



## DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

Diamond Corner Building, 68 Eloff & Market Street, Johannesburg  
P O Box 8769, Johannesburg, 2000

Telephone: (011) 355-1900  
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Website: <http://www.gpg.gov.za>

### APPEAL FORM

(In terms of Regulation 63(2) of the NEMA EIA Regulations (GN R 385))

Please submit or fax your completed appeal form and supporting documentation to:

#### Postal Address:

The MEC for Agriculture and Rural Development  
PO Box 8769  
**JOHANNESBURG**  
2000

#### Physical Address:

The MEC for Agriculture and Rural Development  
16<sup>th</sup> Floor, Diamond Corner  
68 Eloff Street cnr Market  
**JOHANNESBURG**  
2001

**Fax No:** (011) 333 - 0620

#### NOTE:

- (1) An electronic version of this form may be obtained from the Department's website at [www.gdace.gpg.gov.za](http://www.gdace.gpg.gov.za)
- (2) The appeal must be posted to or submitted to the above postal/physical address or sent to the indicated fax number. Appeals not submitted or faxed to the indicated addresses/fax number will not be regarded as valid.
- (3) Information requested must be provided in the allocated spaces. If the allocated space is insufficient space, additional pages may be attached.
- (4) Please try to be as brief and clear as possible.
- (5) Where provided with boxes the appropriate box should be ticked.
- (6) The appeal must be submitted within 30 days of the lodging of your Notice of Intention to appeal.
- (7) A copy of the Notice of Intention to Appeal and any supporting documents must be attached to this form on submission.
- (8) This form must be duly signed by the appellant.

**A. Appellant's Information**

<b>Name of Appellant</b>	Greater Kyalami Conservancy		
<b>Trading name (if any):</b>			
<b>Name of the organization/person representing the appellant (if applicable)</b>			
<b>Contact person:</b>	Kristin Kallesen		
<b>Postal address:</b>	PO Box 30936 Kyalami		
<b>Postal code:</b>	1684	<b>Cellphone No:</b>	083 600 6091
<b>Telephone:</b>	011 702 3103	<b>Fax:</b>	
<b>E-mail:</b>	chair@gekco.co.za		

What is your interest in the outcome of the appeal decision?

The applicant		I am an interested and/or affected party	X
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**B. Information on the project subject to the decision**

1. **Project Gaut No/Name:**

*GAUT 002/07-08/N0934*

2. **Brief description of the project:**

PHASE 2 OF THE PROPOSED DIEPSLOOT DEVELOPMENT PRECINCT ON PORTIONS 7, 36, 37, 38 AND 121 OF THE FARM DIEPSLOOT 388 JR

3. **Department's decision on the abovementioned project:**

*Approval was granted Gaut: 006/13-14/E0051*

4. **Date of issue of the decision:**

*11 December 2013*

**C. Appeal Notice Information**

- (1) Were you notified of the Department's decision? YES (YES/NO)
- (2) Please indicate the date you were notified of the Department's decision?  
08 January, 2014
- (3) Have you lodged a notice of intention to appeal? YES
- (4) If yes, choose the appropriate statement below in compliance with regulation 62(2) or (3):
  - 4.1 I being both the appellant and applicant have served on each interested and affected party a copy of the notice of intention to appeal, a notice indicating where and for what period the appeal may be inspected and have provided access to copies of the appeal submission for inspection.
  - 4.2 I being the appellant have served on the applicant a copy of the notice of intention to appeal, a notice indicating where and for what period the appeal may be inspected and have provided access to copies of the appeal submission for inspection. **X**

**D. Grounds for Appeal**

- 1. Provide a statement setting out the ground/s of your appeal.(e.g. *insufficient/lack of public participation, insufficient mitigation etc.*)

*The project has had insufficient public participation; the concerns raised by Interested and Affected Parties have not been sufficiently investigated and considered; mitigation measures have not been proposed or considered.*

Extra page attached

- 2. Is your appeal based on factors associated with the process followed in reaching the decision that you are appealing? YES (YES/NO)
- 3. If YES, please provide details:

*A participation process should be reasonable to allow for adequate participation. The Interested Parties did not get a chance to comment on the submission prior to its submission to GDARD. Aside from the BID document, no further information or feedback was provided I&AP's despite numerous requests for information and studies to be undertaken. Advertising of the project was insufficient as notices were placed on the private property out of view of the public and in a newspaper that is not the predominant language of residents in the vicinity.*

Extra page attached

- 4. Is your appeal based on factors associated with unacceptable environmental impacts/mitigating factors not taken into account? YES (YES/NO)
- 5. If YES, please provide details

*The site is adjacent to the Greater Kyalami Conservancy and an important Equestrian area utilised not only by local residents, but by recreational and sporting riders from the Province, South Africa, and Internationally. The area is characterised by wetlands and impacts from this site (storm water, sewage, siltation of wetlands) will affect riverine systems feeding into the Jukskei River and Hartebeespoort Dam. This forms part of an important biodiversity corridor between the Rietfontein Reserve and Magaliesberg.*

Extra page attached

6. Have your ground/s of appeal been raised previously in the public participation? YES  
(YES/NO)

7. If YES, please provide details

These issues were raised in various submissions by Interested and Affected Parties.

Extra page attached

8. Does your appeal contain any new information that was not submitted to the Environmental Assessment or registered interested and affected parties or Department prior to the Department's decision? YES (YES/NO)

9. If YES, please provide the information, why it was not made available to the Environmental Assessment or registered interested and affected parties or Department prior to the Department's decision and reasons why the MEC should take it into consideration.

*The consultant has stated that concerns raised about the development impacting equestrian jobs, land use and industry are not proven. We therefore submit Linbro Park as an example of an equestrian area impacted by Light Industrial land use. 'Appendix A'*

Extra page attached

10. Provide your grounds of appeal

*Lack of detailed studies and specialist input despite numerous requests from Interested and Affected Parties*

*Lack of consideration of concerns raised by Interested and Affected Parties*

*Dismissal of the possibility of Red Data species present on site without investigation*

Extra page attached

11. Please provide brief reasons for each ground of appeal listed in item 10 above.

*Please see attached 'Appendix A'*

Extra page attached

12. Please list any attachments that are included in your appeal document:

a. Appendix A

b. \_\_\_\_\_

c. \_\_\_\_\_

d. \_\_\_\_\_

e. \_\_\_\_\_

f. \_\_\_\_\_

Extra page attached

K. Kalle

Appellant's Signature  
(or duly appointed  
representative)

KYALAMI

Place

21 / 02 / 14

Date

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**FOR OFFICIAL USE:**

Appeal received by: \_\_\_\_\_ Date: \_\_\_\_\_

Attachments included: YES  NO

Copies of notifications attached: YES  NO

MEC Ref No: \_\_\_\_\_

\_\_\_\_\_  
Signature  
Office of the MEC