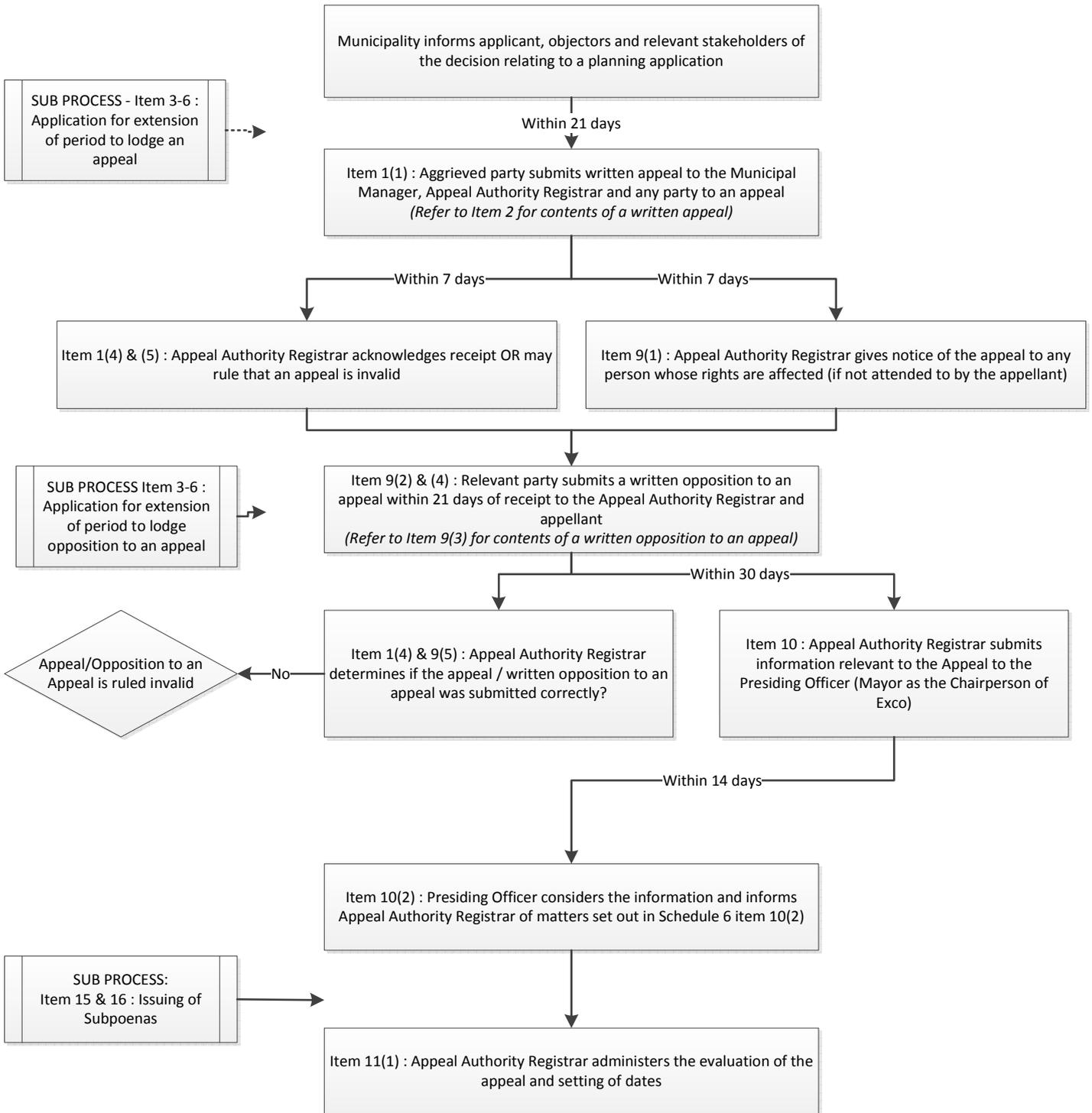
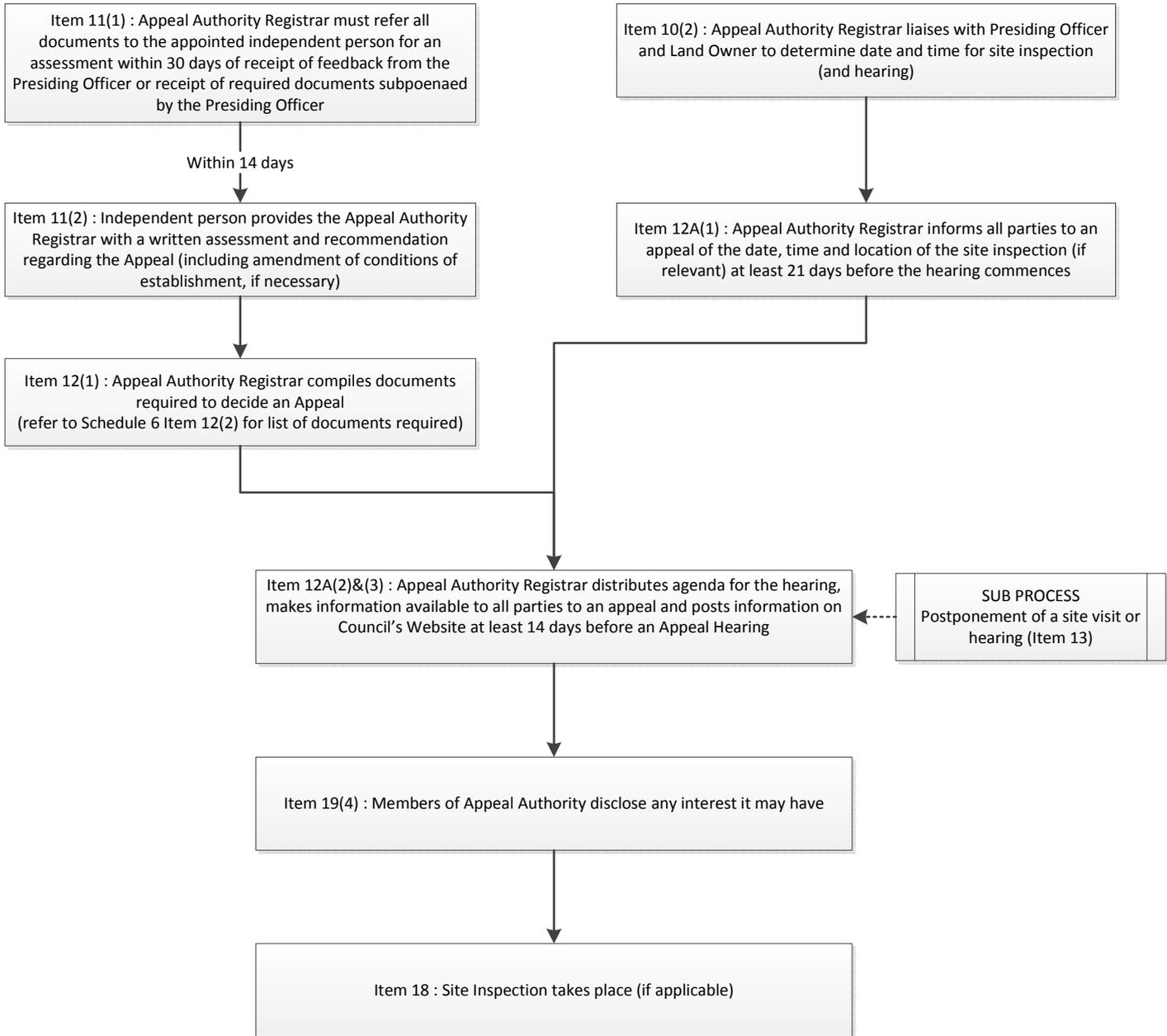


UMHLATHUZE SPATIAL PLANNING AND LAND USE MANAGEMENT BYLAW, 2017 (as amended)

SCHEDULE 6 – APPEAL PROCEDURE



SCHEDULE 6 – UMHLATHUZE SPLUM BYLAW APPEALS PROCEDURE (continued)



SCHEDULE 6 – UMHLATHUZE SPLUM BYLAW APPEALS PROCEDURE (continued)

WRITTEN HEARINGS (Item 20)

Item 20(1) : Appeal Authority Members consider written documentation submitted and make recommendation relating to the merits of the appeal

Item 20(2) : Appeal Authority Members Confirm, vary or revoke the decision of the Municipal Planning Approval Authority

ORAL HEARINGS (Item 21)

Item 21(2)(a) : Presiding Officer allows relevant Municipal Official to present the planning application and decision reached by the Municipal Planning Authority
(Note Schedule 6 Item 22 – Hearing of appeal in the absence of parties)

Item 21(2)(b) : Presiding Officer allows the appellant and other parties to state their case
(Note Schedule 6 Item 22 – Hearing of appeal in the absence of parties)

Item 21(3) : The Presiding Officer may request the parties to an appeal to leave the room at any time to discuss the appeal in committee

Item 21(4) - (6) : The Appeal Authority Members must consider the merits of the appeal and confirm, vary or revoke the decision of the Municipal Planning Approval Authority

Item 23 : Appeal Authority Registrar records proceedings and prepares minutes of the meeting (Appeal Decision) and makes minutes available to the attending members of the Appeal Authority

Item 23(3) : Attending members of the Appeal Authority confirm correctness of minutes within 30 days after conclusion of the last hearing date

Item 23(4) : The Presiding Officer issues a signed appeal decision (within the 30 days allowed)

Item 25(2) : Appeals Authority Registrar gives notice of the Appeal Decision within 7 days

Within 7 days after the meeting

SCHEDULE 6 – UMHLATHUZE SPLUM BYLAW APPEAL PROCEDURE

**SUB PROCESS : SERVING OF SUBPOENAS
(Schedule 6 Items 15 to 16)**

Item 15(1) & 16(2) : Presiding Officer issues subpoenas to:
- secure attendance of witnesses
- to obtain a document

Item 15(2) & 16(3) : Appeal Authority Registrar authorises a person in writing to serve the subpoena

Item 15(3) & 16(4) : A person authorised in writing to serve the subpoena shows the written authorisation to the person being subpoenaed, serves the subpoena and requests signature on delivery

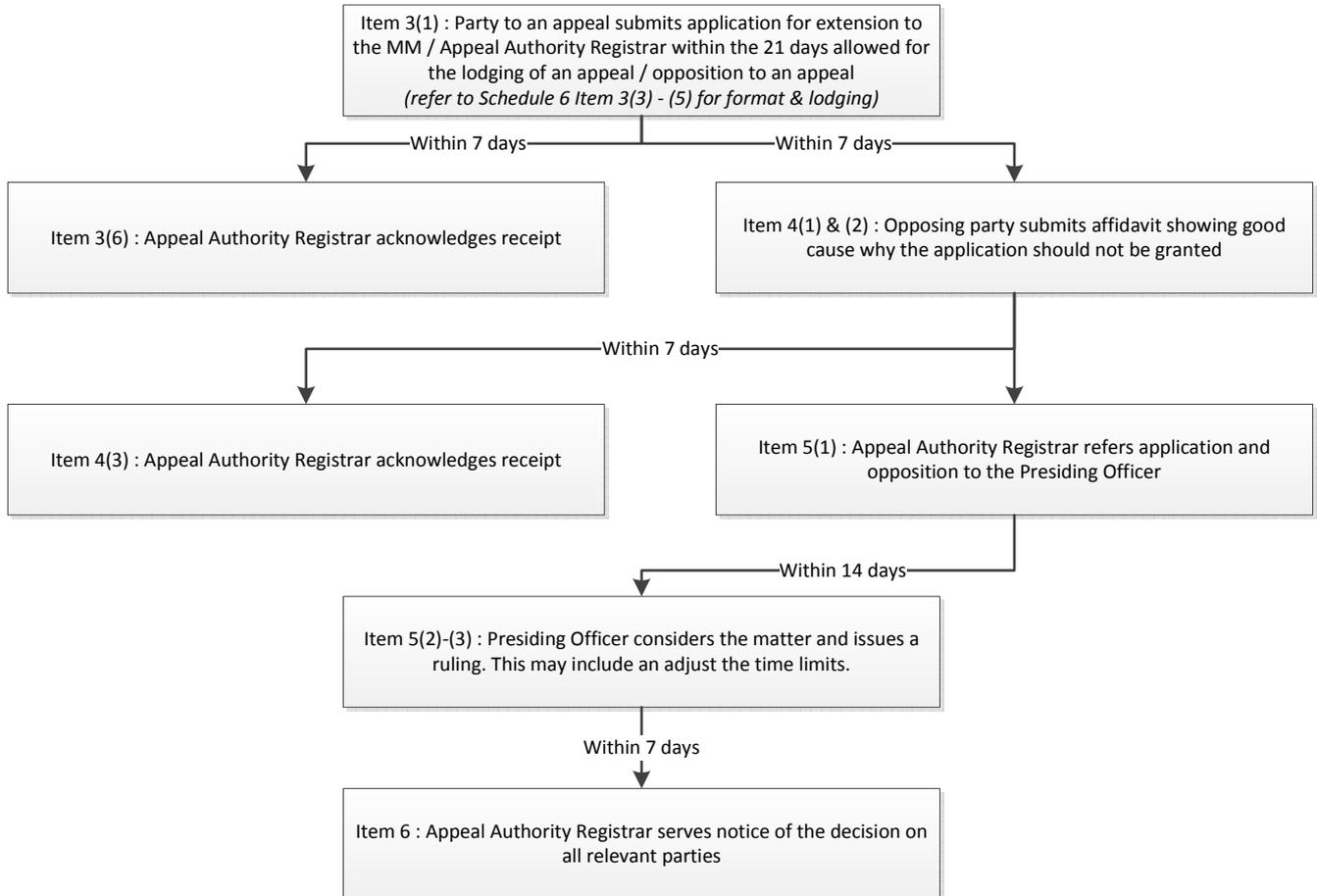
Item 15(4) & 16(5) : A person authorised in writing to serve the subpoena provides proof of delivery to the Appeal Authority Registrar

Item 16(1) : Person who has been subpoenaed to lodge a document submits such document/s within the specified timeframe which must be at least 21 days before the set hearing date

Person who has been subpoenaed to Act as a witness attends the Appeal Hearing

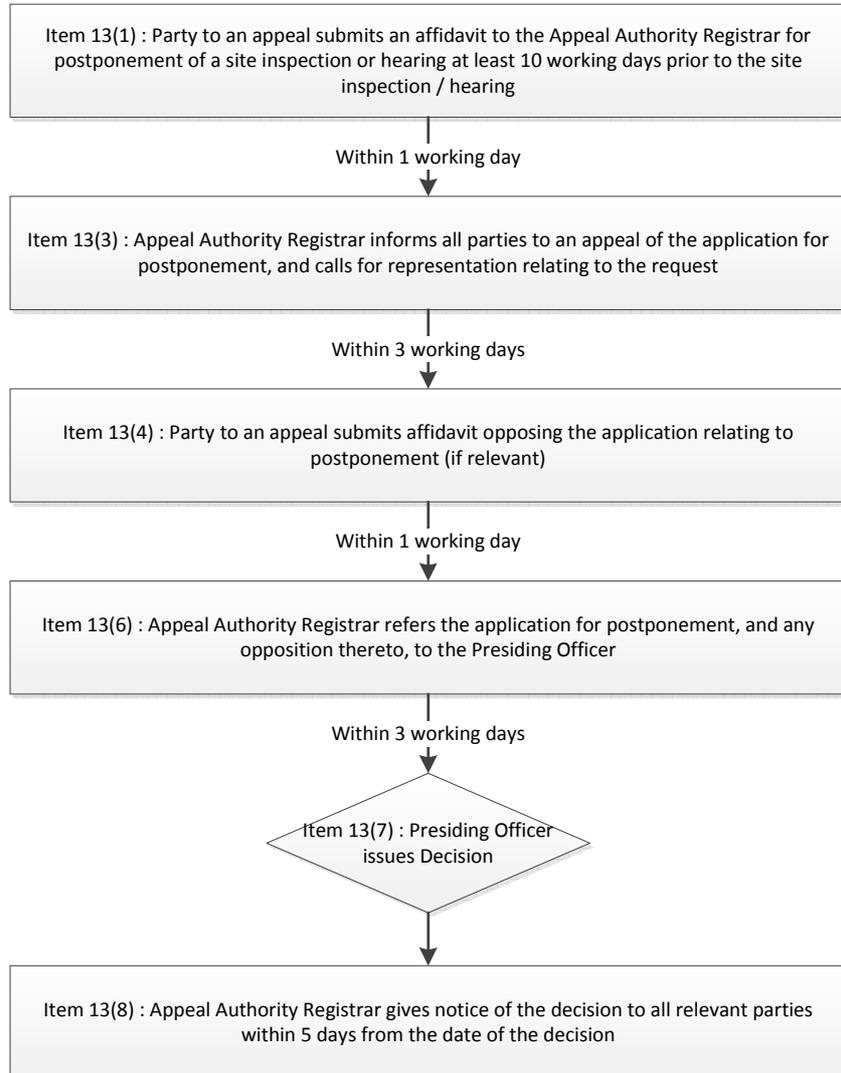
SCHEDULE 6 – UMHLATHUZE SPLUM BYLAW APPEAL PROCEDURE

**SUB PROCESS : APPLICATION FOR EXTENSION OF PERIOD TO LODGE A WRITTEN APPEAL OR OPPOSITION TO AN APPEAL
(Schedule 6 Items 3 to 6)**



SCHEDULE 6 – UMHLATHUZE SPLUM BYLAW APPEAL PROCEDURE

**SUB PROCESS : APPLICATION FOR POSTPONEMENT OF SITE INSPECTION OR HEARING
(Schedule 6 Item 13)**



SCHEDULE 6 – UMHLATHUZE SPLUM BYLAW APPEAL PROCEDURE

**SUB PROCESS : WITHDRAWAL OF APPEALS OR OPPOSITION TO APPEALS
(Schedule 6 Item 17)**

Any party to an appeal may withdraw an appeal / opposition to an appeal by serving notice on the Appeal Authority Registrar, the Municipal Manager and every other party to an appeal at least 14 days prior to a hearing



Appeal Authority Registrar Performs all administrative functions relating to the withdrawal of an appeal or opposition to an appeal