

APPEAL FORM
In terms of the National Appeal Regulations

April 2019

Form Number: 2019

Note that:

1. This appeal must be submitted within **20 days** of being notified of the decision.
2. This form is current as of **April 2019**. It is the responsibility of the Appellant to ascertain whether subsequent versions of the form have been released by the Appeal Administrator.
3. This form must be used for appeals submitted in terms of National Appeal Regulations, 2014 in so far as it relates to decisions in terms of the
 - a. Environment Conservation Act, 1989 (Act No. 73 of 1989);
 - b. National Environmental Management Act, 1998 (Act No. 107 of 1998);
 - c. National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004);
 - d. National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004);
 - e. National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008); and subordinate legislation made in terms of these laws.
4. The required information must be inserted within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The spaces may be expanded where necessary.
5. Unless protected by law, all information contained in, and attached to this application, will become public information on receipt by the Department.
6. A digital copy of this form may be obtained from the Department's website at <http://www.capegateway.gov.za/dept/eadp>.
7. Please consult the National Appeal Regulations (dated 8 December 2014) and the Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations (dated 9 December 2014), and any other relevant regulations.

☐ **A. DECISION BEING APPEALED**

1. Reference Number of the Decision being appealed:

16/3/3/2/D2/19/0000/22

2. Type of Decision being appealed (please circle the appropriate option):

<input checked="" type="radio"/> Environmental Authorisation	<input type="radio"/> 24G Administrative Fine	<input type="radio"/> Amendment of Environmental Authorisation	<input type="radio"/> Amendment of Environmental Management Programme	<input type="radio"/> Waste Management Licence	<input type="radio"/> Atmospheric Emission Licence	<input type="radio"/> Exemption Notice
<input type="radio"/> Permit in terms of NEM BA	<input type="radio"/> Administrative Notice/Directive	<input type="radio"/> ECA, OSCA Permit	<input type="radio"/> Other			

3. Brief Description of the Decision:

GRANTED ENVIRONMENTAL AUTHORISATION FOR A UNIVERSITY AND MIXED-USE PRECINCT DEVELOPMENT AT THE GARDEN ROUTE DAM ON REMAINDER OF ERF 464, GEORGE

4 Date of the decision being appealed (i.e. date on which the decision was made):

19 SEPTEMBER 2022

B. APPELLANT'S INFORMATION

5 Please circle the appropriate option

Applicant	State Department / Organ of State	Interested and Affected Party
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6 Appellant's information:

Name:

KATRIVIER FRIENDS GROUP

Address:

C/O INGE REDELINGHUIS

5 VOGELSTEEG

FERNRIDGE

Tel:

Cell:

076 909 3500

Fax:

Email:

inge@groupware.co.za

☐

C. APPEAL INFORMATION

7 Did you lodge an Appeal submission within 20 days of the notification of the decision being sent to you?

☒ Yes

/

No (Circle the appropriate response) If "Yes", attach a copy herewith.

8 The following documents must accompany the appeal submission, kindly indicate if they have been attached to the submission:

8.1 a statement setting out the grounds of appeal?

☒ Yes

/

No

(Circle the appropriate response)

8.2 supporting documentation which is referred to in the appeal submission?

☒ Yes

/

No

(Circle the appropriate response)

8.3 a statement, including supporting documentation, by the appellant that a copy of the appeal was submitted to the applicant, any registered interested and affected party and any organ of state with interest in the matter within 20 days from:

8.3.1 the date that the notification of the decision was sent to the registered interested and affected parties by the applicant.

☒ Yes

/

No (Circle the appropriate response).

Please indicate the date on which a copy of the Notice of the decision was sent.

21 SEPTEMBER 2022

OR

8.3.2 the date that the notification of the decision was sent to the applicant by the competent authority, issuing authority or licensing authority.

Yes / No (Circle the appropriate response).

Please indicate the date on which a copy of the Notice of the decision was sent.

10 OCTOBER 2022

☐ D. GROUNDS OF APPEAL

9. Set out the ground/s of your appeal. Clearly list your appeal issues and provide an explanation of why you list each issue.

NEGLECTING TO BE A CUSTODIAN OF THE
KATRIVIER NATURE RESERVE. (P/N 768/1989)
THIS AUTHORISATION PRACTICALLY GIVES
AWAY SECTION OF THE RESERVE TO AN
EDUCATIONAL INSTITUTION AND PRIVATE OWNERS
TO MAKE PARKS AND OPEN SPACES FOR
THEIR PRIVATE USE.

- 9.1 Is your appeal based on factors associated with the process that was followed by the applicant/Environmental Assessment Practitioner/Competent Authority in reaching the decision?

☒ Yes / No (Circle the appropriate response) Please provide

details

THE KATRIVIER NATURE RESERVE BOUNDARIES
ARE NOT CORRECT

- 9.2 Is your appeal based on factors associated with matters of unacceptable environmental impacts/extenuating circumstances not taken into account by the Competent Authority?

☒ Yes / No (Circle the appropriate response) Please provide details

BY NOT LOOKING AFTER THE KATRIVIER
NATURE RESERVE YOU NEGLECTING YOUR
DUTY. ESTABLISHMENT OF A LOCAL NATURE RESERVE
WAS DONE ON 10 OCTOBER 1989 BY THE GEORGE
☐ MUNICIPALITY PN 768/1989.

- 9.3 Have your appeal issues been raised previously in the public participation process?

☒ Yes / No (Circle the appropriate response) Please provide details.

IN MY LETTER OF OBJECTION
DURING THE PUBLIC PARTICIPATION PROCESS.

9.4 Are you fundamentally opposed to the decision (e.g. to any development activity on the site)?

Yes / ☒ No / Not applicable (Circle the appropriate response). Please provide details.

THE SITE SHOULD BE SECURED FOR
FUTURE USE BY ALL NOT A SELECT GROUP.
NATURE RESERVES IN TOWNS ARE GREAT ASSETS.

9.5 Are you in favour of the decision if your concerns can be remedied by rectifying the process or by mitigating or eliminating an impact/s of the activity/ies?

Yes / ☒ No / Not applicable (Circle the appropriate response). Please provide details.

A UNIVERSITY WILL EXCLUDE THE GENERAL
PUBLIC JUST AS NELSON MANDELA UNIVERSITY
LOCKED ALL OUT DURING THE COVID PANDEMIC.

9.6 Please indicate what measures you propose to have your concerns remedied.

LIMITING BUILDINGS WITHIN THE
WATERSHED AREA OF THE GARDEN
ROUTE DAM

□

9.7 Does your appeal contain any new information that was not submitted to the Environmental Assessment Practitioner (EAP) / or registered I&APs/ or the competent authority prior to the decision?

☒ Yes / ☐ No (Circle the appropriate response). If the answer above is "Yes" please explain what this information is and why it should be considered by the Appeal Authority and why it was not made available to the EAP/ or I&AP/ or the competent authority prior to the decision. (Please ensure that the new information is attached hereto.)

THE LOCAL NATURE RESERVE DETAILS
ARE AS FOLLOWS: ESTABLISHMENT OF A LOCAL
NATURE RESERVE WAS DONE ON 10 OCTOBER 1989
BY THE GEORGE MUNICIPALITY PN 768/1989

E. SUBMISSION ADDRESS

This appeal must be submitted to the Appeal Administrator at the address listed below within 20 days of being notified of the decision:

By post:

Attention: Marius Venter

Western Cape Ministry of Local Government, Environmental Affairs & Development
Planning
Private Bag X9186, Cape Town, 8000; or

By facsimile:

(021) 483 4174; or

By hand:

Attention: Mr Marius Venter (Tel: 021-483 3721)

Room 809, 8th floor Utilitas Building

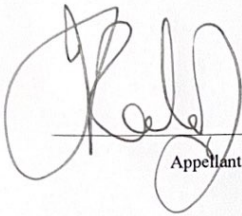
1 Dorp Street, Cape Town, 8000; or

By e-mail:

DEADPAppeals@westerncape.gov.za

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal supporting documents to the Appeal Administrator.

and any



KATRAVIER FRIENDS GROUP

Appellant's signature

Date

10 OCTOBER 2022