



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.
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A. DECISION BEING APPEALED

- Reference Number of the Decision being appealed: **16/3/3/1/B4/12/1027/25**
- Type of Decision being appealed (please circle the appropriate option):

Environmental Authorisation	24G Administrative Fine	Amendment of Environmental Authorisation	Amendment of Environmental Management Programme	Waste Management Licence	Atmospheric Emission Licence	Exemption Notice
Permit in terms of NEM: BA	Administrative Notice/ Directive	ECA: OSCA Permit	Other			

- Brief Description of the Decision: **Approval of EA amendment to change holder from "La Luc (Pty) Ltd" to "La Luc Estate (Pty) Ltd".**
- Date of the decision being appealed (i.e. date on which the decision was made): **28 July 2026.**

B. APPELLANT'S INFORMATION

- Please circle the appropriate option

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

Name: Mr. C W Thompson per Attorney J P Du Plessis

Address: 25 Lourensford Road, Somerset West 7130

Tel: 021 851 0359

Email: jp@jpprojects.co.za

C. APPEAL INFORMATION

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

Within 20 days from date that the EAP notified other I&APs (Circle the appropriate response).
If "Yes", attach a copy herewith.

- 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 (Circle the appropriate response)

8.2 supporting documentation which is referred to in the appeal submission?;
Yes (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. **Not applicable**

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. **Not applicable**

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.

Attached please find the letter from Johan du Plessis Attorney dated 31 August 2026.

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 Please provide details. **Failure to deal with the lapsing of the environmental authorisation in respect of some listed activities and to insist on a new application for environmental authorisation in respect thereof. See attached letter from Johan Du Plessis Attorney**

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?

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

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

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

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

Yes – opposed to those listed activities previously authorised but in respect of which the EA has lapsed, from proceeding without a new application and approval for environmental authorisation (Circle the appropriate response). Details provided.

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?

No – a new application required in respect of those listed activities that have not commenced within the EA validity period (Circle the appropriate response). Please provide details.

A fresh environmental impact assessment providing for public participation is required.

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

A fresh application for environmental authorisation is required.

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 (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.)

It may contain new information – see the attached letter of Johan du Plessis Attorney, the contents of which is self-explanatory.

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:

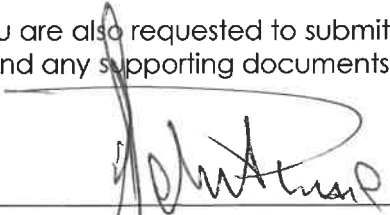
By post: Attention: Marius Venter
Western Cape Ministry of Local Government, Environmental Affairs &
Development Planning
Private Bag X9186, Cape Town, 8000; or

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: DEADP.Appeals@westerncape.gov.za

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


Appellant's signature

31-8-2016
Date