

## APPEAL SUBMISSION



### KWAZULU-NATAL PROVINCE

ECONOMIC DEVELOPMENT, TOURISM  
AND ENVIRONMENTAL AFFAIRS  
REPUBLIC OF SOUTH AFRICA

## APPEAL SUBMISSION TO THE KWAZULU-NATAL MEC FOR ECONOMIC DEVELOPMENT, TOURISM & ENVIRONMENTAL AFFAIRS

Appeal submission in terms of section 43 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the National Appeal Regulations, 2025

In accordance with s43(5) of NEMA to be read in conjunction with Regulation 11 of the National Appeal Regulations, 2025, the KZN MEC for the Department of Economic Development, Tourism & Environmental Affairs has appointed an appeals panel to consider and advise the MEC on this appeal.

Kindly note that:

1. This appeal form complies with the requirements of the National Appeal Regulations R. 5985 of 13 March 2025.
2. It is the responsibility of the appellant to ascertain whether subsequent versions of the form have been published or produced by the competent authority.
3. It is incumbent on the appellant to ensure compliance with the provisions set out in the National Appeal Regulations R. 5985 of 13 March 2025. Attention is drawn to stipulated timeframes and procedures for notification of all parties.
4. No part of this form may be amended or deleted.
5. Until prescribed, there is no application fee applicable when making this submission.

This appeal form may be e-mailed or hand delivered to:

CONTACT DETAILS :	PHYSICAL ADDRESS :
The Appeals Administrator Department of Economic Development, Tourism & Environmental Affairs Unit: Legal Services  Attention: Ms Vanessa Maclou E-mail: <a href="mailto:vanessa.maclou@kznedtea.gov.za">vanessa.maclou@kznedtea.gov.za</a> Tel: 082 461 7668	The Appeals Administrator Department of Economic Development, Tourism & Environmental Affairs Unit: Legal Services  Attention: Ms Vanessa Maclou  270 Jabu Ndlovu Street PIETERMARITZBURG 3201

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GROWING KWAZULU-NATAL TOGETHER

## APPEAL SUBMISSION

### 1. DETAILS OF PROJECT UNDER APPEAL

Title of Project <sup>1</sup>	
Reference Number <sup>2</sup>	
Provincial Reference No <sup>3</sup> : (if applicable)	
Project description <sup>4</sup> :	

### 2. NATURE OF APPEAL

Is this an appeal in terms of a NEMA s24G <sup>5</sup> <i>If you answered "Yes" then Section 6 must also be completed</i>	YES	NO
Is this an appeal in terms of the NEMA EIA Regulations environmental authorization	YES	NO
Is this an appeal in terms of a specific environmental management act? If yes, the specify which Act:	YES	NO
If you answered "No" to all the above, the specify what decision you are appealing?		

<sup>1</sup> Use the title provided on your decision

<sup>2</sup> The relevant application reference number commencing with DM/ or DC/ or WML/

<sup>3</sup> The relevant application reference number commencing with KZN/

<sup>4</sup> Provide details as described in approval granted. Add any other descriptions relevant to this matter.

<sup>5</sup> Complete Section 6

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### 3. GROUNDS FOR THE APPEAL<sup>6</sup>

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### 4. DOCUMENTS THAT MUST ACCOMPANY THIS APPEAL SUBMISSION

In accordance with Regulation 4(3)(c) of the National Appeal Regulations, 2025, please ensure that your appeal submission includes an appendix containing all relevant supporting documents. This appendix is a mandatory component of the appeal and must be submitted together with the main appeal documentation.

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<sup>6</sup> In setting out the grounds of appeal, provide all supporting evidence to support any claim being made

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### 5. COMPLIANCE CHECK AGAINST NATIONAL APPEAL REGULATIONS R. 5983 OF 13 MARCH 2025

To ensure compliance with the National Appeal Regulations, please provide the following information:

#### 5.1 Date of Decision Being Appealed

Specify the date on which the decision being appealed was issued, to confirm that the appeal has been lodged within the prescribed timeframe.

#### 5.2 Notification to the Department's Authorising Official / Decision-Maker

Provide the date on which the Department's authorising official or decision-maker was notified of this appeal as an affected party.

Note: This is in addition to the notification provided to the Appeals Administrator.

#### 5.3. Notification to Interested and Affected Parties (I&APs) (if applicable)

Provide the date on which I&APs were notified of this appeal.

#### 5.4. Where the Appellant is Not the Applicant (if applicable)

Provide the date on which the applicant was notified of this appeal.

Confirm that the applicant was instructed to notify all registered I&APs of the appeal.

#### 5.5. Notification to Affected Organs of State

- i. Specify which organs of state were notified.
- ii. Provide the date(s) of notification.
- iii. Attach proof of such notification.

#### 5.6. Where Not Applicable

Clearly state the reasons why any of the above requirements are not applicable to this appeal.

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**6. If your appeal is in relation to a NEMA S24G decision, then complete the information below:**

<p><b>6.1 Are you lodging this appeal on behalf of the appellant?</b></p> <p>Please furnish proof of your mandate , in writing, appended to this Appeal.</p> <p>If not provided, then this Appeal must be submitted by the appellant</p>	<b>YES</b>	<b>NO</b>
<p><b>6.2. Trading Status of the Appellant</b></p> <p>Is the appellant trading as an individual or as a registered entity?</p> <p><b>6.2.1 Type of Entity</b></p> <p>If trading as an entity, please specify the type (e.g., Private Company, Non-Profit Organisation, Trust, etc.).</p> <p><b>6.2.2 Full Trading Name(s)</b></p> <p>Provide the full registered trading name(s) of the appellant.</p>	<b>INDIVIDUAL</b>	<b>ENTITY</b>
<p><b>6.3 Supporting Evidence for Financial Constraints</b></p> <p>If you intend to claim financial constraints, you must provide appropriate supporting documentation, such as financial statements, to substantiate your claim.</p>	<b>YES</b>	<b>NO</b>

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### 7. DETAILS PERTAINING TO APPELLANT/REPRESENTATIVE FOR THE APPELLANT

Is the appellant the applicant for this project?	YES	NO
Are you acting on behalf of the Appellant?	YES	NO
<b>Proof of Mandate to Act on Behalf of the Appellant</b>  You are required to provide proof of your mandate to act on behalf of the appellant. <ul style="list-style-type: none"> <li>Have you attached this proof?</li> <li>If not, please provide a clear explanation for its omission.</li> </ul>	YES	NO
Full names of Applicant : Address: Telephone number: Cellular number: E-mail address :		
Full names of Appellant (who is <b>NOT the applicant</b> ) : Address: Telephone number: Cellular number: E-mail address :		
Full names of <b>Appellant's representative</b> : Capacity of representation : Address : Telephone number: Cellular number: E-mail address :		

## APPEAL SUBMISSION

### 8. I AFFIRM THAT THE NATIONAL APPEAL REGULATIONS R. 5983 OF 13 MARCH 2025 HAVE BEEN COMPLIED WITH.

I have provided all supporting evidence in support of this claim I am making in terms of Regulation 4(3)(c).<sup>7</sup>

#### 8.1 DECLARATION:

I declare that the contents of this submission are to the best of my knowledge to be the truth and I regard this declaration as binding on my conscience.

#### 8.2 SIGNATURE

NOTE : If you are signing on behalf of the appellant , you must ensure that you have provided the written mandate to do so.

8.2 1. Name of appellant :

Signature of appellant : \_\_\_\_\_

Date :

8.2.2 Name of appellant's representative :

Signature of appellant's representative : \_\_\_\_\_

Date :

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<sup>7</sup> Provide a checklist of supporting documents

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