

ANNEXURE A.

Power of Attorney

SPECIAL POWER OF ATTORNEY

We, Nicolaas Marcus

..... the undersigned,

do hereby nominate, constitute and appoint
MARIKE VREKEN - TOWN AND REGIONAL PLANNERS
with power of Substitution to be *my/our lawful representatives in *my/our application for:

DEPARTURE

on

BUFFALO BAY ERF 81

In addition to apply for such amendments of any zoning schemes / structure plans as may be deemed necessary and to make other necessary application and further to represent *me/us at any inquiry in relation to the abovementioned matters and generally do whatever may be necessary or desirable to procure the approval of the application, by virtue of those present and whatever our said representative have to date done herein.

Signed at ... Landon on this ... 26 ... day of ... July ... 2014

SIGNED: 


SIGNED:

SIGNED:

In the presence of the undersigned witnesses:

AS WITNESSES:

1.  / RACHEL APPLEBY

2.  / Mallory Koebel

ANNEXURE B.

Application Form



KNYSNA MUNICIPALITY

The Chief Town Planner
P.O. Box 21
Knysna
6570

Tel: (044) 302-6330
Fax: (044) 302-6338

TOWN PLANNING AND ENVIRONMENT DEPARTMENT

1. **APPLICATION IS HEREBY MADE FOR THE FOLLOWING (Tick Applicable Box):**

a) Consent in terms of the relevant Zoning Scheme conditions for a:

- i. Second Dwelling Unit (in a Single Residential Zone) or an Additional Dwelling (in a Residential Zone 1)
- ii. Place of Entertainment (in a Business Zone);
- iii. Professional Use (in a General Use Zone); Other Use (as Specified); and / or

b) A Departure (for an alteration of the conditions in respect of a particular zone) in terms of section 15(1)(a)(i) of the Land Use Planning Ordinance (No. 15 of 1985) for a relaxation of the:

- i. Lateral (side) building line(s) from m to m; and / or
- ii. Rear building line from m to m; and / or
- iii. Street building line from4..... m to0..... m; and / or
- iv. Coverage factor from % to %; and / or
- v. Building height restriction from m to m; and / or
- vi. Lateral / Street boundary wall / fence height restriction from m to m;
- vii. Other zoning scheme condition(s) (as specified) ; and / or

c) A Temporary Use Departure in terms of Section 15(1)(a)(ii) of the Land Use Planning Ordinance (No. 15 of 1985) (for a purpose for which no provision has been made in the conditions in respect of a particular zone) in order to permit

on Erf**81**....

Knysna-	Sedgefield	Buffalo Bay	Brenton	Belvidere	Ptn
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 of Farm No ; as detailed on Drawing No.: dated

2. The area of the erf is**549**... m², the street / farm's address is**81 Galjoen Street, Buffalo Bay**..... and it is zoned**Residential Zone I**..... . In respect of a Second Dwelling Unit, the floor area of the main dwelling is m² and that of the second dwelling unit is m².

The motivation for the proposal is as follows (See back of this page for assistance) (Additional motivation may be provided on a separate sheet):

.....**see attached motivation report**.....
.....
.....
.....

4. I hereby confirm that:

- a) There are no restrictive Title Deed conditions which may affect the application;
- b) There are restrictive Title Deed conditions which affect the application and a separate application in terms of the Removal of Restrictions Act (No. 84 of 1967) is attached.

- 5. a) I require the proposal to be advertised in the prescribed manner, for my account;
- b) I have obtained the written comment of the affected owners and attach originals thereof.

6. ~~I attach a copy of the bondholder's consent~~ / **The property is not bonded. (DELETE WHICHEVER IS NOT APPLICABLE);**

7. I hereby confirm that the information furnished is correct, accurate and complete:

Owner of Property

NAME: **Nicolaas Floris Marais & Mariette Marais**.....POSTAL ADDRESS

TEL: FAX: CELL: SIGNATURE DATE:

Applicant (if not owner)

NAME ...**Marike Vreken Town Planners**..... POSTAL ADDRESS ...**PO Box 2180, Knysna 6570**.....

TEL: 044 382 0420 FAX: ...044 382 0438... CELL: 082-927-5310. SIGNATURE ..



DATE: 16 July 2014

INSTRUCTIONS FOR ASSISTANCE IN COMPLETION OF THE APPLICATION FORM

1. Consult the checklist for the documentation required to be submitted with the application.
2. Motivation for the proposal should address the following:
 - a) For a Departure: Why it is not considered possible to develop within the Zoning Scheme parameters?;
 - b) For a Consent Use: Why the premises are considered suitable for the proposed use?;
 - c) For a Temporary Use Departure: Why the use of the erf cannot comply with the provisions of any particular zone?;
 - d) What the impacts (e.g. Traffic, noise, privacy, additional load on the municipal services) of the proposed development / use will be on the surrounding area?;
 - e) What measures will be taken to reduce the impacts noted in (d) above?

Please note that applications have previously been refused due to a lack of motivation.
3. An Additional Dwelling Unit ("Granny Flat") requires a Departure approval, except in the area of the Knysna Zoning Scheme (1992), where a 2nd Dwelling Unit is a Consent Use in a Single Residential Zone. The floor of a 2nd Dwelling Unit may not exceed $\frac{1}{3}$ of the floor area of the main dwelling, up to a maximum of 90m² (in the Knysna Zoning Scheme area) or 120m² (in the rest of the Municipal area).
4. For a relaxation of a Scheme condition (e.g. Building line), it is generally sufficient that owners of the immediately surrounding erven are consulted (including those directly across the street, if necessary). However, the Building Control Officer may require additional owners to be consulted if in his opinion they will be affected. If an applicant is able to obtain the written comment of affected owners, then the advertising deposit need not be paid. If in doubt with respect to which landowners to consult, and / or the need for advertising in the press, please contact the Town Planning and Environment Department of the Knysna Municipality.
5. Where a change in use (Temporary Use Departure) is proposed, the application must be advertised in the press (and the Provincial Gazette), and the relevant deposit is payable.
6. If the proposal is in conflict with the erf's Title Deed conditions, a simultaneous application in terms of the Removal of Restrictions Act (No. 84 of 1967) must be made on the relevant application form. A copy of the completed Removal of Restrictions application form, with payment, must accompany this application, and the original and another copy must be submitted to the Provincial Government of the Western Cape as indicated on the form. The proposal will not be advertised until instructions are received by the Municipality from the Provincial Government.
7. If there is a bond over the property, a copy of the bondholder's written consent must accompany the application.
8. The applicant must ensure that a permit is obtained for disturbance of vegetation or excavation if the erf is subject to the provisions of the Outeniqua Sensitive Coastal Area Extension regulations.
9. Please note that the application fees indicated are current at the time, and are subject to amendment. Payment is to be made to the Town Treasurer, and proof of payment is to accompany the application.
10. The person who makes the application must sign the form, but if this person is not the registered owner of the erf, then the signature / Power of Attorney of the owner must accompany the

application. It is the responsibility of the applicant to ensure the correct, accurate and complete information is furnished with the application.

11. Failure to provide full and correct information in the application form and accompanying plans / documentation may result in the application being returned and the application fee forfeited. Kindly ensure that the application is correctly submitted in order to avoid delays in processing.

ANNEXURE C.

Title Deed



Deeds Office Property

BUFFALO BAY, 81, 0 (CAPE TOWN)

GENERAL INFORMATION

Deeds Office CAPE TOWN
 Date Requested 2014/07/15 08:02
 Information Source DEEDS OFFICE
 Reference PR1430

PROPERTY INFORMATION

Property Type ERF
 Erf Number 81
 Portion Number 0
 Township BUFFALO BAY
 Local Authority SEDGFIELD MUN
 Registration Division KNYSNA RD
 Province WESTERN CAPE
 Diagram Deed T18128/1981
 Extent 549.0000SQM
 Previous Description -
 LPI Code C0390015000008100000

OWNER INFORMATION

Owner 1 of 2

Person Type PRIVATE PERSON
 Name MARAIS NICOLAAS FLORIS
 ID Number 6401225105083
 Title Deed T21165/2014
 Registration Date 2014/04/25
 Purchase Price (R) 8,000,000
 Purchase Date 2013/12/28
 Share 0.500000
 Microfilm Reference
 Multiple Properties NO
 Multiple Owners NO

Owner 2 of 2

Person Type PRIVATE PERSON
 Name MARAIS MARIETTE
 ID Number 6307080151080
 Title Deed T21165/2014
 Registration Date 2014/04/25
 Purchase Price (R) 8,000,000
 Purchase Date 2013/12/28
 Share 0.500000
 Microfilm Reference
 Multiple Properties NO
 Multiple Owners NO

ENDORSEMENTS

No documents to display

HISTORIC DOCUMENTS (5)

#	Document	Owner	Amount (R)	Microfilm
1	B42895/1999	-	UNKNOWN	2002 0270 5071
2	B13267/2002	-	UNKNOWN	2002 0270 5072
3	B39315/2004	-	UNKNOWN	2004 0552 4093
4	T18128/1981	WESTHUIZEN CORNELIUS MARTIN VAN DER	UNKNOWN	2002 0270 5045
5	T17299/2002	JANING PTY LTD	840,000	2004 0552 4087

DISCLAIMER

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Opgestel deur my

TRANSPORTBESORGER
NICOLE ROKEBRAND

TRANSPORTAKTE

HIERBY WORD BEKEND GEMAAK DAT

voor my verskyn het, REGISTRATEUR VAN AKTES te Kaapstad, hy die genoemde komparant synde behoorlik daartoe gemagtig deur 'n Volmag aan hom verleen deur

JANING PROPRIETARY LIMITED
Registration number 2001/013739/07

geteken te

op

En genoemde Komparant het verklaar dat sy prinsipaal, op 28 Desember 2013, waarlik en wettiglik verkoop by Privaat ooreenkoms, en dat hy, in sy voorgenoemde hoedanigheid hierby sedeer en transporteer aan en ten gunste van

1. **NICOLAAS FLORIS MARAIS**
Identiteitsnommer 640122 5105 08 3
Getroud buite gemeenskap van goed
2. **MARIETTE MARAIS**
Identiteitsnommer 630708 0151 08 0
Getroud buite gemeenskap van goed

hulle Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes,

ERF 81 BUFFELSBAAI, IN DIE MUNISIPALITEIT EN AFDELING VAN KNYSNA,
PROVINSIE WES-KAAP

GROOT 549 (VYF HONDERD NEGE EN VEERTIG) Vierkante Meter

EERSTE OORGEDRA kragtens Transportakte Nr. T18128/1981 met Algemene Plan TP 9939 wat daarop betrekking het en gehou kragtens akte van Transport T17299/2002.

ONDERHEWIG AAN DIE VOLGENDE VOORWAARDES:

- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Kroongrondbrief Nr. 41/1948 uitgereik op 15 Maart 1948 en geregistreer op 31 Maart 1948;
- B. ONDERHEWIG VERDER aan die volgende voorwaardes vervat in die gemelde Kroongrondbrief Nr. 41/1948, naamlik:-

“(1) Die grondbriefnemer, sy opvolgers-in-titel of regverkrygendes moet voldoende voorsorgmaatreëls tref om die ontstaan van waaisand op die grond te voorkom.

Indien daar ten spyte van sodanige voorsorgmaatreëls nogtans waaisand op die grond ontstaan, sal die grondbriefnemer, sy opvolgers-in-titel of regsverkrygendes verplig wees om sodanige waaisand op eie koste te herwin tot bevrediging van die Departement van Bosbou.

Indien die grondbriefnemer, sy opvolgers-in-titel of regverkrygendes sou versuim om betyds stappe te doen om enige waaisand wat op die grond mag ontstaan tot bevrediging van die Departement van Bosbou te herwin, sal genoemde Departement die reg hê om die nodige herwinningswerk self te doen of te laat doen en om die koste daaraan verbonde van die grondbriefnemer, sy opvolgers-in-titel of regverkrygendes te verhaal.”

- C. ONDERHEWIG VERDER aan die volgende voorwaardes opgelê deur die Administrateur van die Provinsie Kaap die Goeie Hoop ingevolge Ordonnatie Nr. 33 van 1934 met die goedkeuring van die stigting van die Buffalo Bay Dorp:- soos uiteengesit in Transportakte Nr. T18128/1981:

1. Alle woorde en uitdrukkings wat in die volgende voorwaardes gebesig word, het dieselfe betekenis as wat daaraan geheg word by die regulasies afgekondig by Provinsiale Kennisgewing Nr. 623 van 14 Augustus 1970.

2. Ingeval 'n dorpsaanlegskema of enige gedeelte daarvan op hierdie erf van toepassing is of daarop van toepassing gemaak word, sal enige bepalinge daarvan wat meer beperkend is as enige voorwaardes van eiendomsreg wat op hierdie erf van toepassing is voorkeur geniet. Enige bepaling van die voorwaardes moet nie opgevat word as sou dit die bepaling van artikel 146 van Ordonnansie Nr. 15 van 1952, soos gewysig, vervang nie.
3. Geen gebou op hierdie erf mag gebruik word of van gebruik verander word vir 'n ander doel as wat volgens hierdie voorwaardes toegelaat word nie.
4. Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding toe te laat at elektrisiteits-, telefoon- of televisiekabels of –drade en hoof- en/of ander waterpype en die rioolvuil en dreinerings, insluitende stormwater van enige ander erf of erwe, binne of buite hierdie dorp, oor hierdie erf gevoer word indien dit deur die plaaslike of ander statutêre owerheid nodig geag word, en wel op die wyse en plek wat van tyd tot tyd redelikerwys vereis word. Dit sluit die reg op toegang te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te wysig, te verwyder of te inspekteer.
5. Die eienaar van hierdie erf is verplig om sonder vergoeding op die erf die materiaal te ontvang of uitgrawings op die erf toe te laat al na vereis word, sodat die volle breedte van die straat gebruik kan word en die wat veilig en behoorlik skuins gemaak kan word omrede van die verskil tussen die hoogte van die straat soos finaal aangelê en die erf tensy hy verkies om steunmure te bou tot genoeë van en binne 'n tydperk wat die plaaslike owerheid bepaal.
 - (a) Hierdie erf mag alleenlik gebruik word vir die oprigting daarop van een woning, of ander geboue vir die doeleindes wat die Administrateur van tyd tot tyd, na oorleg met die Dorpekommissie en die plaaslike owerheid, goedkeur, met dien verstande dat, indien die erf in die gebied van 'n dorpsaanlegskema ingesluit is, die plaaslike owerheid enige ander geboue wat deur die skema toegelaat word, kan toelaat onderworpe aan die voorwaardes en beperkings wat in die skema bepaal word.
 - (b) Geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, mag behalwe met die toestemming van die Administrateur nader as 5 meter van die straatlyn wat 'n grens van hierdie erf uitmaak, asook nie binne 3 meter van die agtergrens of 1,5 meter van die sygrens gemeen aan enige aangrensende erf opgerig word nie, met dien verstande dat met die toestemming van die plaaslike owerheid –
 - (i) 'n buitegebou wat uitsluitend vir die stalling van motorvoertuie gebruik word en hoogstens 3 meter hoog is, gemeet van die vloer van die buitegebou tot by die muurplaat daarvan, binne sodanige sy- en agterruimtes opgerig mag word vir 'n afstand van 12 meter gemeet van die agtergrens van die erf, met dien verstande dat in geval van 'n hoekerf die afstand van 12 meter gemeet moet word van die punt wat die verste is van die strate wat die erf begrens;
 - (ii) 'n buitegebou ingevolge subparagraaf (i) slegs nader aan 'n sygrens of agtergrens van 'n perseel as die afstand hierbo voorgeskryf, opgerig mag word indien geen vensters of deure in enige muur, wat op sodanige grens front, aangebring word nie.
 - (c) By die konsolidasie van hierdie erf of enige gedeelte daarvan met enige aangrensende erf wat onderworpe is aan dieselfde voorwaardes as die

wat hierin uiteengesit word, is hierdie voorwaardes op die gekonsolideerde eiendom van toepassing asof dit een erf is.

- (d) Ingeval hierdie erf onderverdeel word, is elke onderverdeelde gedeelte, uitgesonderd 'n gedeelte afgesny vir pad- of derglike doeleindes, onderworpe aan die voorwaardes hierin uiteengesit asof dit die oorspronklike erf is.

WESHALWE die komparant afstand doen van al die regte en titel wat

JANING PROPRIETARY LIMITED Registration number 2001/013739/07

voorheen op genoemde eiendom gehad het, en gevolglik ook erken het dat dit geheel en al van die besit daarvan onthef en nie meer daartoe geregtig is nie en dat, kragtens hierdie akte, bogenoemde

1. **NICOLAAS FLORIS MARAIS , Getroud soos vermeld**
2. **MARIETTE MARAIS , Getroud soos vermeld**

hulle Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes, tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat en ten slotte erken hulle dat die verkoopprijs die bedrag van **R8 000 000,00 (Agt Miljoen Rand)** beloop.

TEN BEWYSE WAARVAN ek, genoemde Registrateur, tesame met die Komparant hierdie Akte onderteken en dit met die ampseël bekragtig het.

ALDUS GEDOEN EN VERLY op die Kantoor van die REGISTRATEUR VAN AKTES te Kaapstad op 2014

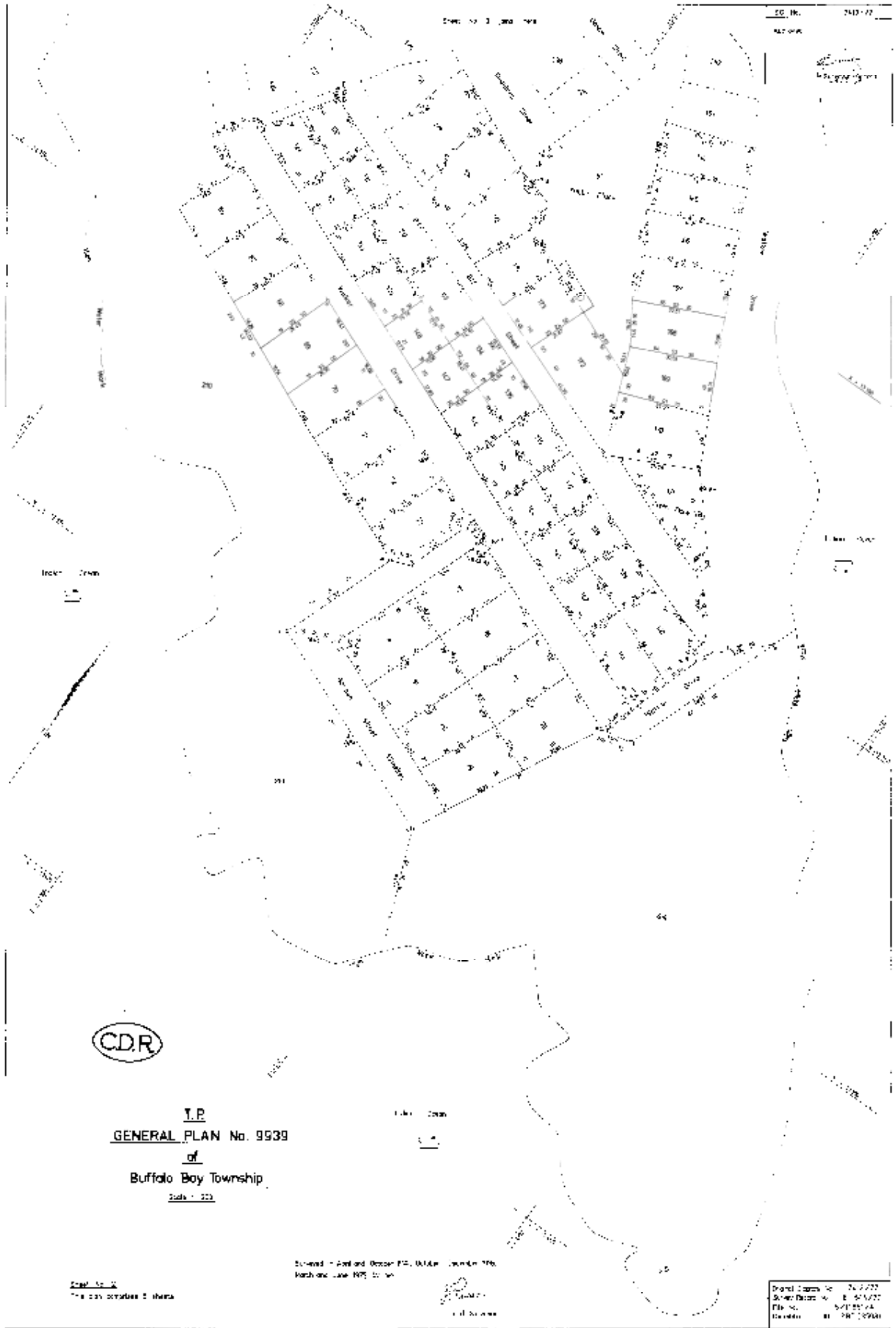
q.q.

In my teenwoordigheid

REGISTRATEUR VAN AKTES

ANNEXURE D.

SG Diagram



CDR

I.P.
GENERAL PLAN No. 9939
of
Buffalo Bay Township
 2011

Scale: 1" = 200'
 The city reserves all rights.

Reviewed by: [Signature] and [Signature] P.E., M.A.S.P., L.L.M., L.S.P., L.P.E.
 March and June 1999

[Signature]
 City Engineer

Project Number: 99-0001
 Date: 10/1/99
 File No.: 99-0001
 Revision: 01 08/15/99