

ANNEXURE A:

Power of Attorney & Company Resolution

SPECIAL POWER OF ATTORNEY

We, CARL JEPPE

the undersigned,

do hereby nominate, constitute and appoint
THE AUTHORISED AGENTS OF MARIKE VREKEN TOWN & REGIONAL PLANNERS CC and duly
authorised employees of Marike Vreken Town Planners CC
with power of Substitution to be *my/our lawful representatives in *my/our application for:

PERMANENT DEPARTURE

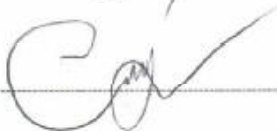
on

PLETTENBERG BAY ERF 2890

In addition to apply for such amendments of any zoning schemes / structure plans /
Removal of Title Deed Restrictions 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 Plettenberg Bay on this 22 day of May 2019

SIGNED:



SIGNED:

SIGNED:

In the presence of the undersigned witnesses:

AS WITNESSES:

1.



2.



EASY STAY SA (PTY) LTD

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

RESOLUTION

Resolution passed at the meeting of the Shareholders/ Partners/ Trustees/ Members held in Plettenberg on the 22 day of May 2019.

Resolved that CARL FERRE in his capacity as Director, 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:

PLETTENBERG BAY ERF 2890

NATURE OF APPLICATION:

PERMANENT DEPARTURE

SIGNATURE OF SHAREHOLDERS/ PARTNERS/ TRUSTEES/ MEMBERS:

NAME:

CARL FERRE

SIGNATURE:

[Signature]

ANNEXURE B:

Application Form



LAND USE PLANNING APPLICATION FORM
BITOU MUNICIPALITY: LAND USE PLANNING BY-LAW

KINDLY NOTE: Please complete this form using BLOCK capitals and ticking the appropriate boxes.

PART A: APPLICANT DETAILS

First name(s)	Marike				
Surname	Vreken				
South African Council for Planners (SACPLAN) registration number (if applicable)	1101				
Company name (if applicable)	Marike Vreken Town Planners CC				
Postal Address	PO Box 2180				
	Knysna	Postal Code	6570		
Email	info@vreken.co.za				
Tel	044 382 0420	Fax	044 382 0438	Cell	082 927 5310

PART B: REGISTERED OWNER(S) DETAILS (if different from applicant)

Registered owner(s)	Easy Stay SA (PTY) LTD				
Physical address				Postal code	
E-mail					
Tel		Fax		Cell	

PART C: PROPERTY DETAILS (in accordance with title deed)

Physical Address	8 Rainbow Place, Plettenberg Bay				
GPS Coordinates	34° 3'22.82"S and 23°22'10.00"E	Town/City	PLETTENBERG BAY		
Current Zoning	Single Residential Zone	Extent	841 m ²	Are there existing buildings?	Y

Applicable Zoning Scheme	Plettenberg Bay Zoning Scheme Section 7	X		LUPO Scheme Regulations: Section 8	
Current Land Use	Guest House				
Title Deed number and date	T	T59065/2018			
Any restrictive conditions?	Y	N	If Yes, list condition(s)		
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies)		
Have you informed the Bondholder of the application?	Y	N	Bond consent has been applied for, and will be submitted in due course.		
Any existing unauthorized buildings and/or land use on the subject property(ies)?			Y	N	If yes, is this application to legalize the building / land use?
Are there any pending court case(s) / order(s) relating to the subject property(ies)?			Y	N	Are there any land claim(s) registered on the subject property(ies)?
			Y	N	

PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation? Preliminary talks were held with Town Planning Department via email		Y	N	If Yes, complete the information below and attach the minutes of the pre-application consultation.	
Official's name	Chris Schliemann	Reference Number	PRE APPLICATION SCOPING MEETING WITH BITOU MUNICIPALITY 22 November 2018	Date of consultation	22 November 2018

PART E: LAND USE PLANNING APPLICATIONS IN TERMS OF SECTION 15 (2) OF THE BITOU MUNICIPALITY: LAND USE PLANNING BY-LAW AND APPLICATION FEES PAYABLE

Tick	Section	Type of application
√	2(a)	a rezoning of land;
√	2(b)	a permanent departure from the development parameters of the zoning scheme;
√	2(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;
√	2(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;
√	2(e)	a consolidation of land that is not exempted in terms of section 24;
√	2(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit;
√	2(g)	a permission required in terms of the zoning scheme;

✓	2(h)	an amendment, deletion or imposition of conditions in respect of an existing approval;
✓	2(i)	an extension of the validity period of an approval;
✓	2(j)	an approval of an overlay zone as contemplated in the zoning scheme;
✓	2(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;
✓	2(l)	a permission required in terms of a condition of approval;
✓	2(m)	a determination of a zoning;
✓	2(n)	a closure of a public place or part thereof;
✗	2(o)	a consent use contemplated in the zoning scheme;
✓	2(p)	an occasional use of land;
✓	2(q)	to disestablish a home owner's association;
✓	2(r)	to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;
✓	2(s)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.

Will you want to advertise upon Municipal Consent?

YES

APPLICATION FEES ** (please note the following)

* Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.

** The applicant is liable for the cost of publishing and serving notice of an application.

*** Relevant fees will be determined by Council, and an invoice will be sent to the applicant accordingly.

PART F: DETAILS OF PROPOSAL

Complete description of proposed development / intent of application:

SEE ATTACHED MOTIVATION REPORT

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION [section 15(2)(a) to (s) of the Bitou Municipality Land Use Planning By- Law]

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete. It will not be considered complete until all required information and documentation have been submitted.

Required minimum documentation required in terms of section 38(1) of said legislation

Y	N/A	Written motivation	Y	N/A	S.G. diagram / General plan extract
Y	N/A	Locality plan	Y	N/A	Site development plan or conceptual layout plan
Y	N/A	Proposed subdivision plan	Y	N/A	Proof of agreement or permission for required servitude

Y	N/A	Conveyancer's certificate		Y	N/A	Minutes of pre-application consultation meeting (if applicable)
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Supporting information and documentation:

Y	N	N/A	Consolidation plan		Y	N	N/A	<u>Land use plan</u> / Zoning plan
Y	N	N/A	Street name and numbering plan					
Y	N	N/A	Landscaping (if applicable)		Y	N	N/A	1:50 / 1:100 Flood line determination (plan / report)
Y	N	N/A	Abutting owner's comment		Y	N	N/A	Home Owners' Association consent
Y	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD) (strikethrough irrelevant)		Y	N	N/A	Services Report or indication of all municipal services / registered servitudes
Y	N	N/A	Copy of any previous approval		Y	N	N/A	Proof of failure of Home owner's association
Y	N	N/A	Proof of lawful use right		Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes
Y	N	N/A	Required number of documentation copies (<u>2 Hard Copies, 8 CD's, additional digital copies could be required</u>)		Y	N	N/A	Other (specify)

PART H: AUTHORISATION(S) OBTAINED IN TERMS OF OTHER LEGISLATION

Y	N	National Heritage Resources Act, 1999 (Act 25 of 1999)		Y	N	Specific Environmental Management Act(s) (SEMA)
Y	N	National Environmental Management Act, 1998 (Act 107 of 1998)				(e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004), National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental
Y	N	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)				
Y	N	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)				

Y	N	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations			Management: Waste Act, 2008 (Act 59 of 2008), National Water Act, 1998 (Act 36 of 1998) (strikethrough irrelevant)
Y	N	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)	Y	N	Other (specify)
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.			
Y	N	If required, do you want to follow an integrated application procedure in terms of section 44(1) of Bitou Municipality: Land Use Planning By-Law ? If yes, please attach motivation.			

SECTION I: DECLARATION

I hereby wish to confirm the following:

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of [section 86\(1\)](#) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and (where applicable) that a copy of the relevant power of attorney or consent are attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. That this submission includes all necessary land use planning applications required, by Bitou Municipality: Land Use Planning By-Law to enable the development proposed herein.
6. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
7. I am aware that development charges to the Municipality in respect of the provision and installation of external engineering services are payable by the applicant as a result of the proposed development.

Applicant's signature:



Date:

23/05/2019

Full name:

Marike Vreken

Professional capacity:

Professional Town Planner

SACPLAN registration
number: 1101

FOR OFFICE USE ONLY

Date received:

Received by:

Municipal Stamp

Municipal Stamp

ANNEXURES

The following Annexures are attached for the applicant's information. Please do not submit these Annexures with the application form.

Annexure A: Minimum requirements matrix

Annexure B: Land use planning application submission and protocol

Annexure C: Land use planning application workflow

ANNEXURE C:

Title Deed

tile copy

307

LYNNE BOTHA ATTORNEYS
BOX 307

TEL: (021) 469-9710

Transfer price/Value	R 2,800 000 00	Office fee	R 1,522.00
Mortgage capital Amount	R		R
Reason for conveyance	Col	Exempt fee	Ant

PREPARED BY ME

CONVEYANCER
BOTHA LYNNE

VERBIND	MORTGAGED
R2,300 000 00	
000028429 / 2018	
DATUM DATE	14 DEC 2018
REGISTRAR/REGISTRAR	

T 000059065 / 2018

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN:

THAT LYNNE BOTHA

appeared before me, Registrar of Deeds, Cape Town, she, the said Appearer being duly authorised thereto by a Power of Attorney granted to her by

DANIEL JACOBUS VAN STRAATEN ERASMUS
IDENTITY NUMBER 551019 5025 088
UNMARRIED

DATED AT PLETTENBERG BAY ON THE 27TH OF NOVEMBER 2018

DATA / VERIF
07 JAN 2019
JAN FONDER ELIZABETH

DATA / CAPTURE
3 - JAN 2019
CONVEYANCER

Q

QV

AND the said Appearer declared that on the 16TH OF OCTOBER 2018 her Principal aforesaid sold the following property to the undermentioned Transferee

And that she in her capacity aforesaid did, by these presents, cede and transfer to and on behalf of

EASY STAY SA PROPRIETARY LIMITED
REGISTRATION NUMBER 2018/519987/07

Its administrators or assigns, in full and free property;

ERF 2890 PLETTENBERG BAY
IN THE BITOU MUNICIPALITY, DIVISION KNYSNA,
WESTERN CAPE PROVINCE

EXTENT: 841 (EIGHT HUNDRED AND FORTY ONE) SQUARE METRES

FIRST TRANSFERRED BY DEED OF TRANSFER NO T34220/1981 WITH
GENERAL PLAN TP 9422 RELATING THERETO AND HELD BY DEED OF
TRANSFER NO T44709/2003

A. **SUBJECT** to the conditions referred to in Deed of Transfer No T9455/1914 and
No T9618/1905.

B. **SUBJECT FURTHER** to the following conditions contained in Deed of Transfer
No T34220/1981 imposed by the Administrator of the Province of the Cape of
Good Hope in terms of Section 18 of Ordinance No 33 of 1934, when approving
of the establishment of Plettenberg Bay Township Extension No 11, namely:-

1. The owner of this erf shall, without compensation, be obliged to allow electricity, telephone- and television cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local or other statutory authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.

sv 18

2. The owner of this erf shall be obliged without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to the difference between the levels of the street as finally constructed, and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.
3. This erf shall be used only for such purposes as are permitted by the Town Planning Scheme of the local authority and subject to the conditions and restrictions stipulated by the scheme.

e

sv

d

Wherefore the said Appearer, renouncing all the right and title the said Transferor heretobefore had to the premises, did, in consequence also acknowledge him to be entirely dispossessed of, and disentitled to the same; and that by virtue of these presents, the said Transferees, their heirs, executors, administrators or assigns, now and henceforth shall be conformably to local custom; the State, however, reserving its rights; and finally acknowledging the whole of the purchase price amounting to **R2 800 000,00 (TWO MILLION EIGHT HUNDRED THOUSAND RAND)** to have been paid or secured.

In witness whereof, I, the said Registrar, together with the Appearer, q.q have subscribed to these presents and have caused the Seal of the Office to be affixed thereto.

THUS DONE AND EXECUTED, AT THE OFFICE OF THE REGISTRAR OF DEEDS, CAPE TOWN, ON THE 14TH DAY OF DECEMBER 2018.


q.q.

In my presence


REGISTRAR OF DEEDS





ANNEXURE D:

S.G. Diagram 7368/78

This Plan comprises a SHEET	S. G. NO. 4008/75
SHEET 2	Approved
	Surveyor-General
	AT FREETOWN



GENERAL PLAN NO 9422
OR
PLETTENBERG BAY TOWNSHIP EXT NO 11
(PLETTENBERG BAY ALLOTMENT AREA)
MUNICIPALITY OF PLETTENBERG BAY
ADMINISTRATIVE DISTRICT OF KNOSKE
PROVINCE OF THE CAPE OF GOOD HOPE
SCALE 1:750

SURVEYED in OCTOBER and NOVEMBER, 1974
by Mr. [Signature]
LAND SURVEYOR

Original Diagram No.	4008/75
Survey Sheet No.	E 1116/75
Plan No.	S 1517/75
Compilation	AM-1840
AM-1841/75	1980
AM-1842/75	1981
AM-1843/75	1982
AM-1844/75	1983
AM-1845/75	1984

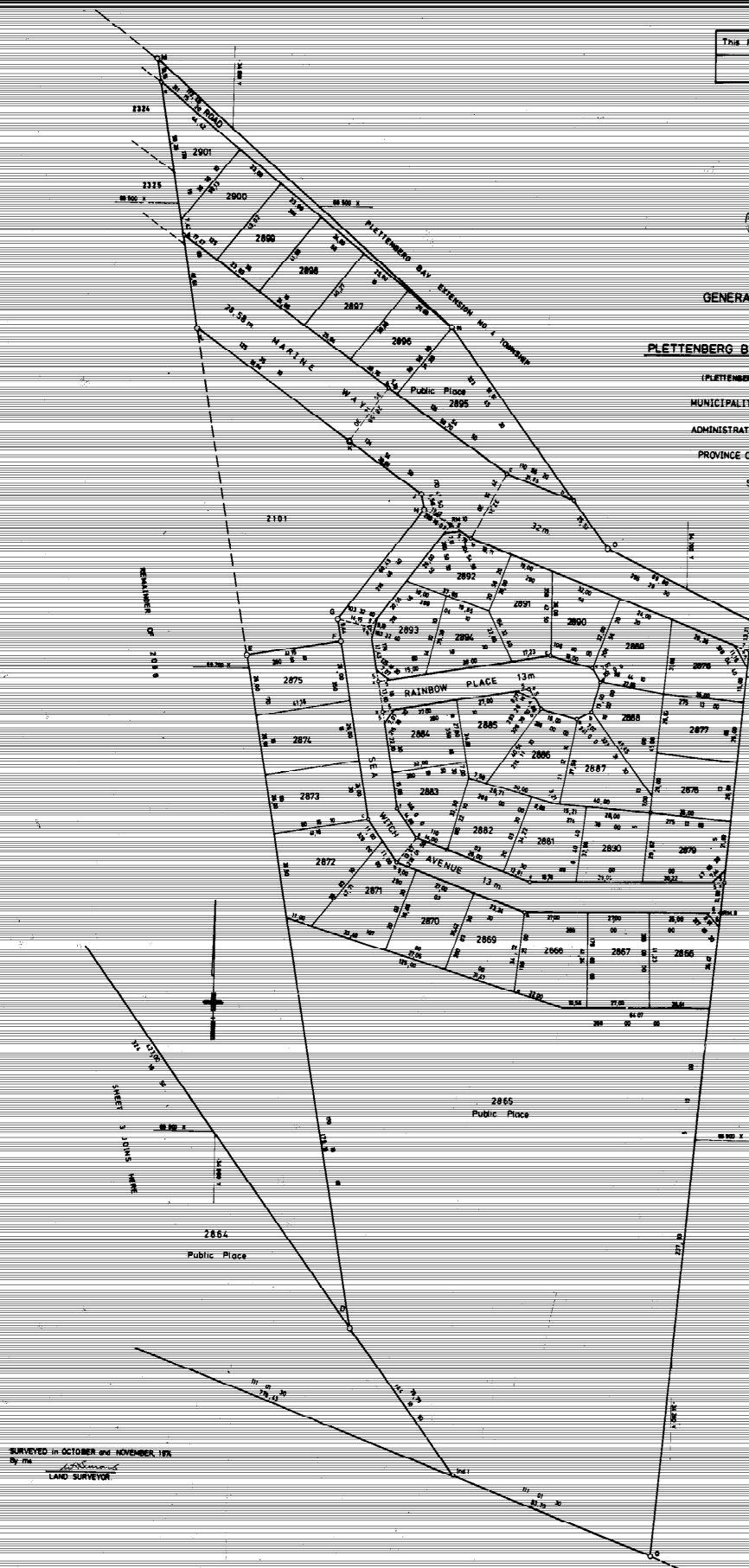
This Plan comprises 4 SHEETS	S.G. NO. 4004/75
SHEET 4	Approved Surveyor-General 27-10-1975



1:2
GENERAL PLAN NO. 9422

OF
PLETTENBERG BAY TOWNSHIP EXT. NO. 11

(PLETTENBERG BAY ALLOTMENT AREA)
MUNICIPALITY OF PLETTENBERG BAY
ADMINISTRATIVE DISTRICT OF KNYSNA
PROVINCE OF THE CAPE OF GOOD HOPE
SCALE 1:750



SURVEYED IN OCTOBER AND NOVEMBER 1975
By the
LAND SURVEYOR

Original Diagram No. 4007/75
Survey Record No. E 1114/75
Plan No. 5 1517/77
Compilation AM - 18AD (2808)
AM - BA / 152 (1731)
AM - BA / 154 (1732)
AM - BA / 212 (1733)
AM - BA / 214 (1734)

ANNEXURE E:

Pre-application Minutes

PRE APPLICATION SCOPING MEETING WITH BITOU MUNICIPALITY

PLETTENBERG BAY ERF 2890

Application Consultation meeting held at Bitou Municipality on 22 November 2018

1. Attendance

- § Chris Schliemann (CS)
- § Adel Stander (AS)
- § Hans Labuschagne (HL)
- § Marike Vreken (MV)

2. Background

- 2.1. Unlawful guest house being operated on the property.
- 2.2. Current use needs to be legalised.

3. Process

- 3.1. The guest is supported in principle.
- 3.2. Rezoning to allow the guest house must be submitted & necessary departure applications
- 3.3. Parking be provided at a ratio of "1 parking bay per bedroom, plus 1 bay for every 4 bedrooms for visitors"
- 3.4. Detailed SDP be submitted

4. Process / Way forward

- 4.1. Rezoning to General Residential to allow a Residential Building must be submitted