

## GROUNDS OF APPEAL

A person whose rights are affected by a decision of the Municipal Planning Tribunal (MPT) or Authorized Official (AO) or failure of the MPT or an Authorized Official to take a decision within the period as contemplated in Sections 59 and 61 of the By-Law may lodge an appeal to the Appeal Authority in terms of Section 78 of the Overstrand Municipality By-Law on Land Use Planning.

### THE GROUNDS OF APPEAL WILL ONLY BE CONSIDERED ON THE FOLLOWING GROUNDS:

#### DEPOSIT TO BE SUBMITTED WITH THE GROUNDS OF APPEAL AS DETERMINED BY THE MUNICIPAL BUDGET

An appeal will not be accepted without proof of payment.

#### APPEAL MUST BE SUBMITTED WITHIN 21 DAYS OF THE NOTIFICATION OF THE DECISION

Notices of the decision will be sent to the applicant and objector(s).

A person who wishes to appeal may do so within 21 days from the date of the notification.

No new information will be accepted after the 21-day appeal period.

No extension of time will be given for the 21-day appeal period.

If an objector lodges an appeal, then the applicant will be given 21 days to respond.

#### CONTENTS OF THE APPEAL

An appeal is to be accompanied by written reasons of why the appeal is submitted.

The appeal must address any issues by demonstrating non-compliance or compliance with the principles as contained in Section 42 of the Spatial Planning and Land Use Management Act, 2013 (ACT 16 of 2013) (SPLUMA) and Chapter VI of the Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA), refer to Annexure B.