



MEDIA RELEASE

Embargo: Immediate

DATE: 7 March, 2017

Knysna Municipality fights for burial rights

Regrettably the Knysna Municipality, the custodian of the Sedgefield Cemetery is currently prohibited in terms of a High Court Order obtained by New Line Investments (Pty) Ltd, Avieprop Developments (Pty) Ltd and Aviemore Home Owners Association to enter upon or to use the land as a cemetery.

The Municipality was further ordered to close all burial grounds or areas prepared for use as burial grounds at the Sedgefield Cemetery.

This order remains intact while an ownership, land use rights and necessary authorization dispute between Newline Investments and the Knysna Municipality can be resolved.

The then Sedgefield Municipality obtained a Record of Decision (ROD) in terms of the old Environmental Conservation Act to develop the property as a cemetery after the land was expropriated from Dr van der Merwe during 1999.

Sadly Dr van der Merwe passed away and while winding up his estate it was found that the property was still registered in his name and as such was sold from the estate to Newline Investments.

Now Newline Investments claim ownership of the property and they do not acknowledge that the property was expropriated. They took further exception to the use of the property as a cemetery, stating that the property is zoned - Agricultural Zone I. They state that the necessary statutory authorisation as required by various Acts must be obtained.

“We and Newline Investments are currently in negotiations regarding the ownership, and if no satisfactory settlement can be reached, the question of ownership shall be decided by a court of law,” said Knysna Acting Municipal Manager, Johnny Douglas.

He added: “We are advised that should the matter be referred to court, it may take between 18 to 36 months to obtain judgment, where after, if we are successful, we still would need to apply for the proper legislative authorisation.”

The Municipality’s proverbial hands are tied as they may not proceed to develop or use the cemetery illegally and in contravention of the court order and legislation.

“The Knysna Municipality has the greatest understanding of the community’s frustration and I sympathise and empathise with all members of the public whose relatives and friends are buried in the cemetery. I undertake to revert back to the Sedgefield community leaders on the progression of this matter,” added Mayco Chair: Community Services, Cllr Cathy Weideman.

ENDS

CAPTION

Knysna Municipality Communications Department
P O Box 21. Knysna. 6570. Western Cape. South Africa
e-mail pr@knysna.gov.za
Tel +27 (0)44 302 6300 (switchboard)
or +27 (0)44 302 6430 (direct)