

**Application for exemption in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) (as amended) and the Exemption Regulations, 2014****Kindly note that:**

1. This application form must be completed if the applicant wishes to apply for exemption from complying with certain provisions of the regulations.
2. This application form is current as of 08 December 2014. It is the responsibility of the EAP to ascertain whether subsequent versions of the form have been published or produced by the competent authority.
3. 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. It is in the form of a table that can extend itself as each space is filled with typing.
4. Selected boxes must be indicated by a cross and, when the form is completed electronically, must also be highlighted.
5. Incomplete applications may be returned to the applicant for revision.
6. The use of "not applicable" in the report must be done with circumspection because if it is used in respect of material information that is required by the competent authority for assessing the application, it may result in the rejection of the application as provided for in the regulations.
7. This form and attachments must be handed in at the offices of the relevant competent authority as determined by each authority.
8. No faxed or e-mailed applications will be accepted. Only hand delivered or posted applications will be accepted.
9. Unless protected by law, and clearly indicated as such, all information filled in on this application will become public information on receipt by the competent authority. The applicant/EAP must provide any interested and affected party with the information contained in this application on request, during any stage of the application process.
10. Attachments, where applicable, to this document are to be ordered in the following prescribed manner

Annexure - A	Locality map
Annexure - B	Proof of the Land owner consent
Annexure - C	Local authorities list
Annexure - D	Property description list

Annexure - E	Towns/District list
Annexure - F	Current land use zonings list
Annexure - G	Supporting information
Annexure - H	Other

**DEPARTMENTAL DETAILS**

Department of Economic, Small Business Development, Tourism, Environmental Affairs  
Private Bag x20801  
Bloemfontein 9300

**For attention:** Ms M.Sello  
**Tel no:** (051) 400 4781  
**Fax no:** (051) 400 4842  
**Email:** [sellom@detea.fs.gov.za](mailto:sellom@detea.fs.gov.za)

**PROJECT ADMINISTRATIVE DETAILS**

(For official use only)

**Project Reference Number (if applicable):**  
**Exemption Application Number:**  
**Date Received:**


Detail what process has been undertaken with regards to the applicable EIA Regulations, (e.g. submission of application form etc)


**Has this project or a substantially similar project which has been previously submitted by the applicant been denied authorisation by the relevant authority in the last three (3) years**  
**If yes will the application contain new or additional material not submitted previously**

YES	NO
YES	NO

**1. PROJECT DETAILS**

**Project title:**

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To be noted that the project will be registered under this title. This title must therefore be duplicated throughout the application life of the project

**Local authority(ies) in whose jurisdiction the proposed application will fall**

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**PROVISION OF THE REGULATIONS TO BE/HAVE BEEN APPLIED FOR**

An application may be made for more than one provision or specified requirements of the Regulations. All the provision of the Regulations and the Act that make up this application must be listed.

Indicate the number and date of the relevant Act and Government Notice:	Activity No (s) (in terms of the relevant listing notices):	Describe each listed activity the way it is worded in the regulations:

Please note that any approval that may result out of this application will only cover those provisions of the NEMA Act and the Regulations applied for. Omissions may render any approval that is based on incomplete information to be null and void.

**BACKGROUND INFORMATION**

**Project applicant:**  
**Trading name (if any):**  
**Contact person:**  
**Physical address:**

<b>Code</b>		
<b>Postal address:</b>		
<b>Postal code:</b>		<b>Cell:</b>
<b>Telephone:</b>		<b>Fax:</b>
<b>E-mail:</b>		

**Name of Environmental Assessment Practitioner (EAP):**

**Company Name:**  
**Physical address**

<b>Code</b>		
<b>Postal address:</b>		
<b>Postal code:</b>		<b>Cell:</b>
<b>Telephone:</b>		<b>Fax:</b>
<b>E-mail:</b>		

**Landowner:**  
**Contact person:**  
**Physical address**

<b>Code</b>		
<b>Postal address:</b>		
<b>Postal code:</b>		<b>Cell:</b>
<b>Telephone:</b>		<b>Fax:</b>
<b>E-mail:</b>		

In instances where there is more than one landowner, please attach a list of landowners with their contact details to this application.

In instances where the landowner is not the applicant –attach consent from the landowner.

List of the land owner is attached	
Landowner notification proof is attached	
Landowner proof of receipt of such notification is attached	

**Local authority in whose jurisdiction the proposed activity will fall:**

**Contact person:**  
**Postal address:**  
**Postal code:**  
**Telephone:**  
**E-mail:**

<b>Postal code:</b>		<b>Cell:</b>
<b>Telephone:</b>		<b>Fax:</b>
<b>E-mail:</b>		

In instances where there is more than one local authority involved, please attach a list of local authorities with their contact details to this application.

List of local authorities is attached

**Property description:**

(Farm name, portion etc.) Where a large number of properties are involved (e.g. linear activities), please attach a list of property details to this application.

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List of properties is attached

**Town(s) or district(s):**  
**Street/Physical address:**


In instances where there is more than one town or district involved, please attach a list of towns or districts to this application.

List of towns or districts is attached

**Current land-use zoning:**

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In instances where there is more than one current land-use zoning, please attach a list of current land use zonings that also indicate which portions each use pertains to, to this application.

List of current land use zonings is attached

**Locality map:**

A locality map must be attached on the back of this document, as Annexure A. The scale of the locality map must be between 1:10 000 and 1:50 000. The scale must be indicated on the map. The map must indicate the following:

- an accurate indication of the project site position as well as the positions of the alternative sites, if any;
- road access from all major roads in the area;
- road names or numbers of all major roads as well as the roads that provide access to the site(s);
- all roads within a 1km radius of the site or alternative sites; and
- all rivers within a 1km radius of the site or alternative sites
- a north arrow.

**2. EXEMPTION DETAILS**

1. Please list the relevant provision(s) of the Act and the regulations for which exemption is being applied for.

Section or Regulation number	Description
E.g. Section 24L of the Act or Regulation 39 (1)	

2. Please provide the reasons for each provision

for which exemption is being applied for: (Please provide any applicable supporting documentation for your exemption application as per Annexure G)

Section or Regulation number	Reasons

3. Was the application for exemption included in a public participation process?

YES	NO
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**Note:** This question does not mean that public participation for exemption should occur upfront. This question is to cover situations such as when the need for exemptions was discussed at a public meeting during the B.A or scoping process

If yes, provide details of the public participation process followed

4. Will the rights and interests of other parties be adversely affected by this application?

YES	NO
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4.(a) If Yes, explain in detail how the rights and interests of other parties will be adversely affected

4.(b) If No, explain in detail why the rights and interests of other parties will not be adversely affected

### 3. DECLARATIONS

The Applicant

I, \_\_\_\_\_, declare under oath that I -

- am, or represent<sup>1</sup>, 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 practitioner<sup>2</sup>;
- 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 applicable Environmental Impact Assessment 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 these Regulations and will take reasonable steps to verify whether the EAP 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;
- guarantee competent authority that 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.

\_\_\_\_\_  
Signature of the applicant:

\_\_\_\_\_  
Name of company:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Signature of the Commissioner of Oaths:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Designation:

\_\_\_\_\_  
Commissioner of Oaths Official stamp (below)

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

<sup>2</sup> 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.

#### 4. DECLARATIONS

The independent Environmental Assessment Practitioner

I, \_\_\_\_\_, declare under oath that I –

- act as the independent environmental practitioner in this application;
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the applicable Environmental Impact Assessment Regulations;
- have no and will have no vested interest in the proposed activity proceeding;
- have no, and will not engage in, conflicting interests in the undertaking of the activity;
- undertake to disclose, to the competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the applicable Environmental Impact Assessment Regulations;
- have complied with Regulation 4 (5) in terms of the minimum requirements of the notice;
- have ensured 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;
- have ensured that the comments of all interested and affected parties are considered, recorded and submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of the application that will be submitted to the competent authority may be attached without further amendment to such comments; and
- have kept a register of all interested and affected parties that participated in a public participation process; and
- have provided the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not; and

\_\_\_\_\_  
Signature of the Environmental Assessment Practitioner:

\_\_\_\_\_  
Name of company:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Signature of the Commissioner of Oaths:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Designation:

Commissioner of Oaths Official stamp (below)

#### 5. CHECKLIST

To ensure that all information that the Department needs to be able to process this application, please check that:

- Where requested, supporting documentation has been attached;
- All relevant sections of the form have been completed; and
- The form has been signed by the applicant, by the EAP or both.

“JWALE KE NAKO YA KOTULO, RE A KUBELE TSA”