

Our Ref: J26213
Authority Ref: Gaut 002/06-07/N0169

14 October 2009

Johannesburg

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Attention: Interested and Affected Party

Dear Sir / Madam

NOTIFICATION OF ENVIRONMENTAL AUTHORISATION FOR: THE ROUTE DETERMINATION OF THE PROPOSED METRO BOULEVARD

The relevant authority (Gauteng Department of Agriculture and Rural Development (GDARD)) has granted authorisation, in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) regulations and the Environmental Impact Assessment regulations thereunder (Government Notice No R. 385 to 387 of 2006), permitting the Johannesburg Road Agency to undertake the following activity:

“the route determination of Metro Boulevard road, a dual carriageway from JG Strijdom Road in Weltevreden Park to Fairway Street in Zonnehoeve as per listed activity 5(c) and (d) of GN R.387, which falls within the jurisdiction of the City of Johannesburg Metropolitan Municipality.”

Authorisation was issued by GDARD on 6 October 2009. A copy of the Environmental Authorisation and reasons for the decision will be made available on request.

All Interested and Affected Parties who wish to appeal GDARD’s decision should do so in accordance with Chapter 7 of the Environmental Impact Assessment Regulations. The procedure, as stipulated in Chapter 7, is provided below.

Notices of intention to appeal

- 62.** (1) A person affected by a decision referred to in regulation **60(1)** who wishes to appeal against the decision, must lodge a notice of intention to appeal with the Minister, MEC, or delegated organ of state, as the case may be, within 10 days after that person has been notified in terms of these Regulations of the decision.
- (2) If the appellant is an applicant, the appellant must serve on each person and organ of state which was a registered interested and affected party in relation to the applicant’s application –
- (a) a copy of the notice referred to subregulation (1); and
 - (b) a notice indicating where and for what period the appeal submission will be available for inspection by such person or organ of state.
- (3) If the appellant is a person other than an applicant, the appellant must serve on the applicant –
- (a) a copy of the notice referred to subregulation (1); and



- (b) a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
- (4) The Minister, MEC or delegated organ of state, may, as the case may be, in writing, on good cause extend the period within which a notice of intention to appeal must be submitted.

Submission of appeals

- 63.** (1) An appeal lodged with –
- (a) the Minister must be submitted to the Department of Environmental Affairs;
 - (b) the MEC must be submitted to the provincial department responsible for environmental affairs in the relevant province or
 - (c) the delegated organ of state, where relevant, must be submitted to that delegated organ of state.
- (2) An appeal must be –
- (a) on an official form published by or obtainable from the relevant department; and
 - (b) accompanied by –
 - (i) a statement setting out the grounds of appeal;
 - (ii) supporting documentation which is referred to in the appeal and which is not in the possession of the Minister, MEC or delegated organ of state;
 - (iii) a statement by the appellant that regulation **62(2)** or (3) has been complied with together with copies of the notices referred to in that regulation; and
 - (iv) the prescribed appeal fee, if any.
- (3) When submitting an appeal, the appellant must take into account any guidelines applicable to appeals.

Time within which appeals must be lodged

- 64.** (1) An appeal must be submitted to the relevant department within 30 days of the lodging of the notice of intention to appeal referred to in regulation **62(1)**.

Should you wish to appeal the decision please forward the “Notice of Intent to Appeal” and the “Appeal” in accordance with the above regulations to:

Gauteng Department of Agriculture and Rural Development

Attention: MEC – Ms Nandi Mayathula-Khoza
By Post: PO Box 8769, Johannesburg, 2000
By Hand: 16th Floor, Diamond Corner Building
68 Eloff Street
Johannesburg
By Fax: 011 355 1000



Copies of the abovementioned documents should also be submitted to:

Arcus GIBB (Pty) Ltd,
Attention: Mr Reuben Heydenrych
Fax: 011 807 5670
e-mail: rheydenrych@gibb.co.za.

The Notice of intention to appeal must be lodged by no later than **Friday, 23 October 2009**. The appeal must be lodged by no later than **30 days (Monday, 23 November 2009)** after the Notice of Intent has been lodged.

Yours faithfully
For Arcus GIBB (Pty) Ltd

REUBEN HEYDENRYCH
Senior Environmental Scientist
For Arcus GIBB