



**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**

The Amendment of the Environmental Authorization of the Waste Water Treatment Works on  
Portion 3 of Farm No. 645, Riebeeck Kasteel

**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:
- to confirm the fee paid:
- and
- for the proof of payment to be attached to this application form.

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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:  RSA Identity/ Passport Number:  Name of contact person for applicant (if other): RSA Identity/ Passport Number:  Company/ Trading name (if any): Company Registration Number: Postal address:  Telephone: E-mail:	Swartland Municipality		
	N/A		
	The Municipal Manager		
	N/A		
	Swartland Municipality		
	N/A		
	Private Bag X52		
	Malmesbury		Postal code: 7299
	(022) 487 9440		Cell: N/A
	swartlandmun@swartland.org.za		Fax: (022) 487 9440
SPECIFIC FEE REFERENCE NUMBER:	N/A - THE APPLICANT IS AN ORGAN OF THE STATE		
Company of Environmental Assessment Practitioner (EAP): EAP name: Postal address:  Telephone: E-mail:  EAP Qualifications: EAP Registrations/Associations:	Eco Impact Legal Consulting Pty Ltd		
	Nicolaas Hanekom		
	PO Box 45070		
	Claremont		Postal code: 7735
	021 671 1660		Cell: N/A
	admin@ecoimpact.co.za		Fax: (021) 671 9976
	M.Tech Nature Conservation. Cape Peninsula University of Technology. EMS ISO 14001. North West University Environmental Audit ISO 19011. North West University		
	SACNASP Pri.Sci.Nat (Ecological Science) 400274/11.		
Name of landowner: Name of contact person for landowner (if other): Postal address:  Telephone: Name of Person in control of the land: Name of contact person for person in control of the land: Postal address:  Telephone: E-mail:	SAME AS APPLICANT		
			Postal code:
	( )		Cell:
	SAME AS APPLICANT		
			Postal code:
	( )		Cell:
		Fax: ( )	

**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: Contact person: Postal address:  Telephone: E-mail:	SAME AS APPLICANT		
			Postal code:
	( )		Cell:
			Fax: ( )

**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:	The property is located at the eastern urban edge of Riebeeck Kasteel at the existing Riebeeck Kasteel Waste Water Treatment Works Facility.		
Farm/Erf name(s) & number(s) (including portion) of all proposed sites:	Portion 3, Farm No. 645, Riebeeck Kasteel		
Property size(s) (m <sup>2</sup> ) of all proposed sites:	63 000m <sup>2</sup>		
Development footprint size(s) in m <sup>2</sup> :	63 000m <sup>2</sup>		
SG Digit code(s) of all proposed sites:	C04600000000064500003		
Coordinates of all proposed sites:			
Latitude (S)	°33	'23	"13.38
Longitude (E)	°18	'55	"45.29

**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:	The property is located at the eastern urban edge of Riebeeck Kasteel at the existing Riebeeck Kasteel Waste Water Treatment Works Facility.		
Magisterial District or Town:	Riebeeck Kasteel		
Closest City/Town:	Riebeeck Kasteel	Distance	0 (km)
Current zoning of all proposed sites:	Institutional		

**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,</p>	

	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.
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### 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?	Until decommissioned	
3.3. Who is the holder of the Environmental Authorisation?	Swartland Municipality	
3.4. When was the EMPr approved?	12 November 2014	

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

### 4. AMENDMENT APPLIED FOR

<p>4.1. Describe the amendment(s) that are being applied for:</p> <p>The amendment being applied for are:</p> <p><b>1. Activity Description</b></p> <p>Section B. of the <u>current</u> EA includes an activity description. The current activity description is as follows:</p> <p><i>"The upgrade of the existing Riebeek Kasteel Waste Water Treatment Works ("WWTW") from an anaerobic pond system to an activated sludge system located on the Remainder of Farm No. 643 and Portion 3 of the Farm No. 645, Riebeek Kasteel. The following components will be installed:</i></p> <ul style="list-style-type: none"> <li>• A new inlet works;</li> <li>• A biological reactor;</li> <li>• Surface aerators;</li> <li>• Two Clarifiers;</li> <li>• A chlorine tank;</li> <li>• Four Sludge drying beds with a footprint of approximately 1800m<sup>2</sup> (each bed will be approximately 15mX30m);</li> <li>• Existing ponds may be used to hold sludge during the rainy season;</li> <li>• Dewatering equipment;</li> <li>• A gravitational pipeline of approximately 12.5km in length and 250mm diameter; and</li> <li>• Associated infrastructure.</li> </ul> <p><i>The pipeline will be used to connect the existing Pretoria Portland Cement ("PPC") WWTW (located adjacent to the PPC manufacturing plant) and the existing Riebeek West WWTW (located in Riebeek West) to the existing Riebeek Kasteel WWTW (located in Riebeek Kasteel). The pipeline will be routed across the Remainder of Farm No. 643, Riebeek Kasteel.</i></p> <p><i>The dry sludge collected from the drying beds will be disposed of at the Vissershok Waste Management Facility. The effluent will be released into the Kram River which is a tributary of the Berg River. The Berg River is approximately 5km away from the outlet point of the WWTW.</i></p> <p><i>The total development footprint of the proposed upgrade of the Riebeek Kasteel WWTW is approximately 6.3ha</i></p> <p><i>Existing access roads will be used to access the site and the existing Transnet roads along the</i></p>
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railway line will be used to access the pipeline”.

**Should be replaced with the following:**

“The upgrade of the existing Riebeek Kasteel Waste Water Treatment Works (“WWTW”) from an anaerobic pond system to an activated sludge system located on the Remainder of Farm No. 643 and Portion 3 of the Farm No. 645, Riebeek Kasteel. The following components will be installed:

- A new inlet works;
- A biological reactor;
- Surface aerators;
- Two Clarifiers;
- A chlorine tank;
- Four Sludge drying beds with a footprint of approximately 1800m<sup>2</sup> (each bed will be approximately 15mX30m);
- Existing ponds may be used to hold sludge during the rainy season;
- Dewatering equipment;
- A gravitational pipeline of approximately 12.5km in length and 250mm diameter; and
- Associated infrastructure.

The pipeline will be used to connect the existing Pretoria Portland Cement (“PPC”) WWTW (located adjacent to the PPC manufacturing plant) and the existing Riebeek West WWTW (located in Riebeek West) to the existing Riebeek Kasteel WWTW (located in Riebeek Kasteel). The pipeline will be routed across the Remainder of Farm No. 643, Riebeek Kasteel.

The dry sludge collected from the drying beds can be disposed of at the Vissershok Waste Management Facility; **or disposed of in terms of the Department of Water and Sanitation (“DWS”) sludge disposal guidelines - Guidelines for the Utilisation and Disposal of Wastewater Sludge, Volumes 1-5, Water Research Commission Reports TT 261/06, 262/06, 349/09, 350/09, 351/09, as amended from time to time. The effluent can be released into the Kram River which is a tributary of the Berg River; or to be irrigated in terms of the DWS authorisation.”**

The total development footprint of the proposed upgrade of the Riebeek Kasteel WWTW is approximately 6.3ha.

Existing access roads will be used to access the site and the existing Transnet roads along the railway line will be used to access the pipeline”.

4.2. Provide a concise motivation for the application for amendment:

The irrigation of the water and disposal of sludge is all authorised and controlled by the Department of Water and Sanitation. The dry sludge is being disposed on in terms of the DWS approved guidelines, which results in the diverting of waste from landfill.

**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
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## 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:
Possible pollution of natural environment when treated effluent is irrigated and sludge disposed of. Impacts are however controlled and regulated by the Department of Water and Sanitation in terms of the legislation and licensed and authorizations issued. The irrigation of the water and disposal of sludge is all authorised and controlled by the Department of Water and Sanitation. The dry sludge is being disposed on in terms of the DWS approved guidelines, which results in the diverting of waste from landfill. The treated effluent is irrigated in terms of an authorized licensed which divert the release of treated effluent directly into a watercourse. The irrigation of treated effluent is monitored in terms of the Water Use Authorization issued for the area where the treated effluent will be irrigated.

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:
The amendments requested adds the possibility of disposal of the sludge in terms of the developed and authorized Department of Water and Sanitation guidelines and the irrigation of the treated effluent. This is both positive as this allow for the reuse of natural resources and the diversion of sludge to landfill and the use of treated effluent for irrigation which further polish and improve the quality of the treated effluent before it reaches water courses.
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:
The amendments requested adds the possibility of disposal of the sludge in terms of the developed and authorized Department of Water and Sanitation guidelines and the irrigation of the treated effluent. This is both positive as this allow for the reuse of natural resources and the diversion of sludge to landfill and the use of treated effluent for irrigation which further polish and improve the quality of the treated effluent before it reaches water courses.



## 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:
Registered interested and affected parties (I&APs) that were registered during the initial EA application and key departments will be given written notice of the amendment by way of post or email and notified of the 30-day commenting period. <ul style="list-style-type: none"> <li>All comments received will be included in a comment and response report and 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
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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)
N/A			

## 9. DECLARATIONS

### 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):

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