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**ANNEXURE A.**

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*Power of Attorney and Company Resolution*

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**SPECIAL POWER OF ATTORNEY**

We, BESTWEST 68 CC (represented by LESLIE PIETERS)

..... 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:

**TEMPORARY LAND USE DEPARTURE**

on

**KNYSNA ERF 606**

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 Knysna on this 6<sup>th</sup> day of OCTOBER 2014

SIGNED:  LESLIE PIETERS

SIGNED:  CHARLES F. TONDER

SIGNED: .....

In the presence of the undersigned witnesses:

**AS WITNESSES:**

1. ....

2. ....

**Bestvest 68 CC**

(Name of Company, Partnership, Trust or Close Corporation)

**RESOLUTION**

Resolution passed at the meeting of the Shareholders/ Partners/ Trustees/ Members held in KNYSNA on the 10<sup>th</sup> day of SEPTEMBER 2014.

Resolved that LESLIE PIETERS in his capacity as MEMBER, be and is hereby authorized to do whatever may be necessary to give effect to this resolution and to enter into and to sign such documents necessary to proceed with the applications as specified hereunder on behalf of the Company/ Partnership/ Trust/ Close Corporation with such modification as he/ she in his/ her sole discretion shall deem fit, his/ her signature to be conclusive proof that the documents which bear it are authorised in terms hereof.

**DESCRIPTION OF PROPERTY:**

KNYSNA ERF 606

**NATURE OF APPLICATION:**

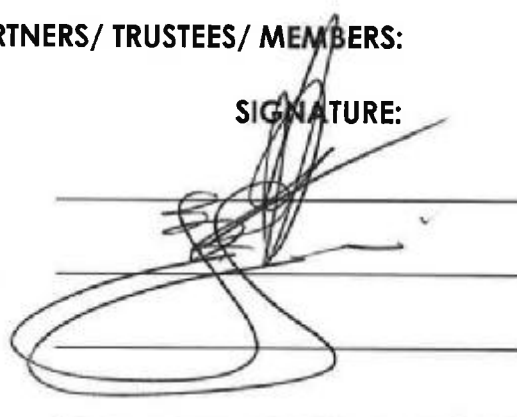
TEMPORARY LAND USE DEPARTURE

**SIGNATURE OF SHAREHOLDERS/ PARTNERS/ TRUSTEES/ MEMBERS:**

**NAME:**

LESLIE PIETERS  
CHARLES IOHANNES VAN TONDER.  
\_\_\_\_\_  
\_\_\_\_\_

**SIGNATURE:**

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**ANNEXURE B.**

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*Application Form*

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# 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 from ..... m to ..... 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 **the property to be used for business purposes** .....

on Erf .....**606**. 

Knysna	Sedgefield	Buffalo Bay	Brenton	Belvidere
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 Ptn ..... of Farm No ..... ; as detailed on Drawing No.: .....1381..... dated .....1905.....

2. The area of the erf is .....**1190**... m<sup>2</sup>, the street / farm's address is .....**21 Gordon Street, Knysna**..... and it is zoned .....**Single Residential Zone**..... In respect of a Second Dwelling Unit, the floor area of the main dwelling is .....**+278m<sup>2</sup>** and that of the second dwelling unit is ...**+166 m<sup>2</sup>**.

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

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

**Owner of Property**

NAME: **Bestvest 68cc CK no No. 2003/057216/23** POSTAL CODE.....

TEL: ..... FAX: ..... CELL: ..... SIGNATURE ..... DATE: 16 October 2014

**Applicant** (if not owner)

NAME ...**Marike Vreken**.....

POSTAL ADDRESS ...**PO Box 2180, Knysna 6570**.....

*H. L. L. L.*

DATE: 16 October 2014

## INSTRUCTIONS FOR ASSISTANCE IN COMPLETION OF THE APPLICATION FORM

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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 2<sup>nd</sup> Dwelling Unit is a Consent Use in a Single Residential Zone. The floor of a 2<sup>nd</sup> Dwelling Unit may not exceed  $\frac{1}{3}$  of the floor area of the main dwelling, up to a maximum of 90m<sup>2</sup> (in the Knysna Zoning Scheme area) or 120m<sup>2</sup> (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.

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**ANNEXURE C.**

*Title Deed*

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MILLERS  
293  
TEL: (021) 462 3815

293  
Logan - Martin Inc  
P O Box 6  
Knysna  
6570

Prepared by me

**FEE**  
R. 650.00

CONVEYANCER  
DE VILLIERS JM

VERBIND		MORTGAGED	
VIR FOR R		1 920 000.00	
<b>B</b>	000024158/2005		
18 MAR 2005		REGISTRAR/REGISTRAR	

**T** 000021534/2005

## DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

VIR ENDOORSMENTE KYK BLADSY  
FOR ENDORSEMENTS SEE PAGE 4

**MARILIZE HUGO**

appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said  
appearer being duly authorised thereto by a Power of Attorney which said Power  
of Attorney was signed at KNYSNA on 26 January 2005 granted to him by

**AUTHUR ROBERT ADAMS**  
Identity Number 520629 5046 08 8  
and  
**HESTER JOHANNA MAGDALENA ADAMS**  
Identity Number 550526 0106 08 6  
Married in community of property to each other

**DATA / CAPTURE**  
04 APR 2005  
**COMBRINK A**

And the appearer declared that his said principal had, on 13 December 2004, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**BESTVEST 68 CC**  
**No. CK 2003/057216/23**

or its Successors in Title or assigns, in full and free property

ERF 606 KNYSNA IN THE MUNICIPALITY AND DIVISION OF KNYSNA,  
PROVINCE OF THE WESTERN CAPE;

IN EXTENT 1190 (ONE THOUSAND ONE HUNDRED AND NINETY)  
SQUARE METRES

FIRST TRANSFERRED by Deed of Grant dated 11<sup>th</sup> March 1885 (Knysna  
Quitrents Volume 3 Number 27) with Diagram No. 4621/1884 relating  
thereto and held by Deed of Transfer No T26808/1887.

- A. SUBJECT to the conditions referred to in Deed of Transfer No  
T11579/1906.
- B. SUBJECT AND ENTITLED to the terms of the servitude referred to in the  
endorsement dated 2<sup>nd</sup> July 1965 on Deed of Transfer no. T11579/1906,  
which endorsement reads as follows:

"Registration of Servitude. Para 7

By Deed of Transfer No. T17332/65 registered this day the property held  
hereunder Para 7 namely Erf 606 is entitled to a 1½ feet wide drain  
servitude over Erf 608 measuring 83 Square Roods 48 Square feet  
thereby transferred. The said servitude, which is subject to conditions and  
obligations, runs along the Northwestern boundary of said Erf 608. As will  
more fully appear from said Deed of Transfer."

*Mu*

WHEREFORE the said Appearer, renouncing all right and title which the said

**AUTHUR ROBERT ADAMS and HESTER JOHANNA MAGDALENA  
ADAMS, Married as aforesaid**

heretofore had to the premises, did in consequence also acknowledge them to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

**BESTVEST 68 CC  
No. CK 2003/057216/23**

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R2 400 000,00 (TWO MILLION FOUR HUNDRED THOUSAND RAND).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the Registrar of Deeds at Cape Town on 18 March 2005

Allygo

q.q.

In my presence

[Signature]

REGISTRAR OF DEEDS

For Information Only

[Handwritten mark]

[Handwritten mark]

4

VERBIND		MORTGAGED	
VRI FOR FI 420 000 00			
<b>B</b>	088822/07	7	
18 SEP 2007		PROFITABEL/ROOSTER	

For Information Only

FOR ENDORSEMENT  
FOR ENDORSEMENT

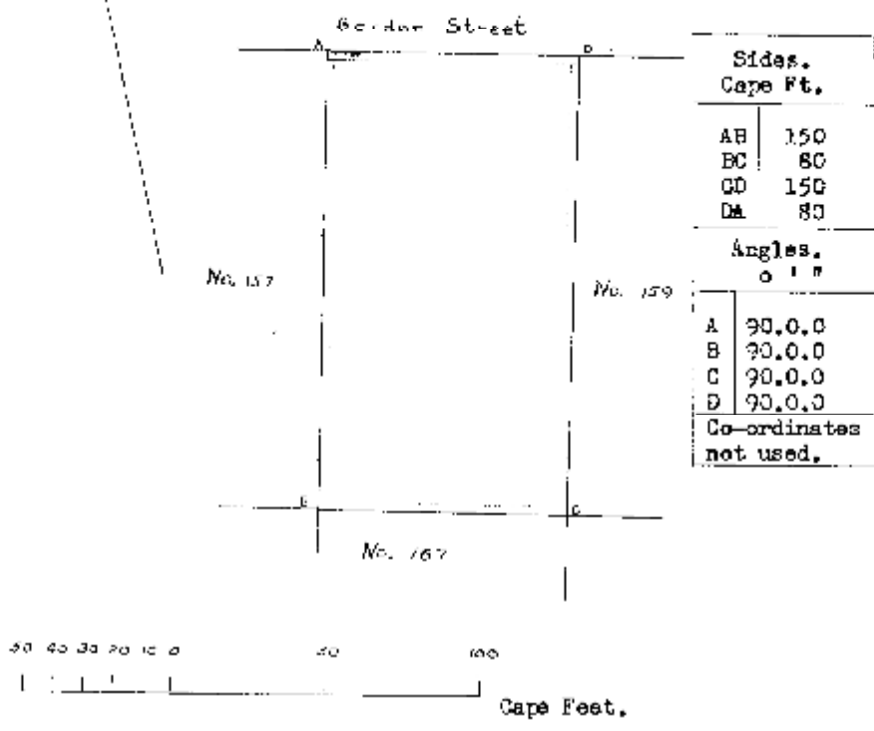
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**ANNEXURE D.**

*SG Diagrams*

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The numerical data of this diagram are mutually consistent.  
 Ded. Plan 2501 JJ. (Sgd.) Max Jurisch,  
 Gen. Plan 1720 PP. Examiner.



\* NO. 158 ERF 606 KNYNSA.

The above diagram lettered A.B.C.D. represents\* Erf No. 158 containing 83 Square Rods 48 Square Feet of ground, situated in the village of Melville, being part of the land at Knysna transferred by the Lords Commissioners of the Admiralty to the Colonial Government on the 9th day of July, 1860.

The above Erf is Bounded.

Northward by Gordon Street  
 Southward " Erf No. 167  
 Eastward " Erf No. 159  
 Westward " Erf No. 157

Framed from actual survey by me,  
 (Sgd.) D. W. Ballot,  
 Govt. Land Surveyor.  
 July, 1883

Called from the diagram relating to  
 Quitrent Kn. G. 3-27  
 11/3/1885.  
 T. Armstrong in trust for and as Guardian of his minor son H. Armstrong.

*Acting*

AM-122/Y.22

C  
B  
S

M 3330

606

A.A.B./R.B.

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**ANNEXURE E.**

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*Copy of Approved building plans*

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- A ALL WORK TO COMPLY WITH NATIONAL BUILDING BY-LAWS
- B ANY DISCREPANCIES OF DIMENSION, LEVELS, SCHEDULES & DETAILS TO BE REPORTED TO THE DESIGNER
- C FIGURE DIMENSIONS MUST BE REFERRED TO SCALED
- D ALL BUILDING MATERIALS MUST CONFORM TO THE RELEVANT S.A.B.S SPECIFICATIONS
- E COPYRIGHT RESERVED ON ALL DRAWINGS

KNYSNA MUNICIPALITEIT MUNICIPALITY PLAN No. 760/2001  
 GOEDGEKEUR / APPROVED  
 Volgens die N.B. Wet No. 103 van 1977, soos gewysig  
 According to N.B. Act No. 103 of 1977 as amended  
*R. Botha* 25/10/2001  
 BCO / TE DATE

THIS APPROVAL DOES NOT ABSOLVE THE APPLICANT FROM COMPLIANCE WITH ANY APPLICABLE TITLE DEED RESTRICTION, ZONING SCHEME REGULATION OR ANY OTHER SIMILAR RESTRICTION WHICH MAY BE APPLICABLE TO THE PROPERTY.

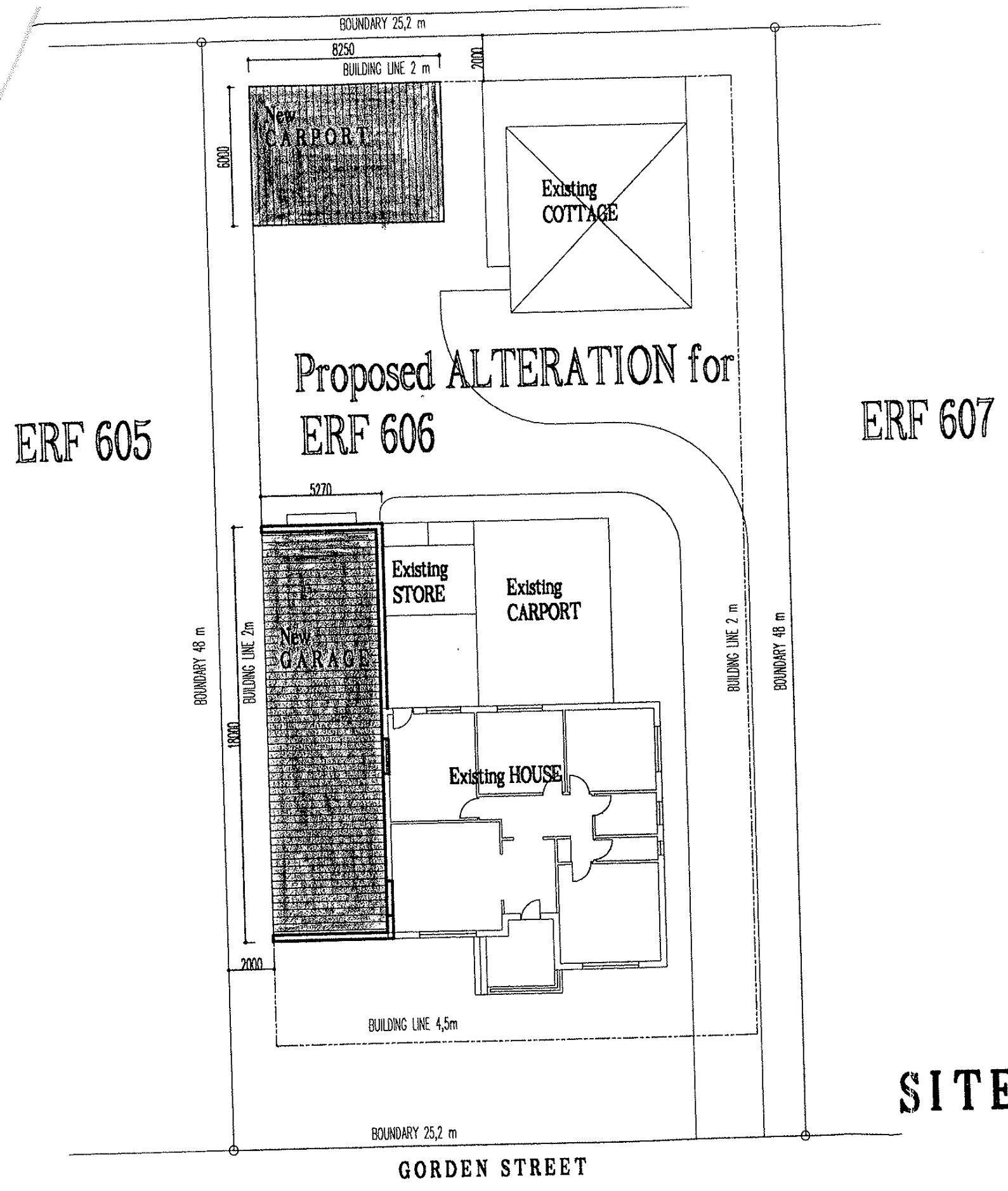
NEW ADDITIONS		
GARAGE	90 SQM	
CARPORT	50 SQM	140 SQM
EXISTING BUILDINGS (Existing Footprint)		296 SQM 232 SQM
COVERAGE		
ERF	1210 SQM	31 %

**CECILIA**  
 ARCHITECTS  
 P.O. Box 2232, Knysna, 6570  
 Telephone: (044) 384 0277  
 Fax: (044) 384 0277  
 email: ceciliabotha@mweb.co.za

Project Title:  
**Proposed ALTERATION for  
 Mr & Mrs ADAMS  
 Erf 606 KNYNSNA**

Description:  
**SITE PLAN**

Scale: 1:200 Drawing No:  
 Date: Sept 2001 N 01/100  
 Rev: 0



10/2001 1:200