

## EXEMPTION APPLICATION FORM



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### **Application for exemption in terms of the regulation 3 of the National Exemption Regulations of 2014 promulgated under the National Environmental Management Act, 1998 (Act 107 of 1998) as amended**

8 DECEMBER 2014

#### **Kindly note that:**

1. This application form for exemption must be submitted with the application form (and basic assessment report where appropriate).
2. The competent authority is entitled to all underlying data and information that **inform** the application for exemption.
3. The application must be typed or be completed in legible handwriting. Unclear or illegible applications will be returned to the applicant.
4. Incomplete applications will not be accepted and will be returned to the applicant for revision.
5. The use of “not applicable” in the form must be done with circumspection as it can easily result in the return of an application.
6. This application must be handed in at offices of the relevant competent authority as determined by each authority.
7. No faxed or e-mailed applications will be accepted.
8. All photographs must be in colour.
9. The application must be completed by the applicant.
10. All information filled in on this application will become public information on receipt by the competent authority. Any interested and affected party should be provided with the information contained in this application on request during any stage of the application process.
11. If an application for exemption relates to an action to be taken after the granting or refusal of the environmental authorization, then the decision on the exemption and environmental authorization may be combined.

12.1. The applicant must ensure that the Environmental Assessment Practitioner (EAP) who is appointed is registered in terms of S24H Regulations with the Registration Authority EAPASA. (Registration status of the EAP may be confirmed at [www.eapasa.org](http://www.eapasa.org)) as from 8 August 2022.

12.2. S24H (14) states that “only a person registered as an Environmental Assessment practitioner may perform tasks in connection with an application for an environmental authorisation contemplated in

(a) Chapter 5 of the Act read with the Environmental Impact Assessment Regulations.

(b) Section 24G of the Act

(c) Chapter 5 of the National Environmental Management Waste Act 2008 (Act No 59 of 2008) read with the Environmental Impact Assessment Regulations

12.3. Tasks in regulation 14 may only be conducted by an EAP that is registered

12.4. Regulations 20 of S24H indicates the offences and penalties as indicated below:

“20. *Offences and penalties*

(1) *A person is guilty of an offence if that person-*

(a) *contravenes regulation 14 of the Regulations; or*

(b) *pretends to be a registered environmental assessment practitioner or registered candidate environmental assessment practitioner.*

(2) *A person convicted of an offence in terms of subregulation (1) is liable to the penalties contemplated in section 49B(3) of the Act.”*

*“A person convicted of an offence in terms of section 49A(1)(h), (l), (m), (n), (o) or (p) is liable to a fine or to imprisonment for a period not exceeding one year, or to both a fine and such imprisonment.”*

## APPLICANT'S DETAILS

|                    |              |       |        |
|--------------------|--------------|-------|--------|
| Project applicant: |              |       |        |
| Contact person:    |              |       |        |
| Postal address:    |              |       |        |
|                    | Postal code: |       |        |
| Telephone:         | (    )       | Cell: |        |
| E-mail:            |              | Fax:  | (    ) |

|                             |              |       |        |
|-----------------------------|--------------|-------|--------|
| Project consultant:         |              |       |        |
| Contact person:             |              |       |        |
| Postal address:             |              |       |        |
|                             | Postal code: |       |        |
| Telephone:                  | (    )       | Cell: |        |
| E-mail:                     |              | Fax:  | (    ) |
| Professional affiliation(s) |              |       |        |

Environmental Assessment Practitioner (EAP)

Contact Person

Postal address

|                   |              |     |
|-------------------|--------------|-----|
|                   |              |     |
|                   |              |     |
|                   | Postal Code  |     |
|                   | Cell         |     |
|                   | Fax          |     |
|                   |              |     |
|                   |              |     |
|                   |              |     |
|                   |              |     |
|                   |              |     |
|                   | Postal code: |     |
| Telephone:<br>( ) | Cell:        |     |
| E-mail:           | Fax:         | ( ) |

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

Local authority:

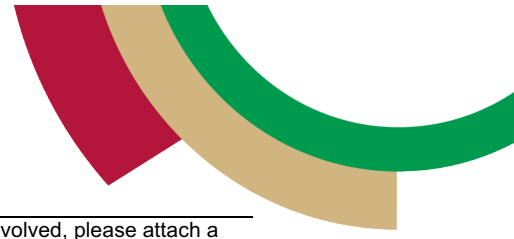
Contact person:

Postal address:

Telephone

E-mail:

|                  |              |     |
|------------------|--------------|-----|
|                  |              |     |
|                  |              |     |
|                  |              |     |
|                  | Postal code: |     |
| Telephone<br>( ) | Cell:        |     |
| E-mail:          | Fax:         | ( ) |



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



Province of the  
**EASTERN CAPE**  
ECONOMIC DEVELOPMENT,  
ENVIRONMENTAL AFFAIRS & TOURISM

Project title:

Property description:

(Farm name, portion etc.)

Where a large number of properties are involved (e.g. linear activities), attach a list of property descriptions to the back of this page.

Town or district:

Street address:

In instances where there is more than one town or district involved, please attach a list of towns or districts as well as complete physical address information for the entire area to the back of this page.

Current land-use zoning:

In instances where there is more than one current land-use zoning, please attach a list current land use zonings to the back of this page.

Is a change of land-use or a consent use application required?

|     |    |
|-----|----|
| YES | NO |
|-----|----|

Must a building plan be submitted to the local authority?

|     |    |
|-----|----|
| YES | NO |
|-----|----|



Locality map (if not already provided as part of the basic assessment or Scoping report):

A locality map must be attached to the back of this document, as Appendix A. The scale of the locality map must be at least 1:50 000. The scale must be indicated on the map. The map must indicate the following:

- The accurate indication of the project site alternative position as well as the positions of the other alternative sites.
- Road access from all the major roads in the area.
- Road names or numbers of all the major roads as well as the roads that provide access to the site(s)
- All roads within a 1km radius of each of the sites.
- A north arrow.

Owners consent:

Letters of consent/notification of all landowners or a detailed explanation by the applicant explaining why consent is not possible must be attached to the back of this document as Appendix B.  
Proof of notification of I&APs of Exemption Application

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

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2. Please provide the reasons/motivation for each provision / activity for which exemption is being applied for: (Please provide any applicable supporting documentation for your exemption application as an Appendix.)



[Empty text box for reasons/motivation]

3. Was the application for exemption included in a public participation process? YES NO

If yes, provide details of the public participation followed.

[Empty text box for public participation details]

4. If no provide details of the public participation process undertaken in respect of this exemption application include all comments and responses received by interested and affected parties and your responses thereto.

[Empty text box for public participation details]

5. Explain in detail how the rights and interests of other parties will be adversely affected.

[Empty text box for adverse effects]

**DECLARATIONS**

The Applicant

I....., in my personal capacity or duly authorized thereto hereby declare that:

- The information contained in this application form is true and correct, and
- I am fully aware of my responsibilities in terms of the National Environmental Management Act of 1989 (“NEMA”) (Act No. 107 of 1998) as amended to Act 62 of 2008 and the Environmental Impact Assessment Regulations (“EIA Regulations”) in terms of NEMA (Government Notice No. R. 982, R. 983, R. 984 and R. 985 in the Government Gazette of 4 December 2014 refer), and that failure to comply with these requirements may constitute an offence in terms of NEMA and the EIA Regulations.



**Please 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:

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Name of company:

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Date:

The independent Environmental Assessment Practitioner

I ....., as the appointed independent environmental practitioner hereby declare that:

- The information contained in this application form is true and correct, and
- I am fully aware of my responsibilities in terms of the National Environmental Management Act of 1989 (“NEMA”) (Act No. 107 of 1998) as amended by the National Environmental Management Act 62 of 2008 and the Environmental Impact Assessment Regulations (“EIA Regulations”) in terms of NEMA (Government Notice No. R. 982, R. 983 R.984 and R. 985 in the Government Gazette of 4 December 2014 refer), and that failure to comply with these requirements may constitute an offence in terms of NEMA and the EIA Regulations.

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Signature of the environmental assessment practitioner:

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Name of company:

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Date: