NEMA Timeline of Events

| **DA MATTER** | **ACTION SA MATTER** |
| --- | --- |
| **Launched:** 03 March 2023 | **Launched:** 16 November 2022 |
| **Municipality Opposition:**  14 March 2023 | **Municipality Opposition:** 28 November 2022 |
| **Case Management Order to compel filing of delayed record:**  26 May 2023 | **MEC for Tourism & Environmental Affairs** filed AA: 06 February 2023 |
| **Municipality Rule 53 Record Filed:**  21 June 2023 | **Minister of Forestry, Fisheries & Environment** **filed AA**: 24 February 2023 |
| **DA Supplementary Founding Affidavit Filed:** 26 June 2023 | **Minister of Water & Sanitation** filed AA: 24 February 2023 |
| **Municipality Supplementary Rule 53 Record Filed:**  14 August 2023 | **Court Order by Masipa J (directing mediation conference and timelines for further filings):** 27 February 2023 |
| **DA Further Supplementary Founding Affidavit Filed:**  15 September 2023 | **CoGTA filed AA:** 31 March 2023 |
| **Case Management Order** **to compel compliance with 26 May 2023 Order:**  23 January 2024 | **Municipality filed AA:** 31 March 2023 |
| **Municipality Answering Affidavit Filed:**  23 January 2024 | **ActionSA Reply Filed:** 21 April 2023 |
| **DA Reply Filed:** 04 March 2024 | **ActionSA filed Supplementary Affidavit:** 27 May 2024 |
| **Case Management Conference:**  16 April 2024  Judge President Poyo Dlwati convened a joint case management meeting for DA litigation, ActionSA litigation, and Department litigation. **Both ActionSA and Department representatives confirmed** no intention to consolidate applications with DA litigation.  Action Plan delivered by eThekwini for ActionSA matter; settlement efforts underway for Department litigation.  Leave granted for DA to enroll for hearing on 8 August 2024 |  |
| **Set Down on Opposed Roll for Hearing (8 August 2024):**  17 April 2024 |  |
| **DA letter to Municipality:**  9 July 2024  Request from DA to take order by agreement to avoid incurring further litigation costs and focus on service delivery |  |
| **Case Management Order:**  30 July 2024  Matter removed and re-enrolled for hearing on 3 & 4 October 2024 to allow Municipality to file revised Action Plan and DA to respond.  Mr Justice Bedderson enquired about the status of the ActionSA litigation and the Department litigation.  Mr Justice Bedderson nonetheless requested that ActionSA and the Department indicate their position in respect of the ActionSA and Department litigation as soon as possible to avoid any prejudice to any party in respect of related litigation (not at DA’s request)  DA wrote letter to Action SA and respondents advising of Bedderson J’s view.  Judge has indicated that a Judicial Case Flow Management Meeting will take place on 13 September 2024, in Durban High Court. | **ActionSA filed Heads of Argument:** 5 August 2024 |
| **Municipality filed revised Action Plan:**  12 August 2024 | **ActionSA response to DA Letter (Accepting Bedderson J’s Joint Hearing Proposal):**  14 August 2024 |
| **DA Response to Revised Action Plan:**  20 August 2024 |  |
| **DA Letter to Bedderson J:**  29 August 2024  Muni not comply with 30 July order. Request urgent case management meeting |  |
| **Case Management Meeting Convened:** 3 September 2024 |  |
| **Supplementary Answering Affidavit Filed by Municipality:**  4 September 2024  (2,364 pages of new evidence not disclosed in Rule 53 Record as required) |  |
| **DA Letter to Bedderson J:**  6 September 2024  Municipality’s new evidence constitutes abuse of process; insufficient time for response (1 month before hearing and parties’ still need to prepare heads of argument. |  |
| **DA Letter to Bedderson J:**  2 October 2024  Matter ripe for hearing, all papers have been filed. Request case management. |  |
| **Court Order (3 October 2024):** Bedderson J directed core bundles to be created due to volume of documents. ActionSA and DA matters set for joint hearing as per judge’s request and ActionSA’s acceptance.  **ActionSA received preferential hearing date as a result of DA matter.** |  |
| **DA letter to JP to request preferential hearing date**  10 October 2024 |  |
| **Matters Enrolled for Hearing:** 20 & 21 February 2025 (as of 6 November 2024) |  |
| **Conflict Noted with Constitutional Court Hearing:** 11 December 2024—alternative dates (3–14 February or 17–28 March) proposed by DA. |  |
| **Proposed Joint Hearing Dates to JP:** 29 & 30 April 2025 – next available dates where all counsel teams are available (as of 17 December 2024, pending confirmation) |  |