



**Western Cape
Government**

Environmental Affairs &
Development Planning

BETTER TOGETHER.

Appeal Forms in terms of NEMA EIA Regulations

APPEAL FORM IN TERMS OF THE NEMA EIA REGULATIONS

(A digital copy of this form may be obtained from the Department's website at <http://www.capegateway.gov.za/eadp>).

Please address your completed appeal to:

**Provincial Minister for Environment, Planning and Economic Development
Private Bag X9186
CAPE TOWN
8000**

Fax: (021) 483-4174

NOTE:

1. Appeals not submitted to the above address will not be regarded as valid;
2. Information requested must be provided in the spaces allocated therefore. Additional pages may be attached if the allocated space is insufficient;
3. Your appeal submission should be brief, clearly explained and to the point;
4. A copy of your Notice of Intention to Appeal must be attached to this document when submitted to the Department; and
5. This form must be duly signed by the appellant and witnessed.

A. PROJECT INFORMATION

DEA&DP Reference Number:

Project Description:

Date of issue of the Decision:

Type of Appeal (please circle the appropriate options):

Environmental Authorisation	Refusal	Disqualification of EAP	Amendment	Withdrawal	Exemption
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B. APPELLANT'S INFORMATION

I as the appellant am: (Please tick the appropriate box below)

the applicant	a registered interested and affected party	other (please specify)
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Name: _____

Address: _____

Tel: _____ Cell: _____

Fax: _____

Email: _____

C. APPEAL NOTICE INFORMATION:

1. Please indicate the date you were notified of the Department's decision.

2. Are you a registered Interested & Affected Party (I&AP) or the applicant?

3. Have you lodged a Notice of Intention to Appeal within 10 days of being notified of the decision taken by the Department? **Yes** / **No**

4. Please indicate the date your Notice of Intention to Appeal was lodged with the MEC. _____
5. Has this Notice of Intention to appeal been served on the Applicant/ all Registered I&AP's? _____
6. Please indicate the dates on which this was done. _____
7. Did the Notice indicate where and for what period the appeal submission will be available for inspection? **Yes** / **No**
8. Please indicate where and for what period the appeal submission has been made available for inspection./ Explain why this was not done.

9. Has the relevant application fee been paid? (please attach proof of payment)

D. GROUNDS FOR APPEAL

10. Provide a statement setting out the grounds of your appeal.

11. Is your appeal based on factors associated with the process that was followed by the applicant/EAP/the Department in obtaining/issuing authorization or/ refusal or/ amendment or /withdrawal or/ disqualification?

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

12. 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 / Not applicable (Circle the appropriate response). Please provide details.

13. Have your appeal issues been raised previously in the public participation process?

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

14. Are you fundamentally opposed to any development activity on the site?

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

15. Are you in favour of the decision of the Department if your concerns can be remedied by rectifying the process or by mitigating or eliminating the impacts of the activity?

Yes / No / Not applicable (Circle the appropriate response)

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

17. Does your appeal contain any new information that was not submitted to the Environmental Assessment Practitioner (EAP) /or registered I&AP's/ or the Department prior to the Department's 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 MEC and why it was not made available to the EAP/ or I&AP/ or the Department prior to the decision. (Please ensure that the new information is attached hereto.)

18. Please clearly list your appeal issues.

19. Please provide an explanation of why you listed each issue in section 18 above.

20. Please provide details of how you will be or have been affected by each issue listed under 18 above.

Appellant's Signature
(or duly appointed representative)

Place

Date

Witness

Place

Date