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Department:
Environment & Nature Conservation
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

Private Bag X6102, Kimberley, 8300, Metlife Towers, T-Floor, Tel: 053 807 7300, Fax: 053 807 7328

APPLICATION FORM FOR ENVIRONMENTAL AUTHORISATION

	(For official use only)
File Reference Number:	
NEAS Reference Number:	
Date Received:	
Receipt Number:	

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

PROJECT TITLE

**PROPOSED EXPANSION OF THE UPINGTON
CREMATORIUM, ERF 16450, UPINGTON DAWID KRUIPER
LOCAL MUNICIPALITY, IN THE ZF MGCAWU DISTRICT
MUNICIPALITY, NORTHERN CAPE**

Kindly note that:

1. This application form is current as of 08 December 2014. It is the responsibility of the applicant to ascertain whether subsequent versions of the form have been published or produced by the competent authority.
2. The application 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. Spaces are provided in tabular format and will extend automatically when each space is filled with typing.
3. Where applicable **black out** the boxes that are not applicable in the form.
4. The application must be completed in terms of Regulation 16 of GN R.982
5. The use of the phrase "not applicable" in the 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 rejection of the application as provided for in the Regulations.
6. This application must be handed in at the offices of the relevant competent authority as determined by the Act and Regulations.
7. No faxed or e-mailed applications will be accepted. Only original signed copies will be accepted.

8. Unless protected by law, all information filled in on this application form will become public information on receipt by the competent authority. Any interested and affected party should and shall be provided with the information contained in this application on request, during any stage of the application process.
9. Should a specialist report or report on a specialised process be submitted at any stage for any part of this application, the terms of reference for such report and declaration of interest of the specialist must also be submitted.
10. Proof of payment must accompany this application. The application will not be processed without proof of payment unless one of the exclusions provided for the Fee Regulations (Fees for consideration and processing of applications for environmental authorisations and amendments thereto Government Notice.141, published on 28 February 2014 is applicable and such information in section 1 of this application form has been confirmed by this Department.

Queries must be addressed to the contact hereunder:

Departmental Details

Postal address:

Department of Environment and Nature Conservation
Attention: Directorate: Environmental Quality Management
Private Bag X6102
KIMBERLEY
8300

Physical address:

Department of Environment and Nature Conservation
90 Long Street, Sasko Building
KIMBERLEY
8300

Queries should be directed to the Sub - Directorate: Impact Management at:

Tel: (053) 807-7430

Fax: (053) 831-3530

View the Department's website at <http://denc.ncape.gov.za/> for the latest version of the documents.

1. PROOF OF PAYMENT

Applicants are required to tick the appropriate box below to indicate that either proof of payment is attached or that, in the applicant's view, an exclusion applies. Proof and a motivation for exclusions must be attached to this application form in **Appendix 1**.

Proof of payment attached as **Appendix 1**

Exclusion applies

An applicant is excluded from paying fees if:

The activity is a community based project funded by a government grant; or
The applicant is an organ of state.

TYPE OF EXCLUSION	Tick where applicable. Proper motivation must be attached to the application
The activity is a community based project funded by a government grant	
The applicant is an organ of state	

FEE AMOUNT	Fee
Application for an environmental authorisation for which basic assessment is required in terms of the Environmental Impact Assessment Regulations	R2 000
Application for an environmental authorisation, for which S&EIR is required in terms of the Environmental Impact Assessment Regulations	R10 000

Department of Environment & Nature Conservation' details for the payment of application fees:

Payment Enquiries: Ms. T Leburu	
Tel.: (053) 807 7464	
Email: tmakaudi@ncpg.gov.za	
<u>BANKING DETAILS:</u>	
BANK	: ABSA
ACCOUNT NUMBER	: 4078447781
BRANCH CODE	: 630302
REFERENCE TO BE USED BY APPLICANT	: EIA/25/19

2. PROJECT DESCRIPTION

Please provide a **detailed** description of the project.

<p>The proposed expansion of the Upington crematorium, located on erf 16450, Upington (at the following co-ordinates: 28°26'1.21"s; 21°17'50.03"e) in the IKhara Hais local municipality, in the ZF Mgcawu district municipality, Northern Cape, and will include the installation and operation of an additional cremator (approximately 3m length x 2.6m width x 2.6m height)</p> <p>With the following approximate capacity data</p> <p>The Atmospheric Emissions License for the existing cremator (NC/AEL/ZFM/UPCR01/2014), valid until the 1st of March 2025 was issued in terms of section 41(1)(a) of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) in respect to Listed Activity Category 8: Thermal Treatment of Hazardous and general Waste subcategory No. 8.2 Cremation and Veterinary Waste Incineration. The additional cremator and existing cremator will not be operated at the same time whereby the existing cremator will be used as a backup (i.e., no net increase in emissions per day). The additional cremator will be placed adjacent to the existing cremator.</p>
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Does the project form part of any of the Strategic Infrastructure Projects (SIPs) as described in the National Development Plan, 2011?	YES	NO
The Spatial Development Framework of the Municipality puts the development site within the Urban Edge of Upington earmark the site for future institutional development.		

If YES, please indicate which SIPs are applicable in **Appendix 1**.

Please indicate which sector the project falls under by crossing out the relevant block in the table below:

Table 1

Green economy + "Green" and energy-saving industries		Greenfield transformation to urban or industrial form (including mining)	
Infrastructure – electricity (generation, transmission & distribution)		Biodiversity or sensitive area related activities	
Oil and gas		Mining value chain	
Biofuels		Potential of metal fabrication capital & transport equipment – arising from large public investments	
Nuclear		Boat building	
Basic services (local government) – electricity and electrification		Manufacturing – automotive products and components, and medium and heavy commercial vehicles	
Basic services (local government) – area lighting		Manufacturing – plastics, pharmaceuticals and chemicals	
Infrastructure – transport (ports, rail and road)		Manufacturing – clothing textiles, footwear and leather	
Basic services (local government access roads)		Forestry, paper, pulp and furniture	
Basic services (local government) – public transport		Business process servicing	
Infrastructure – water (bulk and reticulation)		Advanced materials	

Basic services (local government) – sanitation		Aerospace	
Basic services (local government) – waste management		Basic services (local government) - education	
Basic services (local government) water		Basic services (local government) - health	
Agricultural value chain + agro-processing (linked to food security and food pricing imperatives)		Basic services (local government) - housing	
Infrastructure – information and communication technology		Basic services (local government) security of tenure	
Tourism + strengthening linkages between cultural industries and tourism		Other (Crematorium Services)	X
Basic services (local government) – public open spaces and recreational facilities			

Provide details on the anticipated socio-economic values associated with the proposed project

Table 1

Anticipated CAPEX value of the project on completion	To be Determined
What is the expected annual income to be generated by or as a result of the project?	To be Determined
New skilled employment opportunities created in the construction phase of the project	To be Determined
New skilled employment opportunities created in the operational phase of the project	To be Determined
New un-skilled employment opportunities created in the construction phase of the project	To be Determined
New un-skilled employment opportunities created in the operational phase of the project	To be Determined
What is the expected value of the employment opportunities during the operational and construction phase?	To be Determined
What percentage of this value that will accrue to previously disadvantaged individuals?	To be Determined
The expected current value of the employment opportunities during the first 10 years	To be Determined
What percentage of this value that will accrue to previously disadvantaged individuals?	To be Determined

Table 2

Does the listed activity/ies applied for form part of a larger project which is not a listed activity itself e.g. a road that is a listed activity that is needed to access a drilling site where the drilling does not constitute a listed activity.	YES	NO
If indicated yes above, please provide a brief description on how the activity/ies relate to the larger project that forms part there of:		
N/A		

3. GENERAL INFORMATION

Project applicant:	AT Point Trading 80 Pty Ltd		
Registration no (if any):	2001/018496/07		
Trading name (if any):	AT Point Trading 80 Pty Ltd		
Responsible position, e.g. Director, CEO, etc.:	Mr. Kottie Kotze		
Contact person:	Mr. Kottie Kotze		
Physical address:			
Postal address:	P.O. Box 2953,		
	Keidebees, Upington	Postal Code:	8800
Telephone:		Cell:	083 443 7344
E-mail:	kottiekotze7@gmail.com	Fax:	

Provincial Authority:	Department: Environment and Nature Conservation		
Contact person:			
Postal address:			
Postal code:		Cell:	
Telephone:		Fax:	
E-mail:			

Local municipality:	Dawid Kruiper Municipality		
Contact person:			
Postal address:	Civic Centre Mutual Street Upington		
Postal code:	8801	Cell:	
Telephone:	054 338 7001	Fax:	
E-mail:	manager@kharahais.gov.za		

In instances where there is more than one local authority involved, please attach a list of those local authorities with their contact details as **Appendix 2**.

Landowner:	Same As project applicant (above)		
Contact person:			
Postal address:			
Postal code:		Cell:	
Telephone:		Fax:	
E-mail:			

In instances where there is more than one landowner, please attach a list of those landowners with their contact details as **Appendix 3**. If the applicant is not the owner or person in control of the land, proof of notice to the landowner or person in control of the land on which the activity is to be undertaken must be submitted in **Appendix 3**.

Identified Competent Authority to consider the application:
Reason(s) in terms of Sec 24C of NEMA 1998 as amended

Department: Environment and Nature Conservation: Northern Cape

4. ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) INFORMATION

EAP:	Bernard de Witt / Ansoné' Esterhuizen		
Professional affiliation/registration:	<u>Bernard de Witt</u> : AIAI-SA B.Sc. Forestry (Stellenbosch University); B.A. (Hons) Public Administration (Stellenbosch); National Diploma in Parks and Recreation Management; EIA Short course (UCT); ISO 14001 Auditors course (SABS) <u>Ansoné' Esterhuizen</u> : BA Environmental Management, BSc Hons (Currently). IAIA-sa		
Contact person different from EAP):	(if	N/A	
Company:	Enviro Africa CC		
Physical address:			
Postal address:	P. O. Box 5367, Helderberg,		
Postal code:	7135	Cell:	0767141234
Telephone:	021 851 1616	Fax:	086 512 0154
E-mail:	ansone@enviroafrica.co.za		

If an EAP has not been appointed please ensure that an independent EAP is appointed as stipulated by Regulation 12 of GN R.982, dated December 2014, prior to the commencement of the process.

The declaration of independence and the Curriculum Vitae (indicating the experience with environmental impact assessment and the relevant application processes) of the EAP must also be submitted to the Department.

5. SITE DESCRIPTION

Provide a detailed description of the site involved in the application.

Province	Northern Cape	
District Municipality	ZF Mgcau district municipality	
Local Municipality	Dawid Kruiper Municipality	
Ward number(s)		
Nearest town(s)	Upington	
Farm name(s) and number(s)	Erf 16450, Upington (at the following co-ordinates: 28°26'1.21"s; 21°17'50.03"e	
Portion number(s)		
Coordinates of corner points of study area (if there	Latitude (S) (DDMMSS)	Longitude (E) (DDMMSS)

are more than 7 co-ordinates, please attach a list as Appendix 4) For linear developments a list of turning points must be attached						

SG 21 Digit Code(s)

(If there are more than 4, please attach a list with the rest of the codes as **Appendix 4)**

C	0	2	8	0	0	0	3	0	0	0	0	0	1	1	3	0	0	0	0	0
1	2		3			4					5									

Please attach a copy of the title deed(s) and SG diagram(s) to the application as **Appendix 5**.

Please attach a copies of environmental authorisations obtained on the same property as **Appendix 6**.

Are there any other applications for Environmental Authorisation on the same property?	YES	NO
If YES, please indicate the following:		
Competent Authority		
Reference Number		
Project Name		
Please provide details of the steps taken to ascertain this information:		

6. ACTIVITIES TO BE AUTHORISED

For an application for authorisation that involves more than one listed activity that, together, make up one development proposal, all the listed activities pertaining to this application must be indicated.

Detailed description of listed activities associated with the project	
Listed activity as described in GN R.983, 984 and 985	Description of project activity that triggers listed activity
Government Notice R327 (Listing Notice 1): Activity No:	
Activity 34:	The expansion of existing facilities or infrastructure for any process or activity where such expansion will result in the need for a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the release of emissions, effluent or pollution, excluding— (i) where the facility, infrastructure, process or activity is included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies;

	<p>(ii) the expansion of existing facilities or infrastructure for the treatment of effluent, wastewater, polluted water or sewage where the capacity will be increased by less than 15 000 cubic metres per day; or</p> <p>(iii) the expansion is directly related to aquaculture facilities or infrastructure where the wastewater discharge capacity will be increased by 50 cubic meters or less per day.</p>
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Please note that any authorisation that may result from this application will only cover activities specifically applied for. Co-ordinate points indicating the location of each listed activity must be provided with the relevant report (i.e. either BAR or EIR).

Please provide a project map indicating any sensitive areas (e.g. critical biodiversity area, World Heritage Site, etc.) overlaid by the study area in **Appendix 7**.

A project schedule, indicating the different phases and timelines of the project, must be attached as **Appendix 8**.

7. PUBLIC PARTICIPATION

Provide details of the public participation process proposed for the application as required by Regulation 41(2) of GN R. 982, dated December 2014.

The activities that have been undertaken during the initial public participation process include:

- Notification letters are physically distributed to the surrounding landowners' addresses as supplied by the relevant municipality's database (where these addresses can be obtained), and/or via a letter drop.
- These notification letters will request occupiers who are not owners and owners who are not occupiers to inform either party of the proposal and/or provide the EAP with the necessary contact details.
- These notifications will request the landowner/ occupier to also inform other occupants of the farm of the proposal/application.
- A site notice(s) has been placed along the boundary and/ or entrance of the proposed site in areas that will be most visible to passers-by.
- Site notices/posters has been placed in conspicuous places (such as shopping centres, municipal buildings etc.).
- An advertisement has been placed in a local newspapers circulating within the surrounding communities (Die Gemsbok).

All registered Interested and Affected Parties, including State Departments and Organs of State will be given an opportunity to view, and comment on, all reports (draft and Final Basic Assessment Reports).

All Interested and Affected Parties will be notified of the intent to apply for exemption during the Public Participation Process for the application for environmental authorization.

Should any of the aspect(s) of the Public Participation process be considered unfeasible or unreasonable for this application, please complete Section 9 below.

8. OTHER AUTHORISATIONS REQUIRED

LEGISLATION	AUTHORISATION REQUIRED		APPLICATION SUBMITTED	
SEMA s				
National Environmental Management: Air Quality Act	YES			NO
National Environmental Management: Biodiversity Act		NO		
National Environmental Management: Integrated Coastal Management Act		NO		
National Environmental Management: Protected Areas Act		NO		
National Environmental Management: Waste Act		NO		
National legislation				
Mineral Petroleum Development Resources Act		NO		
National Water Act		NO		
National Heritage Resources Act		NO		
Others: Please specify		NO		

9. LIST OF APPENDICES

		SUBMITTED	
Appendix 1	Strategic Infrastructure Projects	YES	
Appendix 2	List of Local Municipalities (with contact details)	N/A	
Appendix 3	List of land owners (with contact details) and proof of notification of land owners.	N/A	
Appendix 4	List of co-ordinates and/or SGIDs	YES	
Appendix 5	Title deed(s) and SG diagram(s)	NO	
Appendix 6	Copies of Environmental Authorisations obtained for the same property	N/A	
Appendix 7	Map indicating triggered areas for GN R.985	YES	
Appendix 8	Project schedule	N/A	
Appendix 9	Declaration of Applicant	YES	
Appendix 10	Declaration of EAP	YES	

**APPENDIX 1
STRATEGIC INFRASTRUCTURE PROJECTS**

<p>SIP 1: Unlocking the northern mineral belt with Waterberg as the catalyst</p> <ul style="list-style-type: none"> • Unlock mineral resources • Rail, water pipelines, energy generation and transmission infrastructure • Thousands of direct jobs across the areas unlocked • Urban development in Waterberg - first major post-apartheid new urban centre will be a “green” development project • Rail capacity to Mpumalanga and Richards Bay • Shift from road to rail in Mpumalanga • Logistics corridor to connect Mpumalanga and Gauteng. 	
<p>SIP 2: Durban-Free State-Gauteng logistics and industrial corridor</p> <ul style="list-style-type: none"> • Strengthen the logistics and transport corridor between SA’s main industrial hubs • Improve access to Durban’s export and import facilities • Integrate Free State Industrial Strategy activities into the corridor • New port in Durban • Aerotropolis around OR Tambo International Airport. 	
<p>SIP 3: South-Eastern node & corridor development</p> <ul style="list-style-type: none"> • New dam at Mzimvubu with irrigation systems • N2-Wild Coast Highway which improves access into KwaZulu-Natal and national supply chains • Strengthen economic development in Port Elizabeth through a manganese rail capacity from Northern Cape • A manganese sinter (Northern Cape) and smelter (Eastern Cape) • Possible Mthombo refinery (Coega) and transshipment hub at Ngqura and port and rail upgrades to improve industrial capacity and performance of the automotive sector. 	
<p>SIP 4: Unlocking the economic opportunities in North West Province</p> <ul style="list-style-type: none"> • Acceleration of investments in road, rail, bulk water, water treatment and transmission infrastructure • Enabling reliable supply and basic service delivery • Facilitate development of mining, agricultural activities and tourism opportunities • Open up beneficiation opportunities in North West Province. 	
<p>SIP 5: Saldanha-Northern Cape development corridor</p> <ul style="list-style-type: none"> • Integrated rail and port expansion • Back-of-port industrial capacity (including an IDZ) • Strengthening maritime support capacity for oil and gas along African West Coast • Expansion of iron ore mining production and beneficiation. 	
<p>SIP 6: Integrated municipal infrastructure project</p> <p>Develop national capacity to assist the 23 least resourced districts (19 million people) to address all the maintenance backlogs and upgrades required in water, electricity and sanitation bulk infrastructure. The road maintenance programme will enhance service delivery capacity thereby impacting positively on the population.</p>	
<p>SIP 7: Integrated urban space and public transport programme</p> <p>Coordinate planning and implementation of public transport, human settlement, economic and social infrastructure and location decisions into sustainable urban settlements connected by densified transport corridors. This will focus on the 12 largest urban centres of the country, including all the metros in South Africa. Significant work is underway on urban transport integration.</p>	
<p>SIP 8: Green energy in support of the South African economy</p> <p>Support sustainable green energy initiatives on a national scale through a diverse range of clean energy options as envisaged in the Integrated Resource Plan (IRP2010) and support bio-fuel production facilities.</p>	

Indicate capacity in MW:	
SIP 9: Electricity generation to support socioeconomic development Accelerate the construction of new electricity generation capacity in accordance with the IRP2010 to meet the needs of the economy and address historical imbalances. Monitor implementation of major projects such as new power stations: Medupi, Kusile and Ingula.	
Indicate capacity in MW:	
SIP 10: Electricity transmission and distribution for all Expand the transmission and distribution network to address historical imbalances, provide access to electricity for all and support economic development. Align the 10-year transmission plan, the services backlog, the national broadband roll-out and the freight rail line development to leverage off regulatory approvals, supply chain and project development capacity.	
SIP 11: Agri-logistics and rural infrastructure Improve investment in agricultural and rural infrastructure that supports expansion of production and employment, small-scale farming and rural development, including facilities for storage (silos, fresh-produce facilities, packing houses); transport links to main networks (rural roads, branch train-line, ports), fencing of farms, irrigation schemes to poor areas, improved R&D on rural issues (including expansion of agricultural colleges), processing facilities (abattoirs, dairy infrastructure), aquaculture incubation schemes and rural tourism infrastructure.	
SIP 12: Revitalisation of public hospitals and other health facilities Build and refurbish hospitals, other public health facilities and revamp 122 nursing colleges. Extensive capital expenditure to prepare the public healthcare system to meet the requirements of the National Health Insurance (NHI) system. The SIP contains major builds for 6 hospitals	
SIP 13: National school build programme A national school build programme driven by uniformity in planning, procurement, contract management and provision of basic services. Replace inappropriate school structures and address basic service backlog and provision of basic services under the Accelerated School Infrastructure Delivery Initiative (ASIDI). In addition, address national backlogs in classrooms, libraries, computer labs and admin buildings. Improving the learning environment will strengthen outcomes especially in rural schools, as well as reduce overcrowding	
SIP 14: Higher education infrastructure Infrastructure development for higher education, focusing on lecture rooms, student accommodation, libraries and laboratories, as well as ICT connectivity. Development of university towns with a combination of facilities from residence, retail to recreation and transport. Potential to ensure shared infrastructure such as libraries by universities, FETs and other educational institutions. Two new universities will be built - in Northern Cape and Mpumalanga.	
SIP 15: Expanding access to communication technology Provide for broadband coverage to all households by 2020 by establishing core Points of Presence (POPs) in district municipalities, extend new Infracore fibre networks across provinces linking districts, establish POPs and fibre connectivity at local level, and further penetrate the network into deep rural areas. While the private sector will invest in ICT infrastructure for urban and corporate networks, government will co-invest for township and rural access, as well as for e-government, school and health connectivity. The school roll-out focus is initially on the 125 Dinaledi (science and maths-focussed) schools and 1525 district schools. Part of digital access to all South Africans includes TV migration nationally from analogue to digital broadcasting.	
SIP 16: SKA & Meerkat SKA is a global mega-science project, building an advanced radio-telescope facility linked to research infrastructure and high-speed ICT capacity and provides an opportunity for Africa and South Africa to contribute towards global advanced science projects.	
SIP 17: Regional integration for African cooperation and development	

<p>Participate in mutually beneficial infrastructure projects to unlock long-term socio-economic benefits by partnering with fast growing African economies with projected growth ranging between 3% and 10%.</p> <p>The projects involving transport, water and energy also provide competitively-priced, diversified, short and medium to long-term options for the South African economy where, for example, electricity transmission in Mozambique (Cesul) could assist in providing cheap, clean power in the short-term whilst Grand Inga in the DRC is long-term.</p> <p>All these projects complement the Free Trade Area (FTA) discussions to create a market of 600 million people in South, Central and East Africa.</p>	
<p>SIP 18: Water and sanitation infrastructure</p> <p>A 10-year plan to address the estimated backlog of adequate water to supply 1.4m households and 2.1m households to basic sanitation.</p> <p>The project will involve provision of sustainable supply of water to meet social needs and support economic growth. Projects will provide for new infrastructure, rehabilitation and upgrading of existing infrastructure, as well as improve management of water infrastructure.</p>	

APPENDIX 2 (IF APPLICABLE)
LIST OF LOCAL MUNICIPALITIES

N/A: *“In instances where there is more than one local authority involved, please attach a list of those local authorities with their contact details as **Appendix 2.**”*

**APPENDIX 3
LIST OF LAND OWNERS
PROOF OF NOTIFICATION OF LAND OWNERS**

N/A: *"In instances where there is more than one landowner, please attach a list of those landowners with their contact details as **Appendix 3**. If the applicant is not the owner or person in control of the land, proof of notice to the landowner or person in control of the land on which the activity is to be undertaken must be submitted in **Appendix 3**"*

**APPENDIX 4 (IF APPLICABLE)
LIST OF CO-ORDINATES AND/OR SGIDS**

**APPENDIX 5
TITLE DEED(S) AND SG DIAGRAM(S)**

APPENDIX 6 (IF APPLICABLE)
COPIES OF ENVIRONMENTAL AUTHORISATIONS OBTAINED ON THE SAME PROPERTY

N/A: No other Environmental Authorisation applications submitted on the same property.
Appendix 6 however does include the previously obtained air emissions licence.

**APPENDIX 7 (IF APPLICABLE)
PROJECT MAP**

**APPENDIX 8
PROJECT SCHEDULE**

APPENDIX 9

DECLARATION OF THE APPLICANT

I, _____, declare that I -

- am, or represent¹, the applicant in this application;
- have appointed / will appoint (delete that which is not applicable) an environmental assessment practitioner to act as the independent environmental assessment practitioner for this application / will obtain exemption from the requirement to obtain an environmental assessment practitioner²;
- will provide the environmental assessment practitioner 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 Regulations, including but not limited to –
 - costs incurred in connection with the appointment of the environmental assessment practitioner or any person contracted by the environmental assessment practitioner;
 - 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 conditions attached to an environmental authorisation, should it be required by the competent authority;
- will ensure that the environmental assessment practitioner is competent to comply with the requirements of the Regulations and will take reasonable steps to verify that the EAP
 - know the Act and the regulations, and how they apply to the proposed development
 - know any applicable guidelines
 - perform the work objectively, even if the findings do not favour the applicant
 - disclose all information which is important to the application and the proposed development
 - have expertise in conducting environmental impact assessments
 - complies with the Regulations
- will inform all registered interested and affected parties of any suspension of the application as well as of any decisions taken by the competent authority in this regard;
- am responsible for complying with the conditions of any environmental authorisation issued by the competent authority;
- 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 which the applicant or environmental assessment practitioner is responsible for in terms of these Regulations;
- will not hold the competent authority responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to obtaining an environmental authorisation or prior to an appeal being decided in terms of these Regulations;
- will perform all other obligations as expected from an applicant in terms of the Regulations;
- all the particulars furnished by me in this form are true and correct; and
- I realise that a false declaration is an offence in terms of regulation 71 and is punishable in terms of section 24F of the Act.

¹ If this is signed on behalf of the applicant, proof of such authority from the applicant must be attached.

² If exemption is obtained from appointing an EAP, the responsibilities of an EAP will automatically apply to the person conducting the environmental impact assessment in terms of the Regulations.

Signature³ of the applicant⁴/ Signature on behalf of the applicant:

Name of company (if applicable):

Date:

Signature of the Commissioner of Oaths:

Date:

Designation:

Official stamp (below):

³ Only original signatures will be accepted. No scanned, copied or faxed signatures will be accepted.

⁴ If the applicant is a juristic person, a signature on behalf of the applicant is required as well as proof of such authority. An EAP may not sign on behalf of an applicant.

APPENDIX 10

DECLARATION OF THE EAP

I, _____, declare that –

General declaration:

- I act as the independent environmental practitioner in this application
- I will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant
- I declare that there are no circumstances that may compromise my objectivity in performing such work;
- I have expertise in conducting environmental impact assessments, including knowledge of the Act, Regulations and any guidelines that have relevance to the proposed activity;
- I will comply with the Act, Regulations and all other applicable legislation;
- I will take into account, to the extent possible, the matters listed in regulation 8 of the Regulations when preparing the application and any report relating to the application;
- I have no, and will not engage in, conflicting interests in the undertaking of the activity;
- I undertake to disclose to the applicant and the competent authority all material information in my possession that reasonably has or may have the potential of influencing - any decision to be taken with respect to the application by the competent authority; and - the objectivity of any report, plan or document to be prepared by myself for submission to the competent authority;
- I will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected parties and the public and that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced to support the application;
- I will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- I will keep a register of all interested and affected parties that participated in a public participation process; and
- I will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not
- all the particulars furnished by me in this form are true and correct;
- will perform all other obligations as expected from an environmental assessment practitioner in terms of the Regulations; and
- I realise that a false declaration is an offence in terms of regulation 71 of the Regulations and is punishable in terms of section 24F of the Act.

Disclosure of Vested Interest (delete whichever is not applicable)

- I do not have and will not have any vested interest (either business, financial, personal or other) in the proposed activity proceeding other than remuneration for work performed in terms of the Regulations;
- I have a vested interest in the proposed activity proceeding, such vested interest being:

Signature of the environmental assessment practitioner:

Name of company:

Date:

Signature of the Commissioner of Oaths:

Date:

Designation:

Official stamp (below)