



# Centre for Environmental Rights

Advancing Environmental Rights in South Africa

Mr Patrick Malibe  
Municipal Manager  
Dr Pixley Ka Isaka Seme Local Municipality  
Volksrust

By email: [faith@pixleykaseme.gov.za](mailto:faith@pixleykaseme.gov.za)

cc. Mr Skhumbuzo Makhubu  
Senior Town Planner  
Dr Pixley Ka Isaka Seme Local Municipality  
[skhumbuzom@pixleykaseme.gov.za](mailto:skhumbuzom@pixleykaseme.gov.za)

Mr Bandile Sithebe  
Town Planner  
Dr Pixley Ka Isaka Seme Local Municipality  
[bandilesthebe@gmail.com](mailto:bandilesthebe@gmail.com)

Your ref: 6/2/4/2/7 / SN MAKHUBU  
14 June 2017

Dear Mr Malibe

## **REQUEST FOR NOTIFICATION OF APPLICATIONS FOR LAND-USE CHANGE IN RESPECT OF THE PROPERTIES: PORTION 1 OF YZERMYN 96 HT, GOEDGEVONDEN 95 HT, KROMHOEK 93 HT AND ZOETFONTEIN 94 HT**

1. We refer to our letters to you dated 25 January, 30 January and 15 February 2017 regarding the application submitted by Uphondolwendlovu Town Planners (Pty) Ltd (Uphondolwendlovu) for the *"amendment of the relevant town-planning scheme and ... for the rezoning of Portion 1 of the Farm Yzermyn 96 HT"*.
2. We also refer to your letter to Uphondolwendlovu dated 20 April 2017 in which you advised it to reapply for the land-use change of Portion 1 of the Farm Yzermyn 96 HT in terms of Regulation 18 of the Regulations in terms of the Spatial Planning and Land Use Management Act, 2013.
3. As appears from our aforesaid correspondence, our clients<sup>1</sup> are interested and affected parties in any land-use change of Portion 1 of the farm Yzermyn 96 HT. We accordingly request that you:

**3.1. kindly indicate whether the Dr Pixley Ka Isaka Seme Local Municipality (the Municipality) has received any application for land-use change of Portion 1 of the farm Yzermyn 96 HT from or on behalf of Atha-**

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<sup>1</sup> EarthLife Africa Johannesburg, BirdLife South Africa, the Mining and Environmental Justice Community Network of South Africa, the Endangered Wildlife Trust, the Federation for a Sustainable Environment, the Bench Marks Foundation, the Association for Water and Rural Development (AWARD) and groundwork

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Africa Ventures (Pty) Ltd (Atha) and/or Uphondolwendlovu, or any other party, since your letter dated 20 April 2017; and

- 3.2. kindly notify us in the event that the Municipality does receive any application from Atha and/or Uphondolwendlovu and/or any other party in respect of said land-use change.
4. Kindly be advised that Atha's proposed Yzermyn underground coal mining operation is situated not only on Portion 1 of the farm Yzermyn 96 HT, but also on, *inter alia*, the following properties:
  - 4.1. Goedgevonden 95 HT;
  - 4.2. Kromhoek 93 HT; and
  - 4.3. Zoetfontein 94 HT.
5. Our clients are also interested and affected parties in any land-use change of these properties and accordingly request that you:
  - 5.1. kindly indicate whether the Municipality has received any application/s for land-use change of the properties Goedgevonden 95 HT, Kromhoek 93 HT and Zoetfontein 94 HT from Atha and/or Uphondolwendlovu or any other party; and
  - 5.2. kindly notify us in the event that the Municipality does receive any application/s from Atha and/or Uphondolwendlovu any other party in respect of said land-use change.
6. We thank you for your time and kind assistance.

Yours sincerely

**CENTRE FOR ENVIRONMENTAL RIGHTS**

per: 

**Catherine Horsfield**

**Attorney**

**Programme Head: Mining**

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