



Collab. Ref.: 864 819

File Ref.: 5110 Kny

S Madumbo

Tel: 044-302 6318

KNYSNA

Municipality Munisipaliteit uMasipala

INCLUSIVE. INNOVATIVE. INSPIRED.

Via Email

2020-06-11

Marike Vreken Town Planners

PO Box 2180

KNYSNA

6570

Email: info@vreken.co.za

Dear Sir/Madam,

PROPOSED TEMPORARY USE DEPARTURE: ERF 5110, KNYSNA

Your application in the above regard, dated 28 February 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 the application in terms of Section 15 (2)(c) of the By-law, for a departure granted on a temporary basis to utilise the existing building for a guest house in respect of Erf 5110, Knysna, as indicated on Plan No: PR1868SDP01, dated 29 January 2019, drawn by Marike Vreken Town Planners CC.
2. That, in terms of Section 66 of the Knysna Municipal Land Use Planning Bylaw, 2016, the following conditions be imposed:
 - a) This approval applies to the application as set out above and may not be construed as authority to depart from any other legal prescriptions or requirements;

- b) The temporary use departure shall be valid for a period of 5 years or until the date of the confirmation of the subdivision in respect of application numbered. 1803 approved on 25 October 2018;
- c) The property owner shall take responsibility for ensuring compliance with all conditions of approval;
- d) This approval shall lapse in the event of the applicant not complying with any of the conditions as imposed by the Municipality.
- e) The applicant is to submit an amended Site Development Plan for approval in terms of Section 15(2)(l) of the Knysna Municipality By-Law on Municipal Land Use Planning (2016) to the land use management department within 6 months of the date of approval in order to ensure that the minimum parking bays are complied with.

3. That the following reasons be given for the approval of the application:

- The proposal does not negatively affect the neighbour's properties rights.
- The application is not inconsistent with the Spatial Development Framework of 2017.
- There will be no impact on engineering services as the services are already installed.
- The proposed guest house has been operating for years without any complaints from any of the surrounding property owners.

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