



Collab. Ref.:
File Ref.: 16370 Kny
S Madumbo
Tel: 044-302 6318

KNYSNA
Municipality Munisipaliteit uMasipala
INCLUSIVE. INNOVATIVE. INSPIRED.

Via Email

2020-05-28

Delplan Consulting
Email: wessel@delplan.co.za; delarey@delplan.co.za

Dear Sir/Madam,

PROPOSED AMENDMENT OF SITE DEVELOPMENT PLAN & DEPARTURE:
ERF 16370, KNYSNA

Your application in the above regard, dated 10 September 2019, refers.

Please be advised that the Authorised Official, in terms of delegation Q.78 authorised in terms of Council Resolution SC01/09/19, dated 5 September 2019, has made the following decision:

1. That **Approval Be Granted** in terms of Section 60 of the Knysna Municipality By-law on Municipal Land Use Planning, 2016, for a departure from the Knysna Zoning Scheme Regulations (1992) for the relaxation of the eastern lateral building line from 6m to 1.5m to enclose the existing patio on Erf 16370 Knysna, as indicated on the site development plan numbered 1909-01, dated 02 September 2019 drawn by SDK Architects.
2. That, in terms of Section 66 of the Knysna Municipal Land Use Planning Bylaw, 2016, the following conditions be imposed:
 - a) The property owner shall take responsibility for ensuring compliance with all conditions of approval;
 - b) Building plans shall be submitted in terms of the National Building Regulations and Building Standards Act, 1977 (Act No. 3 of 1977) to the Municipality for approval prior to any building work being undertaken;

- c) This approval applies to the application as outlined above and may not be construed as authority to depart from any other legal prescriptions or requirements;
- d) Any action taken by the applicant in connection with the approval shall be regarded as acceptance and compliance with the conditions including indemnity;
- e) This approval shall lapse in the event of the applicant not complying with any of the conditions as imposed by Council;
- f) A new site development plan shall be submitted for any future deviation from the approved site development plan as indicated on Drawing Number: 1909-01 dated 02 September 2019;
- g) The proposed building plans may not differ substantially from the site development plan No 1909-01 dated 02 September 2019;
- h) All conditions of approval contained in all previous approvals still applies, where relevant.

The reasons for the above decision are as follows:

- The proposal is in line with the principles as set out under Section 59 of the Land Use Planning Act, No. 3 of 2014 (LUPA).
- The application is in line with the current Spatial Development Framework or the Integrated Development Plan.
- No negative comments or objections were received from internal parties or otherwise.
- The proposed departures will have no negative impact on the surrounding neighbours' rights, amenities or the beneficial use of the properties.
- The enclosure of the balcony will not result in any additional building footprint but only additional office space.
- This proposal included five additional parking bays to the development to cater for the additional office space.
- The greater public will enjoy the benefits of the additional medical care facility.

You are hereby informed of your right to appeal to the Appeal Authority in terms of Section 79(2) of the said legislation.

1.1 The attached appeal form must be completed and should be directed to the Appeal Authority and received by the Acting Municipal Manager, P.O Box 21, Knysna or via email to knysna@knysna.gov.za , within 21 days of notification of this decision together with proof of payment of the appeal fee.

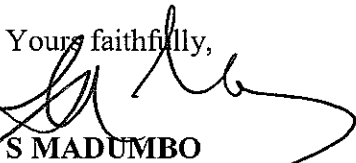
1.2 You are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.

1.3 The notice must be served in accordance with Section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

Kindly note that this decision is not subject to a right of appeal in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Should you have any further enquiries, please contact Steward Mqhele on telephone number: 044-302 6339 or via e-mail address: smqhele@knysna.gov.za.

Yours faithfully,



S MADUMBO

ACTING SENIOR TOWN PLANNER

Delegations: Q.78

/lb

Cc: Building Control Officer: R Daames