

My ref: CPD/0364/00058/ (Item no. 36254)

Tel: 012 358 9768

Your ref:
Contact person: M Mabolawa

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Section/Unit: Tribunal Secretariat Support

PER E-MAIL

R van Wyk

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04 December 2023

Sir/Madam

APPLICATION FOR CONSENT USE IN TERMS OF CLAUSE 16 OF THE TSHWANE TOWN-PLANNING SCHEME, 2008 (REVISED 2014) READ WITH SECTION 16(3) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016: ERF 58, LUKASRAND

In terms of the definition of “notice” as contemplated in the City of Tshwane Land Use Management By-law, 2016 (the “By-law”), includes notification and communication by the Municipality *via* electronic means with applicants/objectors and/interested and affected parties.

As per your objection/application/comments you have provided an e-mail address used herein as a means of communication. We also refer to the definition and requirement for the provision of contact details as outlined in the advertisement and provisions of the By-law for purposes of communicating and notification.

You are hereby notified of the following:

- The abovementioned application will be considered by the Municipal Planning Tribunal (MPT) on the **31st of January 2024** from **11:15am**.
- Applicants are required engage with the objectors and interested and affected parties and prior to the hearing and to provide proof that they have engaged with them by means of providing an affidavit and/or attendance register of meetings held. This is to ensure that only the points in dispute will be dealt with in Heads of Arguments, Replies and during the Hearing.

C 5 Invitation to attend MPT

- The points in dispute between the objectors, interested parties and the applicant must be clearly marked and be concise in the Heads of Argument and the rules of what can and cannot be considered will apply *mutatis mutandis* as set out in the LUM By-law.
- All of the above shall be forwarded to the MPT Support Section as a standing directive by the Tribunal.
- Should you not have the e-mail addresses of any of the parties concerned, it may be obtained from the MPT Support Section.
- Proof must be provided by any of the parties wanting to rely on e-mail communication for purpose of exchanging Heads of Arguments and Replies thereto with the other parties.
- The MPT may at any time require the parties to engage each other in order to truncate the process.
- The MPT may at any time request the participants to provide proof of any communication with other parties to the Tribunal.
- The Heads of Argument and Replies will be filed and numbered during the hearing and will form part of the consideration of the objections and the application by the Municipal Planning Tribunal.
- Should you wish to attend the hearing in person, you are requested to be available at the Council Chambers, Corner of Rabie and Basden Streets, Lyttelton AH as the application will be heard by the Tribunal any time after the abovementioned time.
- You are hereby advised that written submissions made on the application prior to the hearing, in line with the legislative requirements, will form part of the consideration of the application and does not require repetition in oral representation during the hearing.
- In view of the written submissions made **oral representation on the application will be limited to a maximum of 10 - 15 minutes during the plenary or as directed by the Presiding Officer.**
- Any point *in limine* (technical points) which will be raised at the hearing, must be provided at least 14 (fourteen) days prior to the hearing, addressed to the Executive Director: Legal Services, Ground Floor Block D, Tshwane House, 320 Madiba Street, Pretoria, 0002. A copy of the points *in limine* must also be circulated to the objector/s or applicant and the MPT Support.
- In the event that you will be represented in this matter, written proof of a mandate authorising such representation must be submitted accordingly.
- The applicant shall also submit their Heads of Arguments to the Municipal Tribunal Support team at least three (3) days prior to date of hearing, such submissions shall be via email and hardcopies must be provided on the day of the hearing
- In cases where the parties intends to rely on the evidence of experts in the hearing, they shall submit a list of such experts and the reports within seven (7) days prior to the date of

the hearing to the MPT support team and the opponents, such submissions shall be via email and hardcopies must be provided on the day of the hearing

By attending the hearing, it shall be regarded that you abide by the rules that may be set by the Tribunal with regard to the conduct of parties to the hearing. Should you elect not to attend the hearing to make oral representation, your absence shall not invalidate the proceedings and a decision may be taken in absentia.

Yours Faithfully,

o.b.o. Makgorometje A. Makgata Pr. Pln (A1243/2002)
GROUP HEAD: ECONOMIC DEVELOPMENT AND SPATIAL PLANNING

