

Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity



**KWAZULU-NATAL PROVINCE**

ECONOMIC DEVELOPMENT, TOURISM  
AND ENVIRONMENTAL AFFAIRS  
REPUBLIC OF SOUTH AFRICA

Office of the Head of Department  
270 Jabu Ndlovu Street, Pietermaritzburg, 3201  
Tel: +27 (33) 264 2515, Fax: 033 264 2680  
Private Bag X 9152  
Pietermaritzburg, 3200  
[www.kznded.gov.za](http://www.kznded.gov.za)

	(For official use only)
Provincial Reference Number:	DC/
NEAS Reference Number:	KZN/EIA/
Date Complete application Received by the Department:	
Date received by the District:	

**Application form for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity in terms of section 24G of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended.**

**Kindly note that:**

1. Any new Environmental Authorisation process initiated after 8 August 2022 requires all activities associated with the investigation, assessment and preparation of an impact assessment report to be undertaken by an Environmental Assessment Practitioner [EAP] who is registered with EAPASA in accordance with the S24H Regulations, 2016 (as amended). It is the responsibility of the applicant to ensure that they appoint an EAP that is in good standing and registered with EAPASA.
2. This application form must be completed for all applications in terms of S24G of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended.
3. It is the responsibility of the Applicant / Environmental Assessment Practitioner (EAP) to ascertain whether subsequent versions of the application form have been published or produced by the relevant competent authority.
4. This form is current as of **October 2022**. 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.
5. This application form is structured as follows:

**PART 1**

Section A: Application Information  
Section B: Activity Information

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

Section C: Description of Receiving Environment  
Section D: Preliminary Impact Assessment  
Section E: Landfill Parameters  
Section F: Proposed Public Participation Process  
Section G: Alternatives  
Section H: Appendices

## **PART 2**

Section A: Directive  
Section B: Deferral  
Section C: Quantum of the fine

## **PART 3**

Section A: Declarations  
Annexures

6. An independent EAP must be appointed to complete Part 1 as well as Part 2 Section C Part I of the application form on behalf of the applicant. The applicant must complete the remainder of Part 2 (i.e. excluding Section C part I . Both the EAP and Applicant must sign Part 3.
7. The declaration of independence must be completed by the independent EAP and submitted with the application.
8. The required information must be typed within the spaces provided. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The space provided extends as 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).
9. The use of "not applicable" in the application form must be done with circumspection.
10. No faxed or e-mailed applications will be accepted. This application form must be submitted by hand or mailed to the relevant competent authority.
11. Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. Upon request, any interested and affected party must be provided with the information contained in and attached to this application form.
12. This application form constitutes the initiation of the S24G application process.

Kindly note further that:

13. Section 24G of the NEMA, without affecting any criminal liability of a person who has acted in contravention of the above, makes provision for that person to submit an application to the relevant MEC/Minister, which, if successful, will enable that person lawfully to continue with the listed activity and/or legalise an otherwise unlawful structure.
14. Before the Minister/MEC may take a decision in respect of the application, the applicant is required to pay an appropriate administrative fine, determined by the competent authority, which fine may not exceed five million Rand (R 5 000 000.00) per listed activity unlawfully commenced or per application where the activities are interrelated.
15. It is the responsibility of the applicant to familiarise himself/herself/itself with all the possible consequences associated with the submission of this application including, but not limited to, the following:

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
---	-----------------------	----------------

## Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

- This application (including a positive decision in respect hereof) in no way affects any criminal liability that the applicant may have incurred in respect of the activities which were commenced, undertaken and/or conducted unlawfully as listed in paragraph 1 above, and in respect of which this application relates.
  - The processing of this application may be deferred pending the outcome of criminal proceedings, should criminal proceedings be instituted against the applicant in respect of the abovementioned activities; or where criminal proceedings are pending against the applicant in respect of a similar contravention of section 24F of NEMA or section 20(b) of NEM:WA.
  - Before the competent authority may take a decision on the application, an administrative fine determined by the competent authority must be paid, in full, by the applicant.
  - That neither the submission of this application, nor the payment of the administrative fine implies that authorisation will be issued for the continuation of an activity/activities that commenced, undertaken and/or conducted unlawfully. This decision will depend on the merits of the application itself.
16. Activities which result in detrimental impacts to the environment are considered in a serious light by the competent authority and accordingly applicants must understand that by lodging an application for the continuation of an activity/ activities that commenced/ was undertaken or conducted unlawfully does not necessarily imply that the activity will be authorised. In terms of the NEMA the Minister/MEC may either refuse to issue an environmental authorisation/waste management licence; conditionally authorise the activity or direct you, the applicant, to provide further information or take further steps prior to making a decision.

### DEPARTMENTAL DETAILS

Administrative contact person/s: Ms Zama Mbanjwa / Ms. Jackie Ndlovu  
Telephone No.: (033) 264 2898/ 2906  
Cellular No.: 081 - 271 9541 / 081 – 521 2652  
The Head of Department: Department of Economic Development , Tourism & Environmental Affairs  
Department of Environmental Affairs  
Private Bag X9152  
Pietermaritzburg  
3200

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

## PART 1

### SECTION A: APPLICATION INFORMATION

#### 1. APPLICANT PROFILE INDEX

Cross out the appropriate box "☒".

1.1	The applicant is an individual	YES	NO
1.2	The applicant is a company	YES	NO
1.3	The applicant is a state-owned enterprise or municipality	YES	NO
1.4	Other (specify)	YES	NO
1.5	There is more than one individual / company responsible for the unlawful commencement of listed activities / listed waste management activities.	YES	NO

Name of Project applicant:												
RSA Identity number:												
Contact person:												
Position in company												
Registered Name of Company/ Closed Corporation												
Trading name (if any):												
Registration number												
Postal address:												
						Postal code:						
Telephone: ( )						Cell:						
E-mail:						Fax: ( )						
<p><b>Please Note:</b> In instances where there is more than one individual / company responsible for the unlawful commencement of listed activities / waste management activities, please attach a list of with all contact details to the back of this page.</p>												

Environmental Assessment Practitioner (EAP):											
Contact person:											
Postal address:											
						Postal code:					
Telephone: ( )						Cell:					
E-mail:						Fax: ( )					
EAP Qualifications											
EAP Registrations/Associations											

Name of Landowner(s):											
Contact person(s):											
Postal address:											
						Postal code:					

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

Telephone: (    )	Cell: _____
E-mail: _____	Fax: (    )

**Please 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 page.

Municipality in whose area of jurisdiction the activity falls:  Contact person:  Postal address:   Telephone (    )  E-mail: _____	Postal code: _____  Cell: _____  Fax: (    )
---	--

**Please Note:** In instances where there is more than one Municipality involved, please attach a list of Municipalities with their contact details to the back of this page.

Project title: _____			
Property location: _____			
Farm/Erf name & number (incl. portion): _____			
SG21 Digit code: _____			
Co-ordinates:	Latitude (S):	Longitude (E):	
	°    '    "	°    '    "	"

**Please Note:** Where a large number of properties are involved (e.g. linear activities), attach a list of property descriptions to the back of this page. Indicate the position of the activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates must be in degrees, minutes and seconds. The minutes must be given to at least three decimals to ensure adequate accuracy. The EAP is required to contact the relevant competent authority with regards to the projection that must be used.

Street address: _____			
Magisterial District or Town: _____			

**Please Note:** 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.

Closest City/Town: _____	Distance	Km
Zoning of Property: _____		

**Please Note:** In instances where there is more than one zoning, please attach a map clearly indicating the zoning of the different portions.

Was a rezoning application required?	YES	NO
Was a consent use application required?	YES	NO

**Please Note:** Where planning approvals have been granted please attach the relevant approvals.

Owners consent:	Letters of consent from all landowners or a detailed explanation by the applicant explaining why such
-----------------	---

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

	letters of consent are not furnished must be attached to the application form. .
--	--

## 2. APPLICATION HISTORY

(Cross out the appropriate box "☒" and provide a description where required).

Has any national, provincial or local authority considered any development / waste management applications on the property previously?	Yes	No
If so, please give a brief description of the type and/or nature of the application/s: (In instances where there were more than one application, please attach a list of these applications)		
Which authority considered the application(s):		
Has any one of the previous application/s on the property been approved or rejected? If so provide a list of the successful and unsuccessful application/s and the reasons for decision/s.	Yes	No
Provide detail on the period of validity of decision(s) and expiry dates of the above applications / licences etc.		

I hereby apply in terms of Section 24G of the National Environmental Management Act (Act no 107 of 1998 as amended) for the regularisation of the unlawful commencement or continuation of the listed activity(ies) in Section B of the application form:	
Applicant (Full names)_____	Signature:_____
Place: _____	Date: _____
EAP (Full names)_____	Signature:_____
Place: _____	Date: _____

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

## SECTION B: ACTIVITY INFORMATION

### 1. ACTIVITIES APPLIED FOR:

Separate applications are required for one site where more than one listed activity has commenced and where these unlawfully commenced activities constitute offences in terms of different EIA regulations and / or the listed waste management activities.

Applicants and EAPS are strongly advised to discuss the merits of a combined application (*if deemed applicable*) with the relevant competent authority prior to the completion of this application form and submission thereof.

The relevant competent authority will use its discretion in deciding to allow the submission of a single application for more than one NEMA section 24F(1) and / or NEM:WA section 20(b) contravention on one site.

All potential listed activities / waste management activities associated with the site must be indicated below. Only those activities for which the applicant applies will be considered.

The onus is on the applicant to ensure that all the applicable listed activities are included in the application.

**Listed activities applied for. Identify the relevant listed activities applied for below:**

<b>ECA EIA Contraventions : Between 08 September 1997 end of day 09 May 2002</b>	
Activities unlawfully commenced with on or after 08 September 1997 and before end 09 May 2002: EIA Regulations promulgated in terms of the ECA, Act No 73 of 1989, as amended	
Listed Activity(ies)	Details of Activity(ies)

<b>ECA EIA Contraventions : Between 10 May 2002 and before end of day 02 July 2006</b>	
Activities unlawfully commenced with on or after 10 May 2002 and before end 02 July 2006: EIA Regulations promulgated in terms of the ECA, Act No 73 of 1989, as amended	
Listed Activity(ies)	Details of Activity(ies)

<b>NEMA EIA Contraventions : Between 03 July 2006 and before end of day 01 August 2010</b>	
Activities unlawfully commenced with in terms of the EIA Regulations promulgated in terms of the NEMA, Act No 107 of 1998, as amended on or after 03 July 2006 and before end of day 01 August 2010	
Government Notice No.	Details of Activity(ies) requiring Basic Assessment

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

R386 Activity No(s):	
Government Notice No. R387 Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA

<b>NEMA EIA Contraventions : On or after 02 August 2010 until 7 December 2014</b>	
Activities unlawfully commenced with in terms of the EIA Regulations promulgated in terms of the NEMA, Act No 107 of 1998, as amended on or after 02 August 2010 until 7 December 2014	
Government Notice No. R544 Activity No(s):	Details of Activity(ies) requiring Basic Assessment
Government Notice No. R545 Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA
Government Notice No. R546 Activity No(s):	Details of Activity(ies) requiring S&EIR

<b>NEMA EIA Contraventions : On or after 8 December 2014</b>	
Activities unlawfully commenced with in terms of the EIA Regulations promulgated in terms of the NEMA, Act No 107 of 1998, as amended on or after 8 December 2014	
Government Notice No. R983 Appendix 1 Activity No(s):	Details of Activity(ies) requiring Basic Assessment



Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

Government Notice No. R984 Appendix 2 Activity No(s):	Details of Activity(ies) requiring a Scoping Report
Government Notice No. R985 Appendix 3 Activity No(s):	Details of Activity(ies) requiring Environmental Impact Assessment Report

<b>Waste Management Activities Contraventions: On or after 3 July 2007 up to end of day 28 November 2013</b>	
Activities unlawfully commenced with in terms of GNR 718 of 3 July 2009 published under the National Environmental Management Waste Act 59 of 2008	
Listed Activity(ies)	Details of Activity(ies)

<b>Waste Management Activities Contraventions : On or after 29 November 2013</b>	
Activities unlawfully commenced with in terms of GNR 921 of 29 November 2013 published under the National Environmental Management Waste Act 59 of 2008	
Listed Activity(ies)	Details of Activity(ies)

**2. ACTIVITY DESCRIPTION**

(Cross out the appropriate box “” and provide a description where required).

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

(a) Is/was the project a new development or an upgrade of an existing development.	New	Upgrade
--	-----	---------

(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed, what still has to be completed and applicable commencement dates.	

(c) Provide details of all components of the activity and attach diagrams (e.g. architectural drawings or perspectives, engineering drawings, process flow charts etc.).		
Buildings	YES	NO
Provide brief description:		
Infrastructure (e.g. roads, power and water supply/ storage)	YES	NO
Provide brief description:		
Processing activities (e.g. manufacturing, storage, distribution)	YES	NO
Provide brief description:		
Storage facilities for raw materials and products (e.g. volume and substances to be stored)		
Provide brief description	YES	NO
Storage and treatment facilities for solid waste and effluent generated by the project	Yes	No
Provide brief description		
Other activities (e.g. water abstraction activities, crop planting activities)	Yes	No
Provide brief description		

### 3. ACTIVITY NEED AND DESIRABILITY

Describe the need and desirability of the activity:	
Indicate the benefits that the activity has/had for society in general and also indicate what benefits the activity has/had for the local communities where it is located:	

### 4. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical spatial size of the activity as well as associated infrastructure (footprints):	<b>m<sup>2</sup></b>
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	<b>m<sup>2</sup></b>

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

Total area (sum of the footprint area and transformed area)	<i>m</i> <sup>2</sup>
---	-----------------------

## 5. SITE ACCESS

Was there an existing access road?	YES	NO
If no, what was the distance over which the new access road was built?	<i>m</i>	
Describe the type of access road constructed: [indicate the position of the access road on the site plan]		

## 6. SITE PHOTOGRAPHS

Colour photographs of the site and its surroundings (taken of the site and from the site), both before (if available) and after the activity commenced, with a description of each photograph must be attached to this application. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide past and recent aerial photographs. It should be supplemented with additional photographs of relevant features on the site. Date of photographs must be included. Photographs must be attached under Appendix D to this form.

## 7. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

Please list all legislation, policies and/or guidelines that were or are relevant to this activity.

LEGISLATION	ADMINISTERING AUTHORITY	TYPE Permit/ license/ authorization/comment	DATE (if already obtained):

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY

## 8. WASTE QUANTITIES (WHERE THE ACTIVITY IS A LISTED WASTE MANAGEMENT ACTIVITY)

Indicate or specify types of waste and list the estimated quantities (expected to be) managed daily (should you need more columns, you are advised to add more)

Hazardous waste	Non-hazardous waste	Total waste handled (tonnes per day)

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity


Source of information supplied in the table above Mark with an "X"

- Determined from volumes
- Determined with weighbridge/scale
- Estimated


**Recovery, Reuse, Recycling, treatment and disposal quantities:**

Indicate the applicable waste types and quantities expected to be disposed of and salvaged annually:

TYPES OF WASTE	MAIN SOURCE (NAME OF COMPANY)	QUANTITIES		ON-SITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE DISPOSAL
		TONS/MONTH	M <sup>3</sup> /MONTH	method & location	method location and contractor details	

**9. GENERAL (WHERE THE ACTIVITY IS A LISTED WASTE MANAGEMENT ACTIVITY)**

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	-------------

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

Prevailing wind direction (e.g. NWW)

November – April	
May - October	

The size of population to be served by the facility

	Mark with "X"	Comment
0-499		
500-9,999		
10,000-199,999		
200,000 upwards		

## SECTION C: DESCRIPTION OF RECEIVING ENVIRONMENT

### *Site/Area Description*

For linear activities (pipelines etc) as well as activities that cover very large sites, it may be necessary to complete copies of this Section for each part of the site that has a significantly different environment. In such cases please complete copies of Section C and indicate the area which is covered by each copy No. on the Site Plan.

**Section C Copy No. (e.g. 1, 2, or 3):**

### 1. GRADIENT OF THE SITE

Indicate the general gradient of the site(s) (cross out the appropriate box).

Flat	Flatter than 1:10	1:10 – 1:5	Steeper than 1:5
------	-------------------	------------	------------------

### 2. LOCATION IN LANDSCAPE

Indicate the landform(s) that best describes the site (cross out ("X") the appropriate box (es)).

Ridgeline	Plateau	Side slope of hill/mountain	Closed valley	Open valley	Plain	Undulating plain/low hills	Dune	Sea-front	Other
-----------	---------	-----------------------------	---------------	-------------	-------	----------------------------	------	-----------	-------

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

### 3. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

Is the site(s) located on or near any of the following [cross out (“”) the appropriate boxes]?

Shallow water table (less than 1.5m deep)	YES	NO	UNSURE
Seasonally wet soils (often close to water bodies)	YES	NO	UNSURE
Unstable rocky slopes or steep slopes with loose soil	YES	NO	UNSURE
Dispersive soils (soils that dissolve in water)	YES	NO	UNSURE
Soils with high clay content	YES	NO	UNSURE
Any other unstable soil or geological feature	YES	NO	UNSURE
An area sensitive to erosion	YES	NO	UNSURE
<b>Specialist input may be requested by the Department. Information in respect of the above will often be available at the planning Sections of local authorities. Where it exists, the 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used.</b>			

### 4. SURFACE WATER

Indicate the surface water present on and or adjacent to the site and alternative sites (cross out (“”) the appropriate boxes)?

Perennial River	YES	NO	UNSURE
Non-Perennial River	YES	NO	UNSURE
Permanent Wetland	YES	NO	UNSURE
Seasonal Wetland	YES	NO	UNSURE
Artificial Wetland	YES	NO	UNSURE
Estuarine / Lagoonal wetland	YES	NO	UNSURE

### 5. VEGETATION AND GROUNDCOVER

#### 5.1 VEGETATION / GROUNDCOVER (PRE-COMMENCEMENT)

Cross out (“”) the block or describe (where required) the vegetation types / groundcover present on the site before commencement of the activity.

Indigenous Vegetation - good condition	Indigenous Vegetation with scattered aliens	Indigenous Vegetation with heavy alien infestation
Describe the vegetation type above:	Describe the vegetation type above:	Describe the vegetation type above:
Provide ecosystem status for above:	Provide ecosystem status for above:	Provide Ecosystem status for above:
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface	Veld dominated by alien species	Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

## Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

Bare soil	Building or other structure	Sport field
Other (describe below)	Cultivated land	Paved surface

### 5.2. VEGETATION / GROUNDCOVER (POST-COMMENCEMENT)

Cross out ("☒") the block or describe (where required) the vegetation types / groundcover present on the site after commencement of the activity.

Indigenous Vegetation - good condition	Indigenous Vegetation with scattered aliens	Indigenous Vegetation with heavy alien infestation
Describe the vegetation type above:	Describe the vegetation type above:	Describe the vegetation type above:
Provide ecosystem status for above:	Provide ecosystem status for above:	Provide Ecosystem status for above:
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface	Veld dominated by alien species	Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe
Bare soil	Building or other structure	Sport field
Other (describe below)	Cultivated land	Paved surface

**Please note:** The Department may request specialist input/studies depending on the nature of the vegetation type / groundcover and impact(s) of the activity/ies. To assist with the identification of the vegetation type and ecosystem status consult <http://bgis.sanbi.org> or [BGIShelp@sanbi.org](mailto:BGIShelp@sanbi.org). Information is also available on compact disc (cd) from the Biodiversity-GIS Unit, Ph (021) 799 8698. This information may be updated from time to time and it is the applicant/ EAP's responsibility to ensure that the latest version is used.

### 5.3 VEGETATION / GROUNDCOVER MANAGEMENT

Describe any mitigation/management measures that were adopted and the adequacy of these:

### 6. THE GEOLOGICAL FORMATIONS UNDERLYING THE SITE

GRANITE  
SHALE  
SANDSTONE


QUARTZITE  
DOLOMITE  
DOLERITE


OTHER \_\_\_\_\_

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

## 7. LAND USE CHARACTER OF SURROUNDING AREA (PRE-COMMENCEMENT)

Cross out ("☒") the block that reflects the past land uses and/or prominent features that occur/red within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site. Please note: The Department may request specialist input/studies depending on the nature of the land use character of the area and impact(s) of the activity/ies.

Untransformed area	Low density residential	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical center	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture	River, stream or wetland	Nature conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):				

## 8. REGIONAL PLANNING CONTEXT

Is/was the activity permitted in terms of the property's existing land use rights? Please explain

<b>Is/was the activity in line with the following?</b>			
<input type="radio"/> Provincial Spatial Development Framework (PSDF)	YES	NO	Please explain
<input type="radio"/> Urban edge / Edge of Built Environment for the area	YES	NO	Please explain

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------



# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

<input type="radio"/> Integrated Development Plan of the Local Municipality	YES	NO	Please explain
<input type="radio"/> Spatial Development Framework of the Local Municipality	YES	NO	Please explain
<input type="radio"/> Approved Structure Plan of the Municipality	YES	NO	Please explain
<input type="radio"/> Any other Plans	YES	NO	Please explain

## 9 SOCIO-ECONOMIC CONTEXT

### 9.1 SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT)

Describe the pre-commencement social and economic characteristics of the community in order to provide baseline information.

### 9.2 SOCIO-ECONOMIC CONTEXT (POST-COMMENCEMENT)

Describe the post commencement social and economic characteristics of the community in order to determine any change.

## 10. CULTURAL/HISTORICAL FEATURES

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

Were there any signs or evidence (unearthed during construction) of culturally or historically significant elements including archaeological or palaeontological sites, on or in close proximity to the site?	YES	NO
	UNCERTAIN	
If YES, explain:		
If uncertain, the Department may request that specialist input be provided to establish whether such possibilities occurred on or close to the site.		
Briefly explain the findings of the specialist if one was already appointed:		
Were any buildings or structures older than 60 years affected in any way?	YES	NO
Was it necessary to apply for a permit in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?	YES	NO
If yes, please submit or, make sure that the applicant or a specialist submit the necessary application to SAHRA or the relevant provincial heritage agency and attach proof thereof to this application.		

## SECTION D: PRELIMINARY IMPACT ASSESSMENT

Please note, the impacts identified below refer to general impacts commonly associated with development activities. The list below is not exhaustive and may need to be supplemented. Where required, please append the information on any additional impacts to this application.

### 1. WASTE, EFFLUENT AND EMISSION MANAGEMENT

#### (a) Solid waste management

Did/does the activity produce any general waste (e.g. domestic-, commercial-, certain industrial waste, including building rubble also known as solid waste) during the construction phase <u>and/or</u> the operational phase?	YES	NO
If yes, briefly describe what type of waste was produced (i.e. green waste, building rubble, etc.) in which phase.		
What quantity was/is produced during the construction period?	m <sup>3</sup>	
What was/is the estimated quantity that will be produced per month during the operational phase?	m <sup>3</sup>	
Did/does the activity produce any hazardous waste (e.g. chemical, medical waste, infectious, nuclear etc.) during the construction and/or the operational phase?	YES	NO
If yes, briefly describe what type of waste was produced (i.e. infectious waste, medical waste, etc.) in which phase.		
What quantity was/is produced during the construction period?	m <sup>3</sup>	
What was/is the estimated quantity that will be produced per month during the operational phase?	m <sup>3</sup>	
Where and how was/is waste treated / disposed of (describe each waste stream)?		
Has the municipality or relevant authority confirmed that sufficient capacity exist for treating / disposing of the solid waste to be generated by this activity(ies)? If yes, provide written confirmation from municipality or relevant authority	YES	NO

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

## Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

Does/did the activity produce solid waste that was/will be treated and/or disposed of at another facility other than into a municipal waste stream?	YES	NO
If yes, did/has this facility confirmed that sufficient capacity exist for treating / disposing of the solid waste to be generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility:	YES	NO
Did/does the facility have an operating license? (If yes, please attach a copy of the license.)	YES	NO
Facility name:		
Contact person:		
Postal address:		
	Postal code:	
Telephone:	Cell:	
E-mail:	Fax:	

### (b) Effluent

Did/does the activity produce sewage and or any other effluent?	YES	NO
What was/is the estimated quantity produced per month?	m <sup>3</sup>	
Was/is the effluent treated and/or disposed of in a municipal system?	YES	NO
If Yes, did/has the Municipality or relevant authority confirmed that sufficient <b>unallocated</b> capacity exist for treating / disposing of the sewage or any other effluent generated by this activity(ies)? Provide written confirmation from the Municipality or relevant authority.		
Was/is any effluent produced be treated and/or disposed of on-site?	YES	NO
If yes, briefly describe the nature of the effluent and how it was/will be disposed of:		
Did/does the activity produce effluent that was/will be treated and/or disposed of at another facility?	YES	NO
If yes, did/has this facility confirmed that sufficient capacity exist(ed) for treating / disposing of the liquid effluent generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility:	YES	NO
Does the facility have an operating license? (If yes, please attach a copy of the license.)	YES	NO
Facility name:		
Contact person:		
Postal address:		
	Postal code:	
Telephone:	Cell:	
E-mail:	Fax:	

Describe the measures that was/will be taken to ensure the optimal reuse or recycling of waste water, if any:

### (c) Emissions into the atmosphere

Did/does the activity produce emissions that will be disposed of into the atmosphere?	YES	NO
If yes, did/does it require approval in terms of relevant legislation? If yes, attach a copy to this application	YES	NO
Describe the emissions in terms of type and concentration and how it was/will be treated/mitigated:		

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

**(d) Describe any mitigation/management measures that were adopted and the adequacy of these:**

--

## 2. WATER USE

**(a) Please indicate the source(s) of water for the activity by crossing out ("X") the appropriate box(es)**

Municipal	Water Board	Groundwater	River, Stream, Dam or Lake	Other	The activity did/does not use water
-----------	-------------	-------------	----------------------------	-------	-------------------------------------

If water was/is extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate the volume that was/is extracted per month:	m <sup>3</sup>
---	----------------

Please provide proof of assurance of water supply eg. letter of confirmation from Municipality/water user associations, yield of borehole etc.		
Did/does the activity require a water use permit / license from DWAF? If yes, attach a copy to this application	YES	NO
If yes, please submit the necessary application to Department of Water Affairs and Forestry and attach proof thereof to this application.		

**(b) Describe any mitigation/management measures that were adopted and the adequacy of these:**

--

## 3. POWER SUPPLY

**(a) Please indicate the source of power supply eg. Municipality / Eskom / Renewable energy source.**

--

Has the Municipality or relevant service provider confirmed that sufficient electricity capacity (i.e. generation, supply and transmission) exist for activity(ies)? If yes, provide written confirmation from Municipality or relevant service provider.	YES	NO
--	-----	----

If power supply was/is not available, where was/is it sourced from?

**(b) Describe any mitigation/management measures that were adopted and the adequacy of these:**

--

## 4. ENERGY EFFICIENCY

**(a) Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:**

--

**(b) Describe how alternative energy sources have been taken into account or been built into the design of the activity, if any:**

--

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

## 5. NOISE IMPACTS

<b>(a) Did/does the activity result in any noise impacts?</b>	YES	NO
If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?		

**Please note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and potential noise impact(s) of the activity/ies.

## 6. VISUAL IMPACTS

<b>(a) Did/does the activity result in any visual impacts?</b>	YES	NO
If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?		
<b>(b) Did/does the activity result in potential lighting impacts at night?</b>	YES	NO
If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?		
<b>(c) Were/are there any alternatives available to address this impact?</b>	YES	NO
If yes, please describe these alternatives?		

**Please note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and potential visual impact(s) of the activity/ies.

## 7. SOCIO-ECONOMIC IMPLICATIONS OF THE ACTIVITY

(a) What was/is the expected capital value of the activity on completion?	R
(b) What was/is the expected yearly income or contribution to the economy that will be generated by or as a result of the activity?	R
(c) Did/does the activity contribute to service infrastructure?	YES      NO
(d) How many permanent new employment opportunities were created?	
(e) What was/is the expected current value of the employment opportunities to date?	R
(f) What percentage of this accrued to previously disadvantaged individuals?	%

How was (is) this (to be) ensured and monitored (please explain):

## 8. PRELIMINARY IMPACT ASSESSMENT

Briefly describe the impacts (as appropriate), significance rating of impacts and significance rating of impacts after mitigation. This must include an assessment of the significance of all impacts. Please note: This is a preliminary impact statement. The Department may request specialist input/studies depending on the type and nature of the impact(s) of the activity/ies.

Possible Impacts	Significance rating of impacts after mitigation (Low, Medium, Medium-High, High, Very High):
------------------	--

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity


**SECTION E: LANDFILL PARAMETERS (Where application relates to a waste management activity)**

The method of disposal of waste:

Land-building  Land-filling  Both

The dimensions of the disposal site in metres

	At commencement	After rehabilitation
Height/Depth		
Length		
Breadth		

The total volume available for the disposal of waste on the site:

Volume Available	Mark with "X"	Source of information (Determined by surveyor/ Estimated)
Up to 99		
100-34 999		
35 000- 3,5 million		
>3,5 million		

The total volume already used for waste disposal:

(a) Will the waste body be covered daily	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
(b) Is sufficient cover material available	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
(c) Will waste be compacted daily	<input type="checkbox"/> YES	<input type="checkbox"/> NO	

If the answers (a) and/or (b) are No, what measures will be employed to prevent the problems of burning or smouldering of waste and the generation of nuisance?

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

**The Salvage method**

Mark with an "X" the method to be used.

**At source**

**Recycling installation**

**Formal salvaging**

**Contractor**

**No salvaging planned**


**Fatal Flaws for the site:**

Indicate which of the following apply to the facility for a waste management activity:

**Within a 3000m radius of the end of an airport landing strip**

YES	NO
-----	----

**Within the 1 in 50 year flood line of any watercourse**

YES	NO
-----	----

**Within an unstable area(fault zone, seismic zone, dolomitic area, sinkholes)**

YES	NO
-----	----

**Within the drainage area or within 5 km of water source**

YES	NO
-----	----

**Within an area with shallow and/or visible water table**

YES	NO
-----	----

**Within an area adjacent to or above an aquifer**

YES	NO
-----	----

**Within an area with shallow bedrock and limited available cover material**

YES	NO
-----	----

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

<b>Within 100 m of the source of surface water</b>	<b>YES</b>	<b>NO</b>
<b>Within 1km from the wetland</b>	<b>YES</b>	<b>NO</b>
<b>Indicate the distance to the boundary of the nearest residential area</b>	_____metres	
<b>Indicate the distance to the boundary of the industrial area</b>	_____metres	
 <b>Wettest six months of the year</b>		
November- April		
May -October		

For the wettest six month period indicated above, indicate the following for the preceding 30 years

	Total rainfall for 6 months	Total A-pan evaporation for 6 months	Climatic water balance
For the 1 <sup>st</sup> wettest year			
For the 2 <sup>nd</sup> wettest year			
For the 3 <sup>rd</sup> wettest year			
For the 4 <sup>th</sup> wettest year			
For the 5 <sup>th</sup> wettest year			
For the 6 <sup>th</sup> wettest year			
For the 7 <sup>th</sup> wettest year			
For the 8 <sup>th</sup> wettest year			
For the 9 <sup>th</sup> wettest year			
For the 10 <sup>th</sup> wettest year			

**Location and depth of ground water monitoring boreholes:**

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------



Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

Codes of boreholes	Borehole locality	Depth (m)	Latitude	Longitude
.....	.....		o	l
.....	.....		o	l
.....	.....		o	l
.....	.....		o	l
.....	.....		o	l
.....	.....		o	l
.....	.....		o	l
.....	.....		o	l
.....	.....		o	l
.....	.....		o	l
.....	.....		o	l
.....	.....		o	l
.....	.....		o	l
.....	.....		o	l
.....	.....		o	l

Location and depth of landfill gas monitoring test pit:

Codes of boreholes	Borehole locality	Latitude	Longitude
.....	.....	o	l
.....	.....	o	l
.....	.....	o	l
.....	.....	o	l

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

.....	.....	○	I	"	○	I	"
.....	.....	○	I	"	○	I	"
.....	.....	○	I	"	○	I	"

## SECTION F: PROPOSED PUBLIC PARTICIPATION

### 7.1 Public participation process

The person conducting the public participation process must fulfil the requirements outlined in Chapter 6 of the 2014 NEMA EIA Regulations and must take into account any applicable guidelines published in terms of Section 24J of NEMA, as well as any other guidance provided by the Department.

Please highlight the appropriate box below to indicate the public participation process that has been or is proposed to be undertaken, including exemptions that have been/will be applied for:

<b>1. In terms of regulation 41 of the EIA Regulations, 2014 -</b>			
<b>(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -</b>			
<b>(i) the site where the activity to which the application relates is or is to be undertaken; and</b>	<b>YES</b>	<b>EXEMPTION</b>	
<b>(ii) any alternative site</b>	<b>YES</b>	<b>EXEMPTION</b>	
<b>(b) giving written notice, in any manner provided for in section 47D of the NEMA, to –</b>			
<b>(i) the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;</b>	<b>YES</b>	<b>EXEMPTION</b>	<b>N/A</b>
<b>(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;</b>	<b>YES</b>	<b>EXEMPTION</b>	
<b>(iii) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;</b>	<b>YES</b>	<b>EXEMPTION</b>	
<b>(iv) the municipality (Local and District Municipality) which has jurisdiction in the area;</b>	<b>YES</b>	<b>EXEMPTION</b>	

Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

(v) any organ of state having jurisdiction in respect of any aspect of the activity; and	YES	EXEMPTION	
(vi) any other party as required by the Department;	YES	EXEMPTION	N/A
<b>(c) placing an advertisement in -</b>			
(i) one local newspaper; or	YES	EXEMPTION	
(ii) any official <i>Gazette</i> that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	YES	EXEMPTION	N/A
(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken	YES	EXEMPTION	N/A
(e) using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to—  (i) illiteracy;(ii) disability; or (iii) any other disadvantage.	YES	EXEMPTION	N/A
If you have indicated that “EXEMPTION” applies to any of the above, then a separate Application for Exemption must be submitted.			
2. The NEM: AQA and NEM:WA requires that a notice must be placed in at least two newspapers.			
If applicable, have/will an advertisement be placed in at least two newspapers?	YES	NO	
If “NO”, then an application for exemption from the requirement must be applied for.			

Note: It is no longer possible to obtain permission to deviate from the requirements to give notice to potential interested and affected parties. Unless exemption has been granted from a particular requirement, the requirement must be met. If an application for exemption is refused, the requirement in question must be met.

7.2 Public participation undertaken prior to the submission of this Notice of Intent

Where public participation in terms of Regulations 40(3) and 41 was undertaken prior to submission of this Notice of Intent, please provide a summary of the steps followed to date.

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity


## 7.3 List of State departments consulted/to be consulted

<b>Provide a list of all the State departments that will be/have been consulted, including the name and contact details of the relevant official.</b>

**Note: A State department consulted in terms of Section 24O(2) of NEMA and Regulations 3(4) and 43(2) must within 30 days from the date of the Department's request for comment, submit such comment in writing to the Department. The applicant/EAP is therefore required to inform this Department in writing when the Basic Assessment Report / Scoping Report / Environmental Impact Assessment Report is submitted to the relevant State Departments. Upon receipt of this confirmation, this Department will in accordance with Section 24O (2) & (3) of the NEMA (as amended), inform the relevant State Departments of the commencement date of the 30 day commenting period.**

## SECTION G: ALTERNATIVES

As part of this report, consideration must be given to alternatives that are/may have been possible had an environmental impact assessment been undertaken prior to the commencement of the activity. Please provide a detailed description of the alternatives (whether location, technology or environmental) that were/are possible in terms of this application.

--

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

## SECTION H: APPENDICES

The following appendices must be attached where appropriate:

Appendix	Cross out ("☒") the box if Appendix is attached
Appendix A: Location map	
Appendix B: Site plan(s)	
Appendix C: Owner(s) consent(s)	
Appendix D: Photographs	
Appendix E: Permit(s) / license(s) from any other organ of state including service letters from the municipality	
Appendix F: Additional Impact Assessment Information	
Appendix G: Report on alternatives	
Appendix H: Any Other (describe)	

## PART 2

### ANNEXURE A TO THE SECTION 24G APPLICATION FORM

#### SECTION A: DIRECTIVE

Section 24G(1) of the National Environmental Management Act, 1998 (Act 107 of 1998) ("NEMA") provides that on application by a person who has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1); or a person who has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20(b) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) ("NEM:WA") the Minister, Minister responsible for mineral resources or MEC concerned (or the official to which this power has been delegated), as the case may be, may direct the applicant to-

i	immediately cease the activity pending a decision on the application submitted in terms of this subsection
ii	investigate, evaluate and assess the impact of the activity on the environment
iii	remedy any adverse effects of the activity on the environment
iv	cease, modify or control any act, activity, process or omission causing pollution or environmental degradation
v	contain or prevent the movement of pollution or degradation of the environment
vi	eliminate any source of pollution or degradation
vii	compile a report containing-
	aa a description of the need and desirability of the activity
	bb an assessment of the nature, extent, duration and significance of the consequences for or impacts on the environment of the activity, including the cumulative effects and the manner in which the geographical, physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

	cc	a description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity
	dd	a description of the public participation process followed during the course of compiling the report, including all comments received from interested and affected parties and an indication of how the issues raised have been addressed
	ee	an environmental management programme
viii		provide such other information or undertake such further studies as the Minister, Minister responsible for mineral resources or MEC, as the case may be, may deem necessary.

You are hereby provided with an opportunity to make representations on any or all of the abovementioned instructions, including where you are of the opinion that any of these instructions are not relevant for the purposes of your application, setting out the reasons for your assertion. Kindly note further that, after taking your representations into account, a final directive may be issued.

## SECTION B: DEFERRAL

Section 24G(7) of the NEMA provides that if at any stage after the submission of an application it comes to the attention of the Minister, the Minister responsible for mineral resources or the MEC, that the applicant is under criminal investigation for the contravention of, or failure to comply with, section 24F(1) of the NEMA or section 20(b) of the NEM:WA, the Minister, Minister responsible for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time as the investigation is concluded and-

- (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
- (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of which such contravention or failure has been instituted; or
- (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.

Kindly answer the following questions:

Are you, the applicant, being investigated for the contravention of section 24F(1) of the NEMA in respect of a matter that <u>is not subject to this application</u> and in any province in the Republic?	YES	NO	UNCERTAIN
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that is <u>not subject to this application</u> and in any province in the Republic?	YES	NO	UNCERTAIN
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
Are you, the applicant, being investigated for an offence in terms of section 24F(1) of the NEMA or section 20(b) of the NEMWA in terms of which this	YES	NO	UNCERTAIN

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

application directly relates?			
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			

If you have answered yes to any of the above questions, you are hereby provided with an opportunity to make representations as to why the Minister, Minister responsible for mineral resources or MEC, as the case may be, should not defer the application as he or she is entitled to do under section 24G(7).

## SECTION C: QUANTUM OF THE SECTION 24G FINE

Section 24G(4) of the NEMA makes it mandatory for an applicant to pay an administrative fine as determined by the competent authority before the Minister, Minister responsible for mineral resource or MEC may take a decision on whether or not to grant *ex post facto* environmental authorisation or a waste management licence as the case may be. The quantum of this fine may not exceed R5 million.

Having regard to the factors listed below, you are hereby afforded with an opportunity to make representations in respect of the quantum of the fine and as to why the competent authority should not issue a maximum fine of R5 million.

Please note that Part 1 of this section must be completed by an independent environmental assessment practitioner after conducting the necessary specialist studies.

Please also include in your representations whether or not the activities applied for in this application (if more than 1) are in your view interrelated and provide reasons therefor.

### PART 1: THE IMPACTS OR POTENTIAL IMPACTS OF THE ACTIVITY/ACTIVITIES

Index	Socio Economic Impact	Place an "x" in the appropriate box
Description of variable		
	The activity is not giving, has not given and will not give rise to any negative socio-economic impacts	
	The activity is giving, has given, or could give rise to negative socio-economic impacts, but highly localised	
	The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts	
	The activity is resulting, has resulted or could result in wide-scale socio-economic impacts.	
Motivation:		

Index	Biodiversity Impact	Place an "x" in the appropriate box
Description of variable		
	The activity is not giving, has not given and will not give rise to any impacts on biodiversity	
	The activity is not giving, has not given and could give rise to localised biodiversity impacts	

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

## Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

The activity is not giving, has not given and could give rise to significant biodiversity impacts	
The activity is, has or is likely to permanently / irreversibly transform/ destroy a recognised biodiversity 'hot-spot' or threaten the existence of a species or sub-species.	
Motivation:	

<b>Index</b>	<b>Sense of Place Impact and / or Heritage Impact</b>	<b>Place an "x" in the appropriate box</b>
	<b>Description of variable</b>	
	The activity is in keeping with the surrounding environment and / or does not negatively impact on the affected area's sense of place and /or heritage	
	The activity is not in keeping with the surrounding environment and will have a localised impact on the affected area's sense of place and/or heritage	
	The activity is not in keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
	The activity is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
Motivation:		

<b>Index</b>	<b>Pollution Impact</b>	<b>Place an "x" in the appropriate box</b>
	<b>Description of variable</b>	
	The activity is not giving, has not given and will not give rise to any pollution	
	The activity is giving, has given or could give rise to pollution with low impacts.	
	The activity is giving, has given or could give rise to pollution with moderate impacts.	
	The activity is giving, has given or could give rise to pollution with high impacts.	
	The activity is giving, has given or could give rise to pollution with major impacts.	
Motivation:		

### PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT

<b>Index</b>	<b>Previous administrative action (i.e. administrative enforcement notices) issued to the applicant in respect of a contravention of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act</b>	<b>Place an "x" in the appropriate box</b>
	<b>Description of variable</b>	
	Administrative action was previously taken against the applicant in respect of the abovementioned provisions.	
	No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------



## Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

Administrative action was <b>not</b> previously taken against the applicant in respect of the abovementioned provisions.	
Explanation of all previous administrative action taken in respect of the above:	

Index	Previous Convictions in terms of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an “x” in the appropriate box
Description of variable		
	The applicant was previously convicted in terms of either or both of the abovementioned provisions.	
	No previous convictions have been secured against the applicant but a conviction has been secured against a firm(s) on whose board one or more of the applicant’s directors sit or sat; or a conviction was secured against a director of the applicant in his or her personal capacity.	
	The applicant has not previously been convicted in terms of either or both of the abovementioned provisions.	
Explanation of all previous convictions in respect of the above:		

Index	Number of section 24G applications previously submitted by the applicant	Place an “x” in the appropriate box
Description of variable		
	Previous applications in terms of section 24G of NEMA were submitted by the applicant.	
	No previous applications have been submitted by the applicant but a previous application(s) have been submitted by a firm(s) on whose board one or more of the applicant’s directors sit or sat at the relevant time.	
	No previous applications have been submitted by the applicant but the applicant sat on the board of a firm that previously submitted an application.	
Explanation in respect of all previous applications submitted in terms of section 24G:		

### PART 3: APPLICANT’S PERSONAL CIRCUMSTANCES

Index	Applicant’s legal persona	Place an “x” in the appropriate box
Description of variable		
	The applicant is a natural person.	
	The applicant is a firm.	
Describe the firm:		

Index	Any other relevant information that the applicant would like to be considered.
-------	--

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

Motivate and explain fully:

NOTE: An explanation as to why the applicant did not obtain an environmental authorisation and/or waste management licence must be attached to this application.

## SECTION D: ADVERTISEMENT

When submitting this application form, the applicant must submit proof that the application has been advertised in at least one local newspaper in circulation in the area in which the activity was commenced, in the relevant provincial gazette and on the applicant's website, if any.

The advertisement must state that the applicant commenced a listed or specified activity or activities or waste management activity or activities without the necessary environmental authorisation and/or waste management licence and is now applying for *ex post facto* approval. It must include the following:

- the date;
- the location;
- the applicable legislative provision contravened; and
- the activity or activities commenced with without the required authorisation.

Interested and affected parties must be provided with the details of where they can submit their comment and/or register as an interested and affected party.

NOTE: Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. This application must be attached to any documentation or information submitted by an applicant further to section 24G(1).

## PART 3

### SECTION A: DECLARATIONS

#### A1: Declarations of the EAP

1. The Independent Environmental Assessment Practitioner

I, \_\_\_\_\_ do hereby make oath and say that I –

- act as the independent environmental assessment practitioner in this application;
- am registered with EAPASA as a Registered EAP and my registration is in good standing;
- 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 S24G of the National Environmental Management Act, read together with the relevant Environmental Impact Assessment Regulations;
- do not have, and will not have, a 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 has, 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 S24G of the National Environmental Management Act, read together with the Environmental Impact Assessment Regulations, 2014;
- will ensure that all documents contain all relevant facts in respect of the application and that all documentation is timeously distributed or made available to interested and affected parties. I will ensure that participation by interested and affected parties

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

# Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

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 for this application;

- h. 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
- j. will provide the competent authority with access to all information at my disposal regarding the application, whether or not such information is favourable to the applicant.

---

Signature of the environmental assessment practitioner:

---

Name of company:

---

EAPASA Registration number:

---

Date:

---

Signature of the Commissioner of Oaths:

---

Date:

---

Designation:

Official stamp (below)

## A2: Declarations of the Applicant

2. The Applicant

I, \_\_\_\_\_, hereby make oath and say that: -

- a. I am the applicant in this application / duly authorised by the applicant to complete and submit this application.

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

## Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

- b. The information contained in Part 1 and Part 2 of this application form (including annexures thereto) is within my own personal knowledge and is true.
- c. I appointed the environmental assessment practitioner as indicated under **A1** above to act as the independent environmental assessment practitioner for this application and have confirmed that this EAP is in good standing and registered with EAPASA;
- d. Undertake to provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application.
- e. Am responsible for complying with the directive or conditions of any environmental authorisation issued by the competent authority.
- f. Understand that I will be required to pay an administration fine in terms of S24G(4) of the Act and that a decision in this regard will only be forthcoming after payment of such a fine and deferral (where applicable); and
- g. 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 environmental assessment practitioner is responsible in terms of the Act.

---

Signature of the applicant:

---

Name of company:

---

Date:

---

Signature of the Commissioner of Oaths:

---

Date:

---

Designation:

Official stamp (below):

NOTE: Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. Upon request, any interested and affected party must be provided with the information contained in and attached to this application form.

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

**Annexure F Contact Details (National and Provincial S24G Regulating Directorates)**

Department	Telephone	Fax	Postal address & e-mail
National Department Environmental Affairs and Tourism	(012) 310 3230	(012) 320-7539	Private Bag X447 Pretoria South Africa 0001
Free State Department of Economic Development, Tourism and Environmental Affairs	(051) 400 9535 0827894468	(051) 400 9538	Private Bag X20801 BLOEMFONTEIN 9300 boing@dtea.fs.gov.za
Eastern Cape Department of			
Gauteng Department of Agriculture and Rural Development	(011) 355 1885 (011) 355 1644	(011) 355 1850 (011) 355 1000	P.O. Box 8769 JOHANNESBURG 2000 Green.scorpions@gauteng.gov.za
Kwazulu-Natal Department of Economic Development, Tourism & Environmental Affairs	(033) 2642500		Private Bag X9152 PIETERMARITZBURG 3200 Zakhele.Dlamini@kznedtea.gov.za.za
Limpopo Department of Economic Development, Environment and Tourism	(015) 290 7000 (015) 295 4013	(015) 295 5015	P O Box 55464 POLOKWANE 0700
Mpumalanga Department of Economic Development, Environment and Tourism	(013) 766 6059 082 054 349	(013) 766 8243	Private Bag X 11219 NELSPRUIT 1200
Northern Cape Department of Environment & Nature Conservation	(053) 807 7430	053 831 3530	Private Bag X6102 KIMBERLEY 8300
North West Dept. of Agriculture, Conservation, Environment & Rural Development	(018) 389 5995 (082) 901 8362	(018) 389 5006	Private Bag X2039 MMABATHO 2735 mnkosi@nwpg.gov.za
Western Cape Dept of Environmental Affairs & Development Planning	(021) 483 4093 (021) 483 3722 (044) 805 8781	(021) 483 4372 (021) 483 3633 (044) 874 2423	Private Bag X 9086 CAPE TOWN 8000

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

**Annexure G Contact details (National and Provincial Environmental Management Inspectorate)**

Department	Telephone	Fax	Postal address
National Department Environmental Affairs and Tourism	0800 205 005	(031) 560 7995	Private Bag X447 Pretoria South Africa 0001 pi@toanon.co.za
Eastern Cape Department	082 417 0155		
Free State Department of Tourism, Environmental and Economic Affairs	082 789 4468	(051) 400 4772	Private Bag X20801 BLOEMFONTEIN 9300
Gauteng Department of Agriculture and Rural Development	(011) 355 1440	(011) 355 1850	P.O. Box 8769 JOHANNESBURG 2000 Green.scorpions@gauteng.gov.za
Kwazulu-Natal Department of Economic Development, Tourism & Environmental Affairs	(033) 2642500		Private Bag X9152 PIETERMARITZBURG 3200 Zakhele.Dlamini@kznedtea.gov.za.za
Limpopo Department of Economic Development, Environment and Tourism	015 295 3980	015 295 4869	P O Box 55464 POLOKWANE 0700
Mpumalanga Department of Economic Development, Environment and Tourism	013 766 6077 084 520 3680	(013) 766 8243	Private Bag X 11219 NELSPRUIT 1200
Northern Cape Department of Environment & Nature Conservation	(053) 807 7430 (053) 807 7300		Private Bag 6102 KIMBERLEY 8300
North West Dept. of Agriculture, Conservation, Environment & Rural Development	(018) 389 5995 (018) 389 5698	018 389 5006	Private Bag X2039 MMABATHO 2735 mnkosi@nwpg.gov.za cwessels@nwpg.gov.za
Western Cape Dept of Environmental Affairs & Development Planning	(021) 483 3197 (021) 483 4363	(021) 483 4440	Private Bag X 9086 CAPE TOWN 8000

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------

Application for the regularisation of unlawful commencement or continuation of a listed activity or waste management activity

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	S24G Application Form	Oct 2022 V1
--	-----------------------	----------------