



destea

department of
economic, small business development,
tourism and environmental affairs
FREE STATE PROVINCE

APPLICATION FORM FOR AMENDMENT OF AN ENVIRONMENTAL AUTHORISATION

(For official use only)

File Reference Number:

NEAS Reference Number:

Date Received:

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

PROJECT TITLE

Indicate if the **DRAFT** report accompanies the application

Yes

No

PRE-APPLICATION CONSULTATION

Was a pre-application meeting held	Yes		No	
Date of the pre-application meeting				
Was minutes compiled and submitted to the Department for approval	Yes		No	

A copy of the pre-application meeting minutes must be appended to this application as **APPENDIX 1**.

Kindly note the following:

1. This form must be used to apply for the Amendment of an Environmental Authorisation where this Department is the Competent Authority. An amendment includes:
 - a) adding, substituting, removing or changing a condition or requirement of an Environmental Authorisation, or
 - b) updating or changing any details or correcting a technical error.
2. This form is current as of **13 February 2020**. It is the responsibility of the Applicant / Environmental Assessment Practitioner (EAP) to ascertain whether subsequent versions of the form have been published or produced by the Competent Authority. **View the Department's website at <http://www.destea.gov.za/> for the latest version of the documents.**
3. An application fee is applicable (refer to **Section 2**). Proof of payment must accompany this application. The application will not be processed without proof of payment unless one of the exclusions provided for in the Fee Regulations is applicable AND such information in the exclusion section of this application form has been confirmed by this Department.
4. A cover letter on your company letterhead indicating the nature of this application must be appended to this form i.e. new application for Environmental Authorisation, updated application for Environmental Authorisation.

Application Form for Amendment of an Environmental Authorisation

113 St. Andrews Street
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9300

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Tel: +27 (0)51 400 4812
e-mail: mkhosana@destea.gov.za

www.destea.gov.za

5. An electronic copy (CD) of the signed application form must be submitted together with one hardcopy (one of which must contain the original signatures of both the Applicant and EAP).
6. This form must be marked **“for Attention: Deputy Director: Environmental Impact Assessment”** and submitted to the Department at the postal or physical addresses contained in this form.
7. All documentation delivered to the physical address contained in this form must be delivered during the official Departmental Officer Hours from 07H30 – 16H00.
8. All EIA related documents (includes application forms, reports or any EIA related submissions) that are faxed; emailed; delivered to Security or placed in the Departmental Tender Box will not be accepted, only hardcopy submissions are accepted.
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. Spaces are provided in tabular format and will extend automatically when each space is filled with typing. A legible font type and size must be used when completing the form. The font size should not be smaller than 10pt (e.g. Arial 10).
10. Where applicable black out the boxes that are not applicable in the form.
11. The use of the phrase “not applicable” in the form must be done with circumspection. Where it is used in respect of material information that is required by the Competent Authority for assessing the application, this may result in the rejection of the application as provided for in the Regulations.
12. Unless protected by law, all information contained in and attached to this application, will become public information on receipt by the Competent Authority. Upon request during any stage of the application process, the Applicant / EAP must provide any registered interested and affected party with the information contained in and attached to this application.
13. 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.
14. Please note that this form must be copied to the relevant Provincial Environmental Department(s).
15. Certified copy/ies of the Environmental Authorisation and all subsequent Amendments thereto, if applicable must be attached to this application as **APPENDIX 2**. Should a certified copy/ies of the Environmental Authorisation and subsequent Amendments thereto not be available an original commissioned Affidavit/Affirmation under oath undertaken by the must be appended to this application form.
16. An application for Environmental Authorisation/Amendment lapses if the applicant fails to meet any of the timeframes prescribed in terms of the EIA Regulations, 2014, as amended.
17. **An application for amendment of Environmental Authorisation must be accompanied by a valid EAP Registration letter (only for EAPs registered this year) and renewed Annual Registration Certificate with Environmental Assessment Practitioners Association of South Africa (EAPASA).**

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Departmental Details

Postal address:

Free State Department of Economic, Small Business Development, Tourism and Environmental Affairs
Attention: (Ms. Grace Mkhosana) Deputy Director: Environmental Impact Assessment
Private Bag X20801
Bloemfontein
9300

Physical address:

Free State Department of Economic, Small Business Development, Tourism and Environmental Affairs
Attention: (Ms. Grace Mkhosana) Deputy Director: Environmental Impact Assessment
St. Andrews Building
3rd Floor, Room 8
Bloemfontein

Queries must be directed to the Directorate: Environmental Management at:
Email: 051- 400 4817/19

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1. COMPETENT AUTHORITY

Identified Competent Authority to consider the application:
Reason(s) in terms of S24C of NEMA:

2. FEES

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 of payment or a motivation for exclusions must be attached as **APPENDIX 3** of this application form.

Proof of payment	
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 Amendment of an Environmental Authorisation	R2 000

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Department of Environmental Affairs' banking details for the payment of application fees:

Bank: NEDBANK
Account holder: Free State Provincial Government: Department of Economic Small Business Development, Tourism and Environmental Affairs
Commercial Cheque account number: 1233434306
Branch: Commercial Banking Free State
Branch code: 198765
Account Type: Current
Swift Code: NEDSZAJJ

Reference number : EI & WM + short project title.....(important to quote this when making payment)

Forward proof of payment to:

Fax: 051 400 9606

Email: tlhakanelot@destea.gov.za

Application form to be sent with proof of payment

Payment Enquiries:

Contact person: Tebogo Tlhakanelo (Revenue) **or** Disebo Masoetsa (EIM Admin)

Tel: 051 400 4738

051 400 4817

Email: tlhakanelot@destea.gov.za

Tax exemption status: Exempt

Please note that this form must be copied to the relevant provincial environmental department/s.

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3. GENERAL INFORMATION

Name of the Applicant:			
RSA Identity/ Passport Number:			
Name of contact person for applicant (if other):			
RSA Identity/ Passport Number:			
Responsible position, e.g. Director, CEO, etc.:			
Company/ Trading name (if any):			
Company Registration Number:			
BBBEE status:			
Physical address:			
Postal address:			
Postal code:	Cell:		
Telephone:	Fax:		
E-mail:			

Name of the landowner:			
Name of contact person for landowner (if other):			
Postal address:			
Postal code:	Cell:		
Telephone:	Fax:		
E-mail:			

Name of Person in control of the land:			
Name of contact person for person in control of the land:			
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 4**.

Certified copy/ies of the Environmental Authorisation and subsequent Amendments thereto, if applicable must be attached to this application as **APPENDIX 2**. Should a certified copy/ies of the Environmental Authorisation and subsequent Amendments thereto not be available an original commissioned Affidavit/Affirmation under oath undertaken by the must be appended to this application form

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Provincial Environmental Authority:			
Name of contact person:			
Postal address:			
Postal code:	Cell:		
Telephone:	Fax:		
E-mail:			

Local Municipality:			
Name of contact person in (Environmental Section):			
Postal address:			
Postal code:	Cell:		
Telephone:	Fax:		
E-mail:			

In instances where there is more than one Local/Provincial Authority involved, please attach a list of those Local/Provincial Authorities with their contact details as Error! Reference source not found..

4. ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) INFORMATION

Company of Environmental Assessment Practitioner:			
B-BBEE	Contribution level (indicate 1 to 8 or non-compliant)	Percentage Procurement recognition	
EAP name:			
EAP Qualifications:			
Professional affiliation/registration:			
Physical address:			
Postal address:			
Postal code:	Cell:		
Telephone:	Fax:		
E-mail:			

The appointed EAP must meet the requirements of Regulation 13 of GN R982 of 04 December 2014, as amended.

If appointed, the declaration of independence of the EAP and undertaking under oath or affirmation that all the information submitted or to be submitted for the purposes of the application is true and correct must be submitted as **APPENDIX 5**.

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5. DETAILS OF IMPLEMENTATION OF PREVIOUS ENVIRONMENTAL AUTHORISATION

Was the activity commenced with during the validity period of the environmental authorisation? If yes, please describe the implementation of the previous environmental authorisation to date:	YES	NO

6. AMENDMENTS APPLIED FOR AND RELATED INFORMATION

Please indicate which of the following is relevant:

6.1. The holder of an environmental authorisation may at any time apply to the relevant Competent Authority for the amendment of the authorisation if:

(a) there is a material change in the circumstances which existed at the time of the granting of the environmental authorisation;	YES	NO
(b) there has been a change of ownership in the property and transfer of rights and obligations must be provided for; or	YES	NO
(c) any detail contained in the environmental authorisation must be amended, added, substituted, corrected, removed or updated.	YES	NO

Describe the amendments that are being applied for:

Please provide the reasons and/or a motivation for the application for amendment:

Should the amendment being requested result due to 6.1 (b) above, you are required to furnish the Department with a written undertaking that the new holder of the environmental authorisation is willing and able to assume responsibility of the environmental authorisation issued. Provide a short motivation and explanation below:

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7. ENVIRONMENTAL IMPACTS

Describe any negative environmental impacts that may occur if the application for amendment is granted, amongst others information on any increases in air emissions, waste generation, discharges to water and impacts of the natural or cultural environment must be included.

Describe any negative environmental impacts that may occur if the application for amendment is not granted.

Describe any positive environmental impacts that may occur if the application for amendment is granted, amongst others information on any reduction in the ecological footprint, air emissions, waste generation and discharges to water must be included.

8. AUTHORISATION FROM OTHER GOVERNMENT DEPARTMENTS

Are any permission, licenses or other authorisations required from any other departments before the requested amendments can be effected?	YES	NO
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If yes, please complete the table below.

Name of department and contact person	Authorisation required	Authorisation applied for (Yes/ No)

9. RIGHTS OR INTERESTS OF OTHER PARTIES

In your opinion, will this proposed amendment adversely affect the rights and interests of other parties?	YES	NO
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Please provide a detailed motivation of your opinion.

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NOTE: The Department is entitled to request further information if it believes it is necessary for the consideration of the application. If the application is for a substantive amendment or if the rights or interests of other parties are likely to be adversely affected, the Department will instruct the applicant to conduct a public participation process and to conduct any investigations and assessments that it deems necessary.

10. LIST OF APPENDICES

		SUBMITTED	
APPENDIX 1	Copy of the pre-application meeting minutes	YES	NO
APPENDIX 2	Certified copy/ies of the Environmental Authorisation and all subsequent Amendments thereto or original commissioned Affidavit/Affirmation under oath	YES	NO
APPENDIX 3	Proof of Payment / Motivation for exclusion	YES	NO
APPENDIX 4	List of land owners (with contact details)	YES	NO
APPENDIX 5	Declaration of independence of the EAP and undertaking under oath or affirmation, if appointed	YES	NO

11. DECLARATION

I, _____, declare that I will comply with all my legal obligations in terms of this application and provide accurate information to everyone concerned in respect to this application.

Signature of the Applicant:

Name of Company or Organisation:

Date:

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**APPENDIX 1
COPY OF THE PRE-APPLICATION MEETING MINUTES**

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**APPENDIX 2
CERTIFIED COPY/IES OF THE ENVIRONMENTAL AUTHORISATION AND ALL SUBSEQUENT AMENDMENTS
THERETO OR ORIGINAL COMMISSIONED AFFIDAVIT/AFFIRMATION UNDER OATH**

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**APPENDIX 3
PROOF OF PAYMENT/ MOTIVATION FOR EXCLUSION**

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**APPENDIX 4
LIST OF LAND OWNERS**

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**APPENDIX 5
DECLARATION OF THE EAP**

I, _____, declare that –

- I act as the independent environmental assessment practitioner in this application;
- 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 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 will take into account, to the extent possible, the matters listed in Regulation 14 of the Regulations when preparing the application and any report relating to the application;
- 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, unless access to that information is protected by law, in which case it will be indicated that such information exists and will be provided to the Competent Authority;
- I will perform all obligations as expected from an environmental assessment practitioner in terms of the Regulations; and
- I am aware of what constitutes an offence in terms of Regulation 48 and that a person convicted of an offence in terms of Regulation 48(1) is liable to the penalties as contemplated in Section 49B 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

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UNDERTAKING UNDER OATH/ AFFIRMATION

I, _____, swear under oath / affirm that all the information submitted or to be submitted for the purposes of this application is true and correct.

Signature of the environmental assessment practitioner

Name of company

Date

Signature of the commissioner of oaths

Date

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