbers on page 8 of the EMPr. That would be changing "60" to "96". No other changes are required.

For **non-substantive amendments** (in terms of Part 1 of Chapter 5 of the EIA Regulations, 2014 (as amended)), answer the questions below:

6.2. Explain why the proposed amendment will not change the scope of the Environmental Authorisation:
NA
6.3. Explain why the proposed amendment will not increase the level or nature of the impacts, which impacts was assessed and considered when the initial application for Environmental Authorisation was made:
NA

## 7. PROPOSED PUBLIC PARTICIPATION PROCESS

For **substantive amendments** (in terms of Part 2 of Chapter 5 of the EIA Regulations, 2014 (as amended)), the proposed change must be brought to the attention of potential and registered interested and affected parties, including Organs of State which have jurisdiction in respect of any aspect of the relevant activity, and the interested and affected parties must be given a minimum period of 30 days to comment on the report on the assessments of the impacts, the proposed mitigation measures and proposed changes to the EMPr. The public participation process to be followed **must be agreed to by the Department** prior to undertaking the public participation.

7.1. Describe the proposed method of bringing the proposed amendment to the attention of the potential and registered interested and affected parties:
<p>In 2018:</p> <p>All registered interested and affected parties that were registered during the initial EA application were notified of the amendment and provided with an opportunity to comment.</p> <ul style="list-style-type: none"> <li>• I&amp;APs and key Departments with email addresses were send the application and impact assessment report and notified that of the a 30-day commenting period.</li> <li>• I&amp;APs without email addresses were posted a copy of the application and impact assessment report and notified that of the a 30-day commenting period.</li> <li>• All comments are included in a comment and response report and included in the final report that is submitted to DEADP for decision making.</li> </ul> <p>In 2019:</p> <p>All neighbors (potential I&amp;APS) <b>will be</b> notified of the amendment and provided with an opportunity to comment:</p> <ul style="list-style-type: none"> <li>• Neighbors will be posted a copy of the application and impact assessment report and notified that of the a 30-day commenting period.</li> <li>• A walk about will be conducted and where neighbors are home at the time, they will be notified and provide a notice.</li> <li>• All comments are included in a comment and response report and will be included in the final report that is submitted to DEADP for decision making.</li> </ul> <p>All <b>registered</b> interested and affected parties that were registered during the initial EA application will be notified of the amendment and provided with an opportunity to comment.</p> <ul style="list-style-type: none"> <li>• I&amp;APs and key Departments with email addresses will be sent the application and impact assessment report and notified that of the a 30-day commenting period.</li> <li>• I&amp;APs without email addresses will be posted a copy of the application and impact assessment report and notified that of the a 30-day commenting period.</li> <li>• All comments are included in a comment and response report and will be included in the final report that is submitted to DEADP for decision making.</li> </ul>
7.2. Describe the proposed process to provide the interested and affected parties with an opportunity to comment on the report:
As above.

## 8. APPLICATIONS IN TERMS OF OTHER LEGISLATION

Are there any amendments to or approvals of permissions, licenses or other approvals required in terms of any other legislation?	YES	NO	
If yes, please complete the table below:			
Type of amendment or approval required. (List the applicable legislation & amendment or approval required)	Name of the Competent authority responsible for administering the applicable legislation	Application submitted (Yes / No)	Status of application (e.g. pending/ granted/ refused)
NA			



## 9. DECLARATIONS - To be included in FINAL

### 9.1 THE APPLICANT

**Note:** Duplicate this declaration where there is more than one applicant.

I....., in my personal capacity or duly authorized thereto hereby declare/affirm all the information submitted or to be submitted as part of the application is true and correct, and that I:

- am fully aware of my responsibilities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended) (Government Notice No. 326 refers) and any relevant specific environmental management Act and that failure to comply with these requirements may constitute an offence in terms of relevant environmental legislation;
- appointed the Environmental Assessment Practitioner ("EAP"), if applicable, which:
  - meets all the requirements in terms of Regulation 13 of GN No. 326; or
  - meets all the requirements other than the requirement to be independent in terms of Regulation 13 of GN No. 326 but a review EAP has been appointed who does meet all the Regulation 13 of GN No. 326 requirements;
- act as the EAP for this application as no environmental impact assessment or part thereof is required as part of such amendment application;
- will provide the EAP and specialist, where applicable, 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 NEMA EIA Regulations, 2014 (as amended) and other environmental legislation including but not limited to –
  - costs incurred in connection with the appointment of the EAP or any person contracted by the EAP;
  - 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 applicable management and mitigation measures;
- am responsible for complying with conditions that may be attached to any decision(s) issued by the competent authority; and
- 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 for which the applicant or EAP is responsible in terms of the NEMA EIA Regulations, 2014 (as amended) and any specific environmental management Act.

**Note:** If acting in a representative capacity, a certified copy of the resolution or power of attorney must be attached.

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Signature of the applicant:

Date:

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Name of company (if applicable):

**9.2 THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”) (WHERE APPLICABLE)**

I ....., as the appointed environmental assessment practitioner (“EAP”) hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that I:

- in terms of the general requirement to be independent:
  - other than fair remuneration for work performed/to be performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity; or
  - am not independent, but another EAP that meets the general requirements set out in Regulation 13 of GN No. 326 have been appointed to review my work (Note: a declaration by the review EAP must be submitted);
- in terms of the remainder of the general requirements for an EAP, am fully aware of and meet all of the requirements and that failure to comply with any the requirements may result in disqualification;
- have disclosed/will disclose, to the applicant, the specialist (if any), the Department and registered interested and affected parties, all material information that have or may have the potential to influence the decision of the Department or the objectivity of any report, plan or document prepared or to be prepared as part of the application;
- have ensured/will ensure that information containing all relevant facts in respect of the application was/will be distributed or was/will be made available to registered interested and affected parties and that participation will be facilitated in such a manner that all interested and affected parties were/will be provided with a reasonable opportunity to participate and to provide comments;
- have ensured/will ensure that the comments of all interested and affected parties were/will be considered, recorded and submitted to the Department in respect of the application;
- have ensured/will ensure the inclusion of inputs and recommendations from the specialist reports in respect of the application, where relevant;
- have kept/will keep a register of all interested and affected parties that participate/d in the public participation process; and
- am aware that a false declaration is an offence in terms of Regulation 48 of the NEMA EIA Regulations, 2014 (as amended).

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Signature of the EAP:

Date:

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Name of company (if applicable):