

Collab Number:

Application Number: 1382

Responsible Official: SOLOMONR

Date: 2016-11-07

LIZEMARIE BOTHA

P O BOX 173

KNYSNA

6570

**E-mail:** lizemarie@vpmsa.co.za

Dear Madam,

**ERF 201679000, SEDGEFIELD: APPROVAL OF DEPARTURE APPLICATION IN TERMS OF KNYSNA STANDARD MUNICIPAL LAND USE PLANNING BY- LAW 2016.**

1. Your Application for departure submitted on 31<sup>st</sup> August 2016 refers.
2. That approval be granted by the Manager Town Planning and Building Control, Mr Hennie Smit, in his capacity as Authorised Employee, in accordance with Section 60 of Knysna Municipality By-law on Municipal Land Use Planning for the Departure in terms of Section 15 (2) (b) for the relaxation of the street building line from 5,0m to 4m to allow for the construction of a staircase as indicated on the Drawings (Drawing number WIL 16 1/301 and dated 23/08/2016) by Format Form.
3. This approval is subject to the following conditions:
  - a) This land use approval is to accompany the building plan submission;
  - b) Building plans submission shall not differ substantially from plans drawn by Format Form, Drawing number WIL 16 1/301 and dated 23 August 2016;
  - c) Any discrepancies or changes could lead to the building plan being rejected or cause delays;
  - d) Any changes to the plan submission would result in the re-submission of the land use application;
  - e) Building plans shall be submitted in terms of National Building Regulations and Building Standard Act 1977( Act 103 of 1977) to the municipality for approval prior to any building work being undertaken;
  - f) Any Municipal services detected should be protected to the satisfaction of the Director Technical Services;
  - g) This approval applies to the departure application as outlined and may not be construed as authority to deviate or ignore any other legal requirements.
  - h) The property owner shall take responsibility for ensuring compliance with all conditions of approval; and
  - i) This approval shall lapse in the event of the applicant not complying with any of the conditions as imposed by Council.
4. Reasons for the above decision are as follows:
  - The proposal is in line with the Section 59 of the Land Use Planning Act (Act No. 03 of 2014).

- The SPLUMA principles of spatial justice, spatial sustainability, efficiency and good administration.
- The proposal is consistent with Knysna Standard Municipal Land Use Planning By-Law (2016).
- No negative comments or objections were received.
- The proposal does not impact negatively to the neighbouring property owners rights.
- The proposed development on the property will enhance the value of the property.

5. 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).
- 5.1 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.
- 5.2 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.
- 5.3 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.
6. 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



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**BEVAN R ELLMAN**  
ACTING MUNICIPAL MANAGER