

Collab Number: 624215

Application Number: 1352

Responsible Official: Smqhele

**KNYSNA**

Municipality Munisipaliteit uMasipala

**REGISTERED MAIL**

18 April 2017

P C Brits  
14 Blue Gill Avenue  
Groenvallei  
Sedgefield  
6573

Dear Sir/Madam,

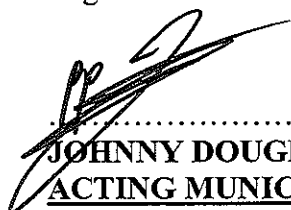
**ERF 2871 SEDGEFIELD: APPROVAL FOR TEMPORARY USE DEPARTURE IN TERMS OF THE KNYSNA MUNICIPALITY BY-LAW ON MUNICIPAL LAND USE PLANNING BY- LAW 2016.**

1. Your application for temporary use departure of 11 October 2016 refers.
2. The Manager Town Planning and Building Control, Mr Hennie Smit, in his capacity as Authorised Employee, has made the following resolution on 10 April 2017 for the aforementioned application:
3. That, **Approval Be Granted** in terms of Section 60 of the Knysna Municipal Land Use Planning By- Law, 2016 in terms of Section 15 (2)(c), for a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights listed under Single Residential Zone in the Sedgefield Zoning Scheme Regulations of (1980) in order to operate a "care facility" for Alzheimer and Dementia individuals on Erf 2871 Sedgefield as indicated on Drawing No: 2871 dated 01 December 2017 Drawn By Nicolas Beech;
4. **The above approval is subject to the following conditions:**
  - (a) 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;
  - (b) This approval is valid for no more than 5 years from the date of this letter;
  - (c) This approval shall lapse in the event of the applicant not complying with any of the conditions as imposed by Council.
  - (d) Applicant is to ensure that a signage is erected to demarcate visitors parking and that a red line is drawn to indicate that 'no parking on street is allowed'.

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5. Reasons for the above decision are as follows:
- The proposal is in line with the Section 59 of Land Use Planning Act, No. 03 of 2014 (LUPA). The principles of spatial justice, spatial sustainability, efficiency and good administration.
  - No objections have been received to this application.
  - The proposal does not impact negatively to the neighbouring property rights.
  - The proposal will not impede on any of the surrounding property owners rights.
  - No nuisance is envisaged.
6. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the Knysna Standard Municipal Land Use Planning By- Law (2016).
- 6.1 The attached appeal form must be completed and should be directed to the Appeal Authority and received by the Municipal Manager. PO Box 21, Knysna or via email to [knysna@knysna.gov.za](mailto:knysna@knysna.gov.za), within 21 days of notification of this decision together with proof of payment of the appeal fee.
- 6.2 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 (see attached list). Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
- 6.3 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 the date of notification of the appeal.
7. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act (Act No 32 of 2000).

Regards

  
.....  
**JOHNNY DOUGLAS**  
**ACTING MUNICIPAL MANAGER**  
/smq