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THE MUNICIPAL MANAGER

Allekorrespondensiemetgerig word aan
DIE MUNISIPALEBESTUURDER

Yonkeimibhalokumeleigondiswe
KUMPHATHI KAMASIPALA

Our Ref:15/4/1/2
Enq: LB Tshabalala

NOTICE ISSUED BY MUNICIPAL APPEAL AUTHORITY REGARDING AN APPEAL

TO:

CENTRE FOR ENVIRONMENTAL RIGHTS

FIRST APPELLANT

**GERT SIBANDE DISTRICT JOINT MUNICIPAL PLANNING
TRIBUNAL**

FIRST RESPONDENT

**ATHA-AFRICA VENTURES (PTY) LTD REPRESENTED BY
THE PRACTICE GROUP (PTY) LTD**

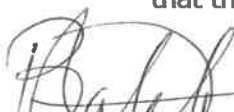
SECOND RESPONDENT

LAND DEVELOPMENT APPLICATION IN TERMS OF SECTION 26(4) OF SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (SPLUMA) AND SECTIONS 30(2) AND 66 OF THE CHIEF ALBERT LUTHULI, DIPALESENG, DR PIXLEY KA ISAKA SEME, LEKWA, MKHONDO AND MSUKALIGWA MUNICIPAL BY-LAW ON SPATIAL PLANNING AND LAND USE MANAGEMENT, 2016 (the LUM By-law") WITH REGARD TO PORTION 1 OF THE FARM YZERMYN 96 IT, MPUMALANGA PROVINCE, AS APPROVED UNDER RESOLUTION OF THE GERT SIBANDE DISTRICT JOINT MUNICIPAL PLANNING TRIBUNAL

This serves to confirm that, in terms of the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA), read with the relevant provisions of the municipal by-law which apply to the area of jurisdiction of the Dr Pixley Ka Isaka Seme Local Municipality (by-law dated 2016) the Municipal Appeal Authority shall preside in the aforesaid matter.

With reference to the provisions of Section 164 of said by-law, the parties to the aforesaid appeal are informed as follows:

1. In terms of the provisions of Section 149 of the by-law, the Municipal Appeal Authority will conduct the Appeal Hearing as a written appeal, as it is authorised written submission to support their respective cases.
2. Having received notice of appeal from the First Appellants in this matter and having received a notice to oppose the appeal from the Second Respondent, the Appeal Authority confirms the following Submissions Schedule in terms of Section 164 of the By-law:
 - (i) The First Appellant are hereby granted a period of 21 days from receipt hereof within which period such appellant may, in writing, provide a written submission to support their respective cases.
 - (ii) Upon receipt of any such written submission from the aforesaid appellant within the aforesaid 21 day period, such written submission shall be presented to the First and Second Respondents who, in turn may, within a further period of 21 days from date of receipt thereof, provide a written submission in response to the aforesaid submissions of the appellant.
 - (iii) The First Respondent is directed to submit to the Municipal Appeal Authority the written record of the meeting of the Joint Municipal Planning Tribunal and its decision with regard to the aforesaid land development application, which record shall be made available to the Municipal Appeal Authority within the same 21 day period as confirmed *supra*.
 - (iv) Upon receipt of the aforesaid submissions and record from the Respondents, the documentation alluded to above will be taken into consideration by the Municipal Appeal Authority and a decision with regard to the appeals shall be confirmed in writing to all parties on record in terms of Sections 169 and 170 of the by-law.
 - (v) With reference to Section 165(5) of the by-law, the parties on record are reminded that failure to respond timeously with regard to the aforesaid directives shall be construed as that the party in question declined the opportunity to provide a submission.



LB Tshabalala
REGISTRAR

MUNICIPAL APPEAL AUTHORITY
DR PIXLEY KA SEME LOCAL MUNICIPALITY

02/10/2019