KWAZULU-NATAL PROVINCE
ECONOMIC DEVELOPMENT, TOURISM AND ENVIRONMENTAL AFFAIRS
REPUBLIC OF SOUTH AFRICA

CHANGE OF PROPONENT

	(For official use only)
Provincial Reference Number:	
Date Received by Department:	

REQUEST TO AMEND A PROPONENT FOR A PROJECT REGISTERED IN TERMS OF SECTION 4(1) OF THE KWAZULU-NATAL PROVINCIAL WATERCOURSE INFRASTRUCTURE STANDARD (GN R5208 OF 13 SEPTEMBER 2024)

PROJECT TITLE

DISTRICT MUNICIPALITY

EXISTING PROVINCIAL REFERENCE NUMBER OF THE REGISTERED PROJECT

IMPORTANT INFORMATION

PLEASE NOTE:

1) This form "**Change of Proponent**" form must be used when requesting to amend the name and contact details of a Project that has already been registered in terms Section 4(1) of the *"KwaZulu-Natal Provincial Watercourse Infrastructure Standard"* (GNR 5208 of 13 September 2024) hereafter referred to as the "**Standard**".

2) It is the responsibility of the applicant to confirm that the Department is the competent authority to which this request must be submitted (refer to NEMA section 24C).

3) The request must be typed within the spaces provided in the form. The size of the space provided is not necessarily indicative of the amount of information required. A legible font type and size must be used when completing this form. The font size should not be smaller than 10pt.

4) Where required, place a tick (✓) in the box you select.

5) The use of the phrase "not applicable" in this form must be utilised with circumspection. Failure to provide material information required by the competent authority for assessing the application, may result in the rejection of the request.

6) Unless protected by law, all information contained in, and attached to this document, shall become public information on receipt by the competent authority.

NOTE: The Department is entitled to request further information if it believes it is necessary for consideration of this request.

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IMPORTANT INFORMATION ABOUT THE REGISTRATION OF A PROJECT UNDER THE KZN PROVINCIAL WATERCOURSE INFRASTRUCTURE STANDARD AND ADHEREANCE TO THE STANDARD AND GENERIC ENVIRONMENTAL MANAGEMENT PROGRAMME (GEMPr)

With regards to the registering of a project under the Standard, please note that:

1) The provisions of the Standard are not applicable If –

   (a) the project requires environmental authorisation for any activity not contained in Annexure 1 of the Schedule included with the Standard, in which case environmental authorisation must be obtained for the entire proposed project, development or expansion;
   (b) any portion of the project is intended to be undertaken outside of the KwaZulu-Natal province;
   (c) any portion of the project has commenced prior to the project being registered in terms of this Standard; or
   (d) such excluded activity forms part of a mining application or constitutes a mining activity.

2) A "**project**" means an activity or set of activities undertaken for the formalisation, repair, replacement or upgrade of existing community services including access roads culverts, bridges, causeways, or watercourse crossings and existing water and sanitation reticulation infrastructure.

3) A "**registered project**" means a project that falls within the scope of the Standard and that has been registered with the competent authority. By submitting a request to register a project in terms of the Standard, the proponent acknowledges that they are aware of the thresholds of activities that fall within the scope of the Standard, and that the Standard does not apply to any activities and developments undertaken that exceed these defined thresholds.

4) The registering of a project under the Standard does not absolve a proponent from complying with any other applicable legislation (e.g. any obligations under the National Water Act, 1998 (Act 36 of 1998)).

5) The registering of a project under the Standard does not absolve a proponent from the general "duty of care" set out in Section 28(1) of the NEMA which states, *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment*".

6) The proponent must undertake a registered project in accordance with the Generic EMPr provided in Annexure 2 to the Schedule of the Standard. This Generic EMPr must be supplemented with site specific method statements, measures, Standard Operating Procedures and/or plans as required by the Standard.

7) The proponent must ensure compliance with the Standard, the Generic EMPr and any approved method statements or standard operating procedures, as submitted on commencement of the project.

8) The proponent must ensure that all parties operating on the site are made aware of the requirements to comply with the Generic EMPr and approved method statements or standard operating procedures.

9) A proponent commits an offence in terms of section 49A(1)(bA) of the Act if that proponent contravenes or fails to comply with paragraphs 4(1), 4(4), 4(8), 4(9), 4(10), 4(11), or paragraph 5 of the Standard; and, non-compliance with the Standard, Generic EMPr and approved method statements or standard operating procedures may result in enforcement and compliance actions being instituted.

10) The proponent must appoint, at own cost, an environmental control officer in order to monitor and audit compliance with the Standard, the Generic EMPr and any approved method statements or standard operating procedures for the registered project for the duration of the construction and rehabilitation phases of the registered project.

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HEAD OFFICE REGISTRY DETAILS

1. The original request for registration of the project with original signatures must be hand delivered or posted to the Head Office Registry of this Department at the address provided below:

   Postal address:

   Head Office
   KwaZulu-Natal Department of Economic Development, Tourism & Environmental Affairs
   Private Bag X9152
   PIETERMARITZBURG
   3200

   Physical address:
   181 Hossen Haffejee Street
   PIETERMARITZBURG
   3201

   Contact Person: **Ms. Ayanda Ngcobo / Ms. Nyameka Matsheke**

   Telephone No: **033 – 398 8041**
   Cellular No.: **081 – 651 1833 / 065 – 870 5620**

   Email: **Ayanda.Ngcobo@kznedtea.gov.za / Nyameka.Matsheke@kznedtea.gov.za**

2. All documentation delivered to Head Office must be delivered during the official Departmental Office Hours visible on the Departmental premises.

3. All documents (includes registration request forms or any related submissions) that are faxed; emailed; delivered to Security or placed in the Departmental Tender Box or Job Application Box will NOT be accepted, only hardcopy submissions are accepted.

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1. EXISTING PROPONENT DETAILS

Name of applicant who will undertake the activity/ies:			
Company / Entity			
Contact person (if other):			
Postal address:			
		Postal code:	
Cellphone:			
Landline:	( )	Fax:	( )
Email:			

2. NEW PROPONENT DETAILS

Name of applicant who will undertake the activity/ies:			
Company / Entity			
Contact person (if other):			
Postal address:			
		Postal code:	
Cellphone:			
Landline:	( )	Fax:	( )
Email:			

3. MOTIVATION AND REASONS FOR THE AMENDMENT OF THE PROPONENT

4. LIST OF APPENDICES TO BE PROVIDED WITH PROPONENT AMENDMENT

The following appendices must be included with the request to register a project in terms of the Standard:

		SUBMITTED	
APPENDIX 1	Declaration of commitment by the proponent to comply with, and, ensure compliance by all parties operating on the site with, the Standard, the Generic EMPr, and, any approved method statements or standard operating procedures	YES	NO

APPENDIX 1

5. PROPONENT DECLARATION

THE PROPONENT THAT WILL BE UNDERTAKING THE ACTIVITY/IES

I ……, in my **personal capacity** or as a **duly authorized representative of** (please circle the applicable option) ……. (name of legal entity) hereby swear under oath / affirm that I:

- will perform all obligations as expected from a proponent in terms of the Standard and Generic EMPr;
- am fully aware of my responsibilities in terms of the Act and failure to comply with these requirements may constitute an offence. I am aware of what constitutes an offence in terms of the Act and Standard; and, that a person convicted of an offence is liable to the penalties as contemplated in section 49B of the Act;
- have not commenced with the project as described in the registration form and will not commence until a registration number has been received and the requirements of the Standard have been met;
- have read the completed registration form and supporting documents and hereby confirm that the information provided is, to the best of my knowledge true and correct, and, that all the particulars furnished by me in this form are true and correct;
- am fully aware of my responsibilities in terms of the National Environmental Management Act of 1998 ("NEMA") (Act No. 107 of 1998) and I shall comply with any other statutory requirement applicable in terms of any other relevant legislation;
- shall provide the competent authority with access to all information at my disposal that is relevant to this request;
- will take all reasonable measures to verify whether the Environmental Control Officer (ECO) appointed is independent and has the relevant expertise[1], including knowledge of the Act, the Standard, Generic EMPr and any guidelines that have relevance to the proposed project;
- am responsible for the costs incurred in complying with the Standard, Generic EMPr and approved site management measures and standard operating procedures, including but not limited to –
    - costs incurred in connection with the appointment of the Environmental Control Officer (ECO);

[1] When appointing the ECO the proponent must ensure that the appointed ECO has a recognized 3 year environmental management or related qualification and experience in environmental monitoring and auditing of a minimum of three development projects

- costs incurred in respect of the undertaking of any process required in terms of the Standard and Generic EMPr and approved site management measures and standard operating procedures; and,
- costs associated with implementing the avoidance and mitigation measures contained in the Generic EMPr and approved site management measures and standard operating procedures; and,

- hereby indemnify the government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of, inter alia, any loss or damage to property or person as a consequence of undertaking this project.

Proponent (Name and Surname) _____

Name of Company/Entity (If Applicable) _____

Designation _____

Signature[2] _____

Date _____

Place _____

Commissioner of Oaths (Name and Surname) _____

Designation _____

Signature _____

Date _____

Place _____

[2] This registration form must be signed by the proponent

Commissioner of Oaths Stamp