

SUPPLEMENTARY AGENDA

**MAYORAL COMMITTEE MEETING
TUESDAY, 15 SEPTEMBER 2026**

TABLE OF CONTENTS

11.	NEW MATTERS SUBMITTED BY THE ACTING MUNICIPAL MANAGER	
10.22	REPORT BACK ON APPLICATION FOR LEASE AGREEMENT – FOR A PORTION OF ERF 1316, KNYSNA BUTTING ERF 3556, KNYSNA	2
11.	IN COMMITTEE (see green pages)	100
12.	CLOSURE	100

10. NEW MATTERS SUBMITTED BY THE ACTING MUNICIPAL MANAGER

10.22

M22/09/26	REPORT BACK ON APPLICATION FOR LEASE AGREEMENT – FOR A PORTION OF ERF 1316, KNYSNA BUTTING ERF 3556, KNYSNA
------------------	--

REPORT FROM THE ACTING DIRECTOR: CORPORATE SERVICES

PURPOSE OF THE REPORT

To request the Municipal Council to consider approving the application from Marike Vreken Town Planners CC on behalf of Owls Head (Pty) Ltd for a lease agreement of a portion of Erf 1316, Knysna abutting Erf 3556, Knysna.

BACKGROUND/DETAILS OF APPLICATION

Marike Vreken Town Planners CC have applied to lease a portion of the remainder of Erf 1316, Knysna measuring 802m² (**see Annexure A**).

This is the area opposite Food Lovers and adjacent to Erf 3402, Knysna, situated along Tide Street. The intention of the application is to do landscaping and beautification of the area. The proposal does not have any impact on the existing municipal services, sight distances or manoeuvrability of vehicles.

RESOLUTION/S

The Municipal Council on 7 August 2025 *inter alia* resolved the following:

“F&G13/06/25 REPORT BACK ON APPLICATION FOR LEASE AGREEMENT – FOR A PORTION OF ERF 1316, KNYSNA BUTTING ERF 3556, KNYSNA

UNANIMOUSLY RESOLVED

- [a] *That the report and additional annexure's regarding the request for lease agreement on a portion of Erf 1316, Knysna, be noted;*
- [b] *That the advertising of the intended leasing of a portion of Erf 1316, Knysna to the owner of Erf 3556, Knysna be noted;*
- [c] *That it be noted that no comments or objections were received during the advertising period;*
- [d] *That in terms of Section 14(2)(a) of the Local Government: Municipal Finance Management Act, 2003, and on reasonable grounds, the Municipal Council confirms a portion of Erf 1316, Knysna is deemed not needed to provide the minimum level of basic Municipal Services;*
- [e] *That the application only be considered by the committee after the remedial/mitigation measure in response to the pre-compliance notice have been implemented.*

Reference: 7/1/2/5
Execution: Municipal Manager
Director: Corporate Services"

As per the above-mentioned Municipal Council Resolution, the following was done:

- A site visit was conducted with the National Department: Forest, Fisheries and the Environment of which they submitted a close-out-letter (see attached **annexure E**)

CURRENT ZONING

Remainder of Erf 1316, Knysna is currently zoned 'Transport Zone II' as per the Knysna Municipality zoning scheme by-law (2020).

CURRENT USAGE OF PROPERTY (VIALE OR NON-VIALE MUNICIPAL LAND)

The subject property is currently being used as open space and is non-viable municipal property.

CURRENT VALUE OF THE PROPERTY AS PER GENERAL VALUATION ROLL

The remainder of Erf 1316, Knysna is valued at R 20 000 on the General Valuation Roll.

INTENDED FUTURE USAGE OF PROPERTY

The Municipality has no future intended use of the property other than the current use.

DISCUSSION

A supplementary item was prepared for the Planning & Development portfolio meeting by the Manager: Environmental Management regarding the pre-compliance notice. The draft item and compliance notice are appended hereto for consideration.

LEGISLATIVE FRAMEWORK

Section 34 of the Asset Transfer Regulations 2008, deals with Granting of rights to use, control or manage municipal capital assets and reads as follows:

"Granting of rights to use, control or manage municipal capital assets

34. (1) *A municipality may grant a right to use, control or manage a capital asset only after –*

- (a) the accounting officer has in terms of regulation 35 conducted a public participation process regarding the proposed granting of the right; and*
- (b) The municipal council has approved in principle that the right may be granted.*
- (2) Subregulation (1) (a) must be complied with only if –*
 - (a) the capital asset in respect of which the proposed right is to be granted has a value in excess of R10 million; and*
 - (b) a long term right is proposed to be granted in respect of the capital asset.*
- (3) (a) Only the Municipal council may authorise the public participation process referred to in subregulation (1)(a).*
- (b) A request to the municipal council for authorisation of a public participation process must be accompanied by an information statement stating –*

- (i) *the reason for the proposal to grant a long term right to use, control or manage the relevant capital asset;*
- (ii) *any expected benefits to the municipality that may result from the granting of the right;*
- (iii) *any expected proceeds to be received by the municipality from the granting of the right; and*
- (iv) *any expected gain or loss that will be realised or incurred by the municipality arising from the granting of the right."*

The area identified is not valued more than R10 million. The Asset Transfer Regulations describes "a long term" as "*a period of longer than three years*". A public participation process regarding the proposed granting of the right is thus required.

The application to lease a portion of the remainder of Erf 1316, Knysna measuring 802m² is being brought before the Municipal Council to make sure the process is consistent with the Supply Chain Management Policy of the Municipality.

"Consideration of proposals to grant rights to use, control or manage municipal capital assets
36. *The municipal council must, when considering in terms of regulation 34(1)(b) approval for any proposed granting of a right to use, control or manage a capital asset, take into account*
—

- (a) whether the capital asset may be required for the municipality's own use during the period for which the rights is to be granted;*
- (b) the extent to which any compensation to be received for the right together with the estimated value of any improvements or enhancements to the capital asset that the private sector party or organ of state to whom the right is granted will be required to make, will result in a significant economic or financial benefit to the municipality;*
- (c) the risks and rewards associated with the use, control or management of the capital asset in relation to the municipality's interests;*
- (d) any comments or representations on the proposed granting of the right received from the local community and other interested persons;*
- (e) any written views and recommendations on the proposed granting of the right by the National Treasury and the relevant provincial treasury;*
- (f) the interests of any affected organ of state, the municipality's own strategic, legal and economic interests and the interests of the local community; and*
- (g) compliance with legislative regime applicable to the proposed granting of the right."*

A market related rental must be determined and considered. Municipal Valuer should be appointed to determine the market related rental for the property in question.

It is not intended that the capital asset in question may be required for the municipality's own use during the period for which the rights is to be considered.

A market related rental is proposed. The rental of the property will result in a significant economic or financial benefit to the municipality.

All risks will be transferred to the owner of Erf 3556, Knysna being Owls Head (Pty) Ltd.

No comments or representations on the proposed granting of the right requested from the local community and other interested persons.

No written views and recommendations on the proposed granting of the right by the National Treasury and the relevant provincial treasury.

The application is tabled before the Municipal Council for an in principle approval that the right be granted and that all relevant legislation be complied with.

“39. Disposal management

- (1) The criteria for the disposal or letting of assets, including unserviceable, redundant or obsolete assets will be subject to Sections 14 of the Act, and asset transfer regulations;*
- (2) Assets may be disposed of by –*
 - (i) transferring the asset to another organ of state in terms of a provision of the Act enabling the transfer of assets;*
 - (ii) transferring the asset to another organ of state at market related value or, when appropriate, free of charge;*
 - (iii) selling the asset; or*
 - (iv) destroying the asset*
- (3) The Accounting Officer must ensure that –*
 - (a) immovable property is sold only at market related prices except when the public interest or the plight of the poor demands otherwise;*
 - (b) movable assets are sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;*
 - (c) firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;*
 - (d) immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise;*
 - (e) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are reviewed annually;*
 - (f) where assets are traded in for other assets, the highest possible trade-in price is negotiated; and*
 - (g) in the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment.”*

The leasing of the property involved should be done at a market related rental.

Section 5 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003): Municipal Asset Transfer Regulations deals with the decision-making process for municipalities when alienating Municipal owned property:

“5. (1) A municipality may transfer or dispose of a non-exempted capital asset only after –

[a] the accounting officer has in terms of regulation 6 conducted a public participation process to facilitate the determinations a municipal council must make in terms of section 14(2)(a) and (b) of the Act; and

[b] the municipal council –

- (i) has made the determinations required by section 14(2)(a) and (b); and*
- (ii) has a consequence of those determinations approved in principle that the capital asset may be transferred or disposed of.*

(2) Subregulation (1)(a) must be complied with only if the capital asset proposed to be transferred or disposed of is a high value capital asset. If the combined value of any capital assets a municipality intends to transfer or dispose of in any financial year exceeds five per cent of the total value its assets, as determined from its latest available audited annual financial

statements, subregulation (1)(a) must be complied with in relation to all the capital assets proposed to be transferred or disposed of during that year.”

The Municipal Asset Transfer Regulations define “**high value**” as, “*in relation to a capital asset of a municipality or municipal entity, means that the fair market value of the capital asset exceeds any of the following amounts:*

- (a) R50 million;*
- (b) One per cent of the total value of the capital assets of the municipality or municipal entity, as determined from the latest available audited annual financial statements of the municipality or entity; or*

An amount determined by resolution of the council of the municipality or of the parent municipality of the municipal entity which is less than (a) or (b).”

Section 45 of the Asset Transfer Regulations 2008, which deals with Granting of rights to use, control or manage municipal capital assets and reads as follows:

Agreements granting of rights to use, control or manage municipal capital assets

45. (1) *A municipality or municipal entity may grant a right to use, control or manage a capital asset to a private sector party or organ of state only by way of a written agreement concluded between the municipality or entity and the private sector party or organ of state to whom the right is granted.*

- (2) *An agreement referred to in subregulation (1) must –*
- (a) *set out the terms and conditions on which the right is granted, including, as a minimum*
 - (i) a sufficient description of the capital asset in respect of which the right is granted, in order to identify the asset;*
 - (ii) particulars of any subsidiary assets that are to be made available with the capital asset;*
 - (iii) the period for which the right is granted;*
 - (iv) the amount of compensation payable to the municipality or municipal entity for granting of the right, and the terms and conditions of payment;*
 - (v) requirements for the private sector party or organ of state to whom the right is granted to maintain and safeguard the asset for its intended purpose, taking into account the condition of the asset and its estimated remaining life at the date of granting of the right;*
 - (vi) where the asset is to be used by the municipality or municipal entity and the public sector party or organ of state to whom the right is granted, the basis of how the asset is to be shared as well as how the costs and benefits of the shared asset will be apportioned between the parties;*
 - (vii) the extent to which the public sector party or organ state to whom the right is granted will be required to make improvements or enhancements to the asset, and the terms and conditions regulating such improvements or enhancements;*
- (viii) a statement to the effect that the risk and accountability for the asset is transferred to the public sector party or organ of state to whom the right is granted;*
- (ix) the effective date from which the risk and accountability for the asset is transferred; and*
- (x) a clause disallowing the private sector party or organ of state to whom the right is granted from ceding or subcontracting the right to another person; and*
- (b) be signed on behalf of the municipality or municipal entity and the private sector party or organ of state to whom the right is granted.*

(3) *If a long term right to a capital asset with a value in excess of R10 million is granted following the selection of a service provider for the performance of a municipal*

- service referred to in regulation 41(2)(a) or for the performance of a commercial service referred to in regulation 41(2)(b), the agreement referred to in subregulation (1) –*
- (a) must contain provision for –*
 - (i) contract termination in the case of non- or underperformance;*
 - (ii) dispute resolution mechanisms to settle disputes between the parties; and*
 - (iii) a periodic review of the agreement once every three years, in the case of an agreement for longer than three years; and*
 - (a) may be incorporated into any service delivery agreement or procurement contract to be concluded with the service provider.*
-
- (h) firearms are not sold or donated to any person or institution within or outside the Republic unless approved by the National Conventional Arms Control Committee;*
 - (i) immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise;*
 - (j) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are reviewed annually;*
 - (k) where assets are traded in for other assets, the highest possible trade-in price is negotiated; and*
 - (l) in the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment.”*

FINANCIAL IMPLICATIONS

The lettable area is ±802 square meters. The proposal is that a market related rental of R4000 per month with an 8% annual escalation as determined by CDV Waardeerders (PTY) Ltd Valuers be accepted. The payment of services, if any must also be for the account of the owner of Erf 3556, Knysna.

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

- [a] That the report and additional annexure's regarding the request for lease agreement on a portion of Erf 1316, Knysna, be noted;
- [b] That the report from the report from the National Department: Forest, Fisheries and the Environment, be noted;
- [c] That in terms of Section 14(2)(a) of the Local Government: Municipal Finance Management Act, 2003, and on reasonable grounds, the Municipal Council confirms a portion of Erf 1316, Knysna is deemed not needed to provide the minimum level of basic Municipal Services;
- [d] That the Acting Municipal Manager be authorised to enter into and sign a 9-year 11 months market related lease agreement with Owls Head (Pty) Ltd for a portion of Erf 1316, Knysna;
- [e] That the rental be R4000.00 per month with 8% annual escalation as determined by CDV Waardeerders; and
- [f] That should Owls Head Pty Ltd not comply with environmental legislation the lease will be terminated.

APPENDIX / ADDENDUM

- ANNEXURE A** - Marike Vreken Town Planners CC application for a lease agreement
- ANNEXURE B** - Environmental Report
- ANNEXURE C** - Draft Portfolio Report – Manager: Environmental Management
- ANNEXURE D** - Pre-Compliance Notice
- ANNEXURE E** - Department of Forest, Fisheries and the Environment report

File Number: 7/1/2/5

Execution: Acting Municipal Manager
Acting Director: Corporate Services



Environmental Screening for the proposed Staff Parking and delivery Trucks turning Circle



Date: 28/05/2024

Compiled by: Janet Ebersohn
EAPASA: 2019/1286

EAP Signature: _____

ISSUED BY:

Eco Route

Submitted to:

Owls Head (PTY)LTD

Document Reference:

2024/04/2023 – Environmental Screening Assessment of a portion of the remainder Erf 1316, Knysna

Document Summary:

Environmental screening to pertain if any Listed activities in NEMA will be applicable to the proposed lease/sell of Erf 1316.

CONDITIONS OF USE OF THE REPORT

The report is the property of **Eco Route Environmental Consultancy**, who may publish it, in whole, provided that:

1. Eco Route Environmental Consultancy are indemnified against any claim for damages that may result from publication.
2. Eco Route Environmental Consultancy accepts no responsibility by the Applicant/Client for failure to follow or comply with the recommended programme, specifications or recommendations contained in this report.
3. Eco Route Environmental Consultancy accepts no responsibility for deviation or non-compliance of any specifications or guidelines provided in the report.
4. This document remains the confidential and proprietary information of Eco Route Environmental Consultancy and is protected by copyright in favour of Eco Route Environmental Consultancy and may not be reproduced or used without the written consent from Eco Route Environmental Consultancy, which has been obtained beforehand.
5. This document is prepared exclusively for **OWLSHEAD (PTY)LTD** and is subject to all confidentiality, copyright and trade secrets, rules, intellectual property law and practices of South Africa.

STATEMENT OF INDEPENDENCE

I, **Janet Ebersohn** of Eco Route Environmental Consultancy, in terms of section 33 of the NEMA, 1998 (Act No. 107 of 1998), as amended, hereby declare that I provide services as an independent Environmental Assessment Practitioner (EAPASA Reg: 2019/1286) and receive remuneration for services rendered for undertaking tasks required in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), and the Environmental Impact Assessment Regulations, 2014 (as amended). I have no financial or other vested interest in the project.

Table of Contents

1. INTRODUCTION	4
2. LOCALITY	4
3. SITE SENSITIVITIES AS PER CAPEFARMMAPPER	5
4.1 VEGETATION TYPE.....	5
3.2 WETLANDS.....	6
4.3 SANBI RED LIST OF ECOSYSTEMS	7
4.4 PROTECTED AREA	8
5. Proposal for Tide Street	8
6. Photos.....	9
7. National Environmental Management Act	9
8. Conclusion	13

1. INTRODUCTION

Eco Route Environmental Consultancy has been appointed by Owls Head (PTY) LTD as an Independent Environmental Consultant to:

1. Identify if any listed Activities will be triggered as defined in terms of the Regulations of the National Environmental Management Act, 107 of 1998: Environmental Impact Regulations, 2014 as amended 2017.

2. LOCALITY

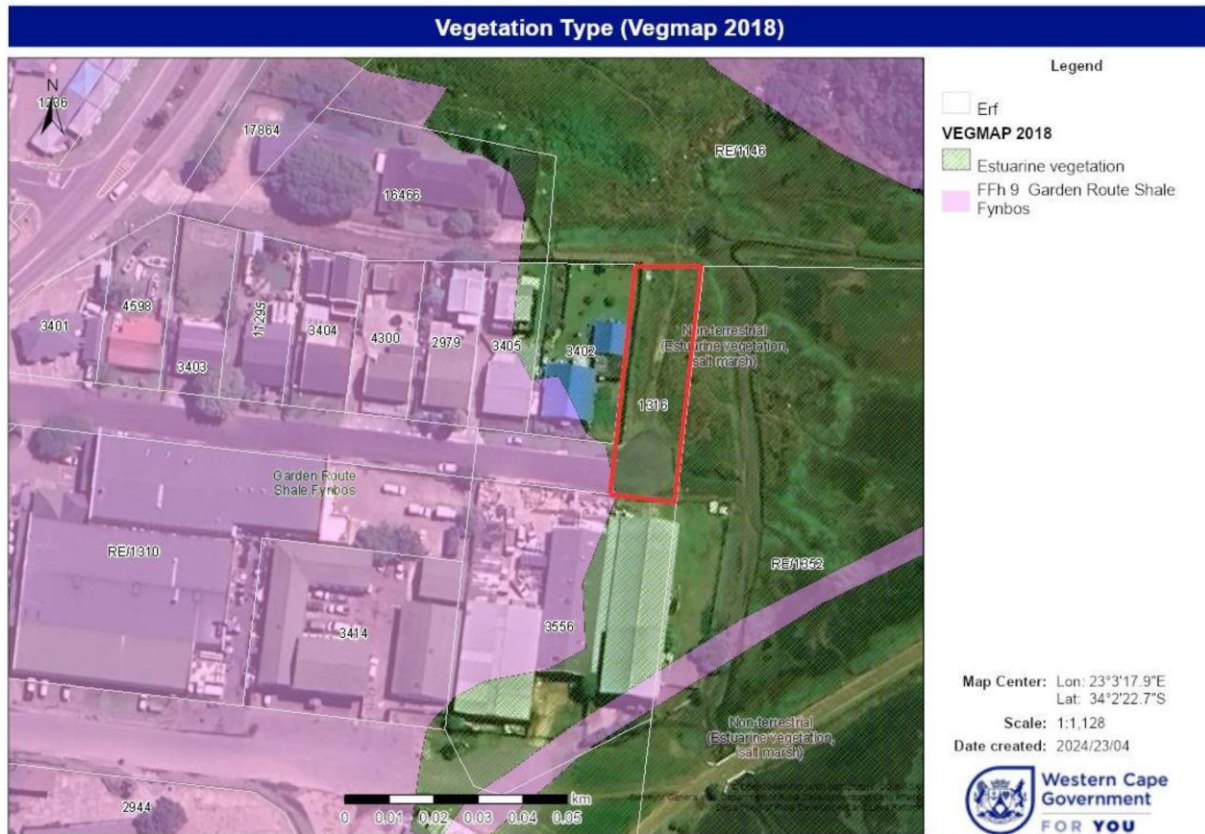
The application area is adjacent to Knysna Erven 3566 which is situated at the eastern end of Tide Street, Knysna.



3. SITE SENSITIVITIES AS PER CAPEFARMMAPPER

CapeFarmMapper is a product of the Western Cape Department of Agriculture. This online mapping tool is designed to assist with spatial information queries and decision making in the fields of agriculture and environmental management.

4.1 VEGETATION TYPE



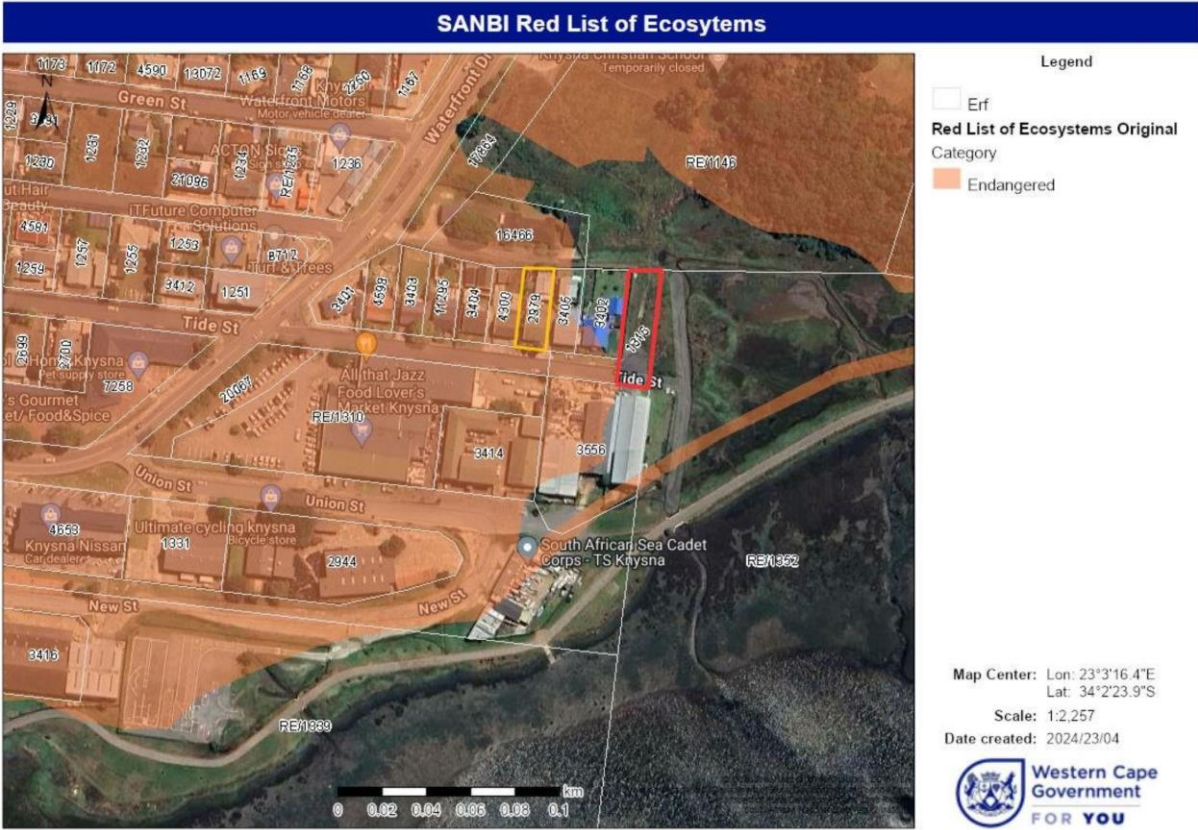
The Vegetation is classed as Non-terrestrial (Estuarine vegetation, salt marsh).

3.2 WETLANDS



The property is in the Estuarine Functional Zone, however as indicated above most of Knysna is located within this zone.

4.3 SANBI RED LIST OF ECOSYSTEMS



The vegetation on the property does not have an Ecological Threat Status.

4.4 PROTECTED AREA



The property does not boarder a Protected Area. SANParks has jurisdiction of protected areas and 50 meters landward of the High-water mark of the Knysna Estuary.

5. Proposal for Tide Street

It is proposed to lease or purchase a portion of the remainder of Knysna Erf 1316 (802m²) from Knysna Municipality to allow for landscaping and beautifying this area, which is the eastern most end of Tide Street.



6. Photos

	The area has been disturbed by foot traffic and there is little evidence of indigenous vegetation in the area
	The property borders a salt marsh which is cut off from the Estuary because of a gravel road, however water from the estuary enters the salt marsh through culverts.

7. National Environmental Management Act

In terms of Section 24 and 24D of the National Environmental Management Act (Act 107 of 1998), (NEMA); the National Environmental Management Amended Act (Act 62 of 2008) and the National Environmental Management: Waste Act (Act 59 of 2008) any proposal which triggers a listed activity or activities under Listing Notices 1 and 3 (R 327 & R 324) and / or “Category A” of the Waste Act Listed Activities (i.e. Basic Assessment Report) or Listing Notice 2 (R 325) and/or “Category B” of the Waste Act Listed Activities (i.e. Scoping EIA Report) or Regulations pertaining to an Environmental Management Framework (R 547) as published in the Government Gazette GN No. 33306 of the December 2014 and amended in April 2017 requires that an Environmental Impact Assessment Process be followed in order to secure Environmental Authorisation (EA).

Listing Notice 1	Comments
Activity 12 The development of— (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs— (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; — excluding— (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies; (dd) where such development occurs within an urban area; (ee) where such development occurs within existing roads, road reserves or railway line reserves; or (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.	This listed activity is NOT triggered as the erf is situated within the urban area

Activity 17

Development—

- (i) in the sea;
- (ii) in an estuary;
- (iii) within the littoral active zone;
- (iv) in front of a development setback; or
- (v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater;

in respect of—

- (a) fixed or floating jetties and slipways;
- (b) tidal pools;
- (c) embankments;
- (d) rock revetments or stabilising structures including stabilising walls; or
- (e) infrastructure or structures with a development footprint of 50 square metres or more —

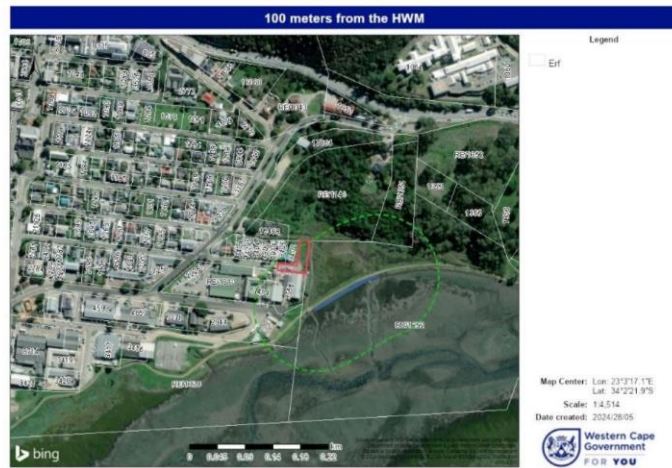
but excluding—

- (aa) the development of infrastructure and structures within existing ports or harbours that will not increase the development footprint of the port or harbour;
- (bb) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;
- (cc) the development of temporary infrastructure or structures where such structures will be removed within 6 weeks of the commencement of development and where coral or indigenous vegetation will not be cleared; or
- (dd) where such development occurs within an urban area.

Activity 19A

The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—

- (i) the seashore;
- (ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or
- (iii) the sea; —



Erf 1316 is within 100 meters from the High-water mark of the Estuary.

This listed Activity is **not** Applicable as the Erf is in an urban area

It is proposed to only use grass blocks to prevent compaction of soil and assist with stormwater runoff. The amount of grass blocks used will be below the threshold of 5 cubes.

Roughly worked out no more than 204 grass blocks will be permitted if the grass blocks dimensions are:

600 x 800mm with a height of 100mm

Therefore this listed Activity will **Not** be triggered.

but excluding where such infilling, depositing , dredging, excavation, removal or moving— (f) will occur behind a development setback; (g) is for maintenance purposes undertaken in accordance with a maintenance management plan; (h) falls within the ambit of activity 21 in this Notice, in which case that activity applies; (i) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.	
Listing Notice 3	Comments
Activity 14 The development of— (i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs— (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour. i. Western Cape i. Outside urban areas; (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas listed in terms of an international convention;	Erf 1316 is within 32 meters of a watercourse. This Listed Activity is NOT triggered as Erf 1316 is with the Urban Area.

(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; or (hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.	
---	--

8. Conclusion

To the best of the Authors knowledge the proposed turning circle and fencing of Erf 1316 will not trigger any listed activities as per the NEMA 2017 Regulations.

It is proposed to use grass blocks instead of Asphalt or paving. The grass blocks will assist with storm water infiltration, reduce the risk of embankment erosion and the compaction of soil.

Our Ref: Pr22/60b01

02 November 2022

Your Ref:

BY EMAIL: nmndebela@knysna.gov.za
snelo@knysna.gov.za
knysna@knysna.gov.za

Collab No.:

The Manager: Property Management
Knysna Municipality
P.O. Box 21
Knysna
6570

File No.: 712/21

FOR ATTENTION: MS N MNDEBELA

Dear Madam,

**LEASE OF MUNICIPAL LAND FOR THE PURPOSES OF A TURNING CIRCLE AND ACCESS
AND EGRESS FOR DELIVERIES (A PORTION TIDE STREET) ABUTTING KNYSNA ERF
3556**

Marike Vreken Urban and Environmental Planners have been appointed by the owners of Knysna Erf 3556 **OWLS HEAD (PTY) LTD** (Refer to **Annexure F**: for the signed Power of Attorney and Company Resolution) to prepare and submit the required application to apply to Knysna Municipality to lease or purchase A portion of Municipal Land being a portion of the remainder of Knysna Erf 1316 (802m²) situated adjacent to their property.

1. BACKGROUND

The application area is adjacent to Knysna Erven 3556 which is situated at the eastern end of Tide Street, Knysna. See attached **Annexure C**: for the Locality Plan. Knysna Erf 4653 is currently zoned "Industrial Zone I", 2807m² in extent. There is a pending land development application to redevelop Knysna Erven 1310; 1331; 2944; 3414 & 3556 into an upgraded Food Lovers' Market retail area.


MUNISIPALITEIT / MUNICIPALITY
KNYSNA
2022 -11- 03
Action: N. Mndebela
CC: Adas, V. Klein, S. Nelo
M. Botha, R. Hardnick
Z. Stevens

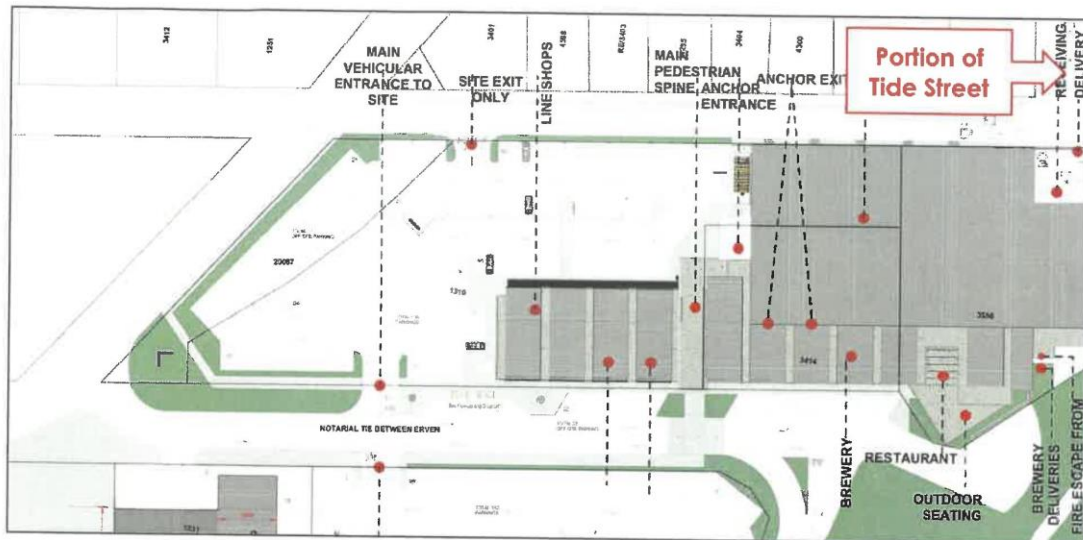


FIGURE 1: PROPOSED SITE DEVELOPMENT PLAN – FOOD LEVER'S MARKET

2. PROPOSAL

(Refer to Error! Reference source not found. for the Plan indicating the lease / purchase area)

It is proposed to lease or purchase a portion of the remainder of Knysna Erf 1316 (802m²) from Knysna Municipality to allow for landscaping and beautifying this area; which is the eastern most end of Tide Street.



FIGURE 2: PORTION TO BE LEASED OR PURCHASED

The applicant's objective is to beautify the area AND maintain it on behalf of the Municipality. The applicant will need this for staff parking and delivery trucks turning circle. The applicant proposes to fence this parcel and make it part of the entire development.

Should Knysna Municipality agree to the alienation, the applicant will be responsible for the necessary closure, subdivision and rezoning applications.



FIGURE 3: PORTION TO BE LEASED OR PURCHASED

The landowners are hereby applying to lease or purchase this unutilised land from Knysna Municipality. The total portion of land to be alienated is ±802m².

3. CONCLUSION

- 3.1. No new structures or buildings are proposed within the lease / alienation area. The request is merely to upgrade and fence the delivery area for the proposed upgrade Food Lovers' Market development on the consolidated Erven 1310; 1331; 2944; 3414 & 3556.
- 3.2. The proposal will lead to urban renewal upgrading the area and allowing a more aesthetically pleasing streetscape along both Waterfront Drive and New Street.
- 3.3. The safety and convenience of the general public are not compromised.
- 3.4. The proposal does not have any impact on the existing municipal services, sight distances or manoeuvrability of vehicles.

The following documents are attached to this application:

- Annexure A:** Application Form
- Annexure B:** Subdivision / Lease area Plan
- Annexure C:** Locality Plan
- Annexure D:** 'Owls Head' Company registration documents

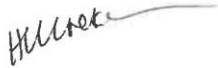
Annexure E: Copy of identity document of the authorised person.

Annexure F: Signed Company Resolution & Power of Attorney

Annexure G: Proof of payment

We trust the above is in order and that the application will receive your expeditious response. Please do not hesitate to contact the writer if you require any additional information.

Yours faithfully



MARIKE VREKEN

Pr. Pln 1101 M SAPI 10233

Annexure A



Knysna

Municipality || Munisipaliteit || uMasipala

inclusive || innovative || inspired

APPLICATION TO LEASE OR PURCHASE MUNICIPAL PROPERTY:

Name of Applicant : Marike Vreken Town Planners CC
Residential Address : 21 Trotter Street Knysna
:
:
Erf Number : Knysna Erf 1316
Telephone/Cell No : 044-382-0420
Email address : marike@vreken.co.za / info@vreken.co.za

☒

To buy property

☒

To lease property for a period of

☐

To lease by means of encroachment

Description of municipal owned property..... Portion of Knysna Erf 1316

.....

(Portion of Erf..... Knysna Erf 1316.....).

Size of property to be considered (..... $\pm 802\text{m}^2$ m^2).

Zoning of Property..... Transport Zone II (Public Street).....

Intended Use of Property..... Access / Deliveries / manoeuvring space for business purposes.....

Reason/Motivation for application:

The owners of Erven 1310; 1331; 2944; 3414 & 3556 have agreed to redevelop

these properties into a new, consolidated local neighbourhood centre, with a new, larger

Food Lover's Market, and some smaller line shops, and parking. The existing buildings

will be demolished, and a new retail precinct will be developed.

The area where Erf 3556 is located, will be the proposed delivery area, with a large, enclosed

delivery yard. Tide Street is the only access to Erf 3556, and Tide Street runs into Erf 1316

and then terminates in a cul-de-sac at the eastern end of Erf 1316. The remainder of Erf 1316

is vacant and not developed for road purposes, and doesn't provide access to any other

public facilities or private properties. The owners of Erven 1310; 1331; 2944; 3414 & 3556

wish to purchase the eastern portion of Erf 1316 ($\pm 802\text{m}^2$), to provide easy access and

manoeuvring space into the proposed delivery yard, on what is currently Erf 3556.

The eastern portion of Erf 1316 will be subdivided and consolidated with Erven 1310; 3414 & 3556.

The cul-de-sac area will remain open for the public for turning space.

Support/Objections/Comments of Neighbours and/or Residents Associations to the property that is being applied for *(only registered property owners may comment)*

Erf No.....

Address.....

Name and Signature.....

Contact Details.....

☐

Approved

☐

Disapproved

Comments

.....

.....

.....

.....

Erf No.....

Address.....

Name and Signature.....

Contact Details.....

☐

Approved

☐

Disapproved

Comments

.....

.....

.....

.....

The following documents must be attached to the application:

- Any additional motivation or comments
- Sketch plan that indicates the property that is being applied for.
- Copy of identity document of the applicant.
- If the applicant is a non-profit or non-governmental organization, NPO or NGO registration certificate must be attached.
- If the applicant is a registered business, the company/trust/close corporation must submit the relevant registration documents with the application and disclose the particulars of the Directors or Trustees.

Please note:

- Incomplete applications will not be considered.
- A non-refundable application fee is payable on submission; proof of payment must be attached to the application form.
- Application to lease property will be finalized between 4 - 6 months after the date on which the complete application was received subject to no objections being received.
- Applications to purchase property will be finalized between 6 - 12 months after the date on which the complete application was received subject to no objections being received.
- In the event that a person purchases property from the Municipality, he will be responsible for some or all of the following costs depending on the specific transaction, namely: Sub division costs, advertisement costs, land use costs, road closure costs, consolidation costs, surveyor costs, transfer costs, valuation costs, and connection costs to Municipal services.
- In the event that a person leases property from the Municipality, he will be responsible for the advertisement costs, valuation costs (in some cases) and monthly Municipal service costs.
- I hereby give permission and consent that my name, surname and personal information contained in this application form, may be presented to Council and made available to interested and affected parties for the purpose of this application.

TARRIFF FOR THE 2022/2023 FINANCIAL YEAR

Kindly note the **non-refundable application fee** is payable on submission. An incomplete application form or form with missing supporting documentation will not be processed

1.	Alienation and leasing of Municipal Land		
2.	Application Fee to lease/Purchase Municipal Property	per application	R250,00
3.	Advertising Fee	per application	R500,00

	Encroachment on municipal land		
4.	Encroachment of 0m ² - 50m ² over the property boundary	Per annum	R1 500,00
5.	Encroachment of 50m ² > over the property boundary	Per annum	R3 000,00

H. L. L. L. L.

Signature of Applicant

Date:

For Official use

COLLAB NUMBER OF APPLICATION:.....

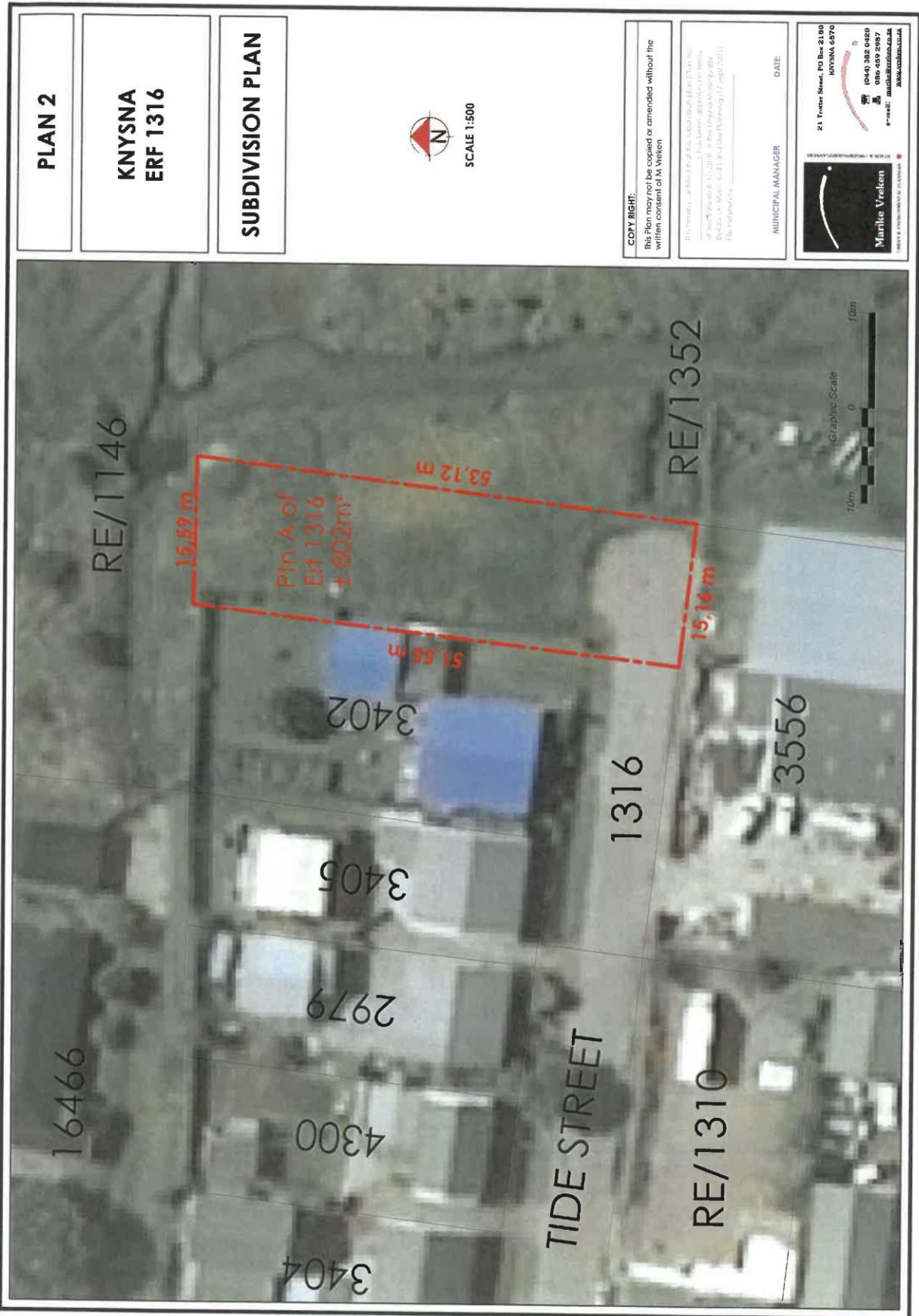
DATE ITEM SERVED BEFORE COUNCIL:.....

DATE ADVERTISEMENT WAS PLACED IN THE NEWSPAPER:.....

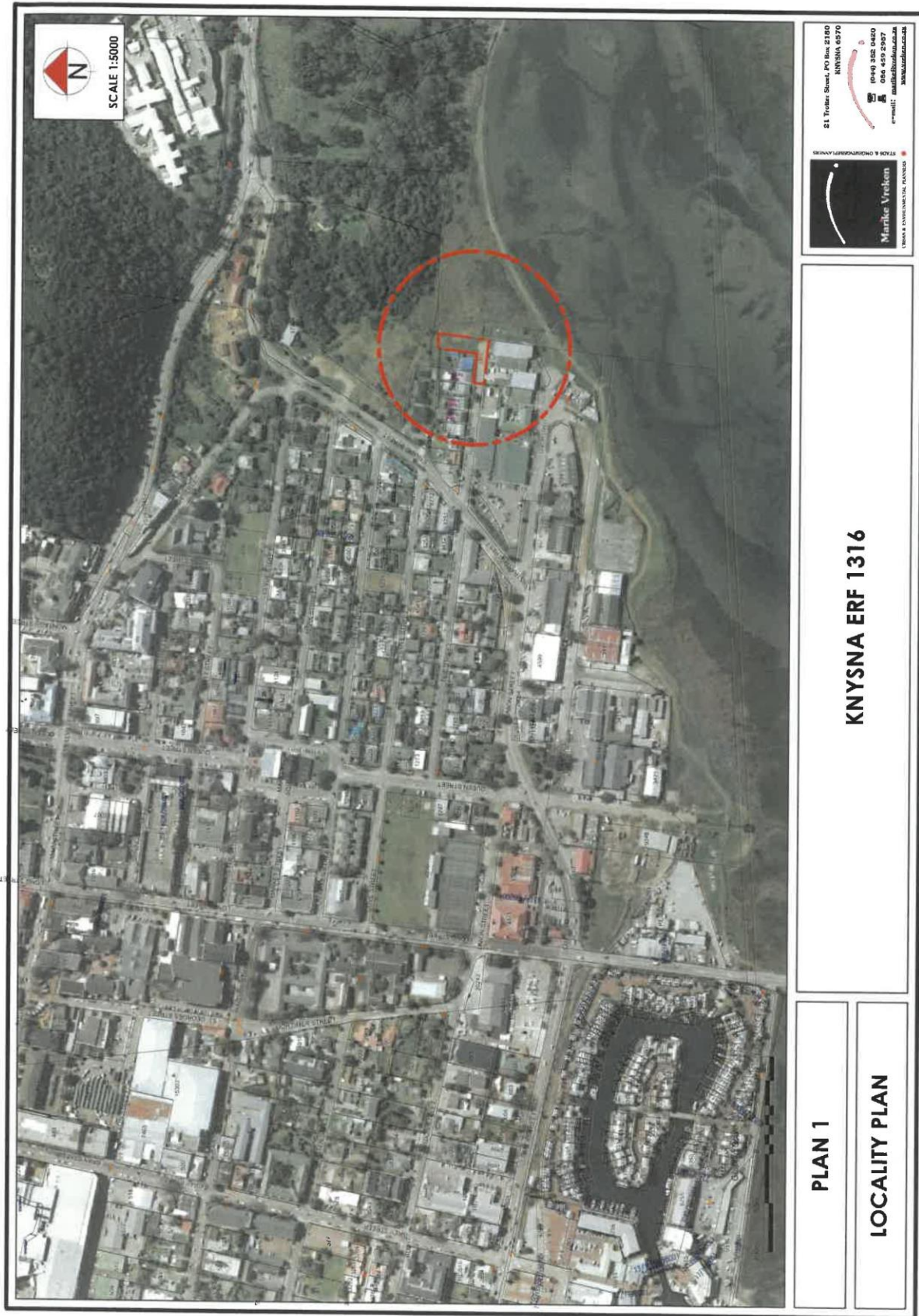
DATE ON WHICH THE AGREEMENT WAS SIGNED:.....

COLLAB NUMBERS OF CORRESPONDENCE WITH APPLICANT IN REGARDS TO THIS APPLICATION:.....

Annexure B



Annexure C



Annexure D

COR39



Companies and Intellectual
Property Commission
* keithabozi ntl'ika em gqibaz

Date: 25/01/2017

Our Reference: 961644418

MAGDALENE BURLAND
E-mail: MAGDA@MPK.CX
P O BOX 82
KNYSNA
KNYSNA
6570

RE: Amendment to Company Information
Company Number: 2012/070831/07
Company Name: OWLS HEAD (PTY) LTD

We have received a COR39 (Notice of change of company directors) from you dated 19/01/2017.

The COR39 was accepted and placed on file.

The following change was effected to Director/Secretary/Officer:
Director BRIAN AUBREY COPPIN details was Changed

The following change was effected to Director/Secretary/Officer:
Director GEORGE EFSTRATIOU details was Changed

The following change was effected to Director/Secretary/Officer:
Director ANDRIES ADRIAAN FOURIE details was Changed

Yours truly

Commissioner: CIPC

Please Note:

The attached certificate can be validated on the CIPC web site at www.cipc.co.za.
The contents of the attached certificate was electronically transmitted to the South African Revenue Services.



The Companies and Intellectual Property Commission
of South Africa
P.O. BOX 429, PRETORIA, 0001, Republic of South Africa. Docex 256, PRETORIA
Call Centre Tel 086 100 2472, Website www.cipc.co.za



**Certificate issued by the Companies and Intellectual Property
Commission on Wednesday, January 25, 2017 03:06
Certificate of Confirmation**



Companies and Intellectual
Property Commission
THE COMPANIES AND INTELLECTUAL PROPERTY COMMISSION
OF SOUTH AFRICA
* member of the SAGI group

Registration number	2012 / 070831 / 07
Enterprise Name	OWLS HEAD (PTY) LTD
Enterprise Shortened Name	None provided.
Enterprise Translated Name	None provided.
Registration Date	18/04/2012
Business Start Date	18/04/2012
Enterprise Type	Private Company
Enterprise Status	In Business
Financial year end	February
Main Business/Main Object	
Postal address	P O BOX 285 PORT ELIZABETH 6000
Address of registered office	30 BIRD STREET CENTRAL PORT ELIZABETH 6000



The Companies and Intellectual Property Commission
of South Africa

P O BOX 429, PRETORIA, 0001, Republic of South Africa Docex 256, PRETORIA

Call Centre Tel 086 100 2472, Website www.cipc.co.za



**Certificate issued by the Companies and Intellectual Property
Commission on Wednesday, January 25, 2017 03:06
Certificate of Confirmation**



Registration number 2012/070831/07
Enterprise Name OWLS HEAD (PTY) LTD

Auditor
Name MICHAELIDES PARKER KRETZMANN INC
Postal Address P O BOX 285
PORT ELIZABETH
6000

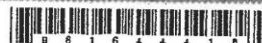
Designated Auditor
Name TANYA FACTOR
Postal Address P O BOX 285
PORT ELIZABETH
6000

Active Directors / Officers

Surname and first names	ID number or date of birth	Director type	Appoint- ment date	Addresses
FOURIE, ANDRIES ADRIAAN	7406065007082	Director	31/08/2012	Postal: P O BOX 479, KNYSNA, KNYSNA, WESTERN CAPE, 6570 Residential: 6 FISH EAGLE DRIVE, BELVIDERE HEIGHTS, KNYSNA, WESTERN CAPE, 6571
EFSTRATIOU, GEORGE	5911115131081	Director	18/04/2012	Postal: 15 ST JOHNS AVENUE, WALMER, PORT ELIZABETH, WESTERN CAPE, 6070 Residential: 15 ST JOHNS AVENUE, WALMER, PORT ELIZABETH, WESTERN CAPE, 6070



The Companies and Intellectual Property Commission
of South Africa
P.O. BOX 429, PRETORIA, 0001, Republic of South Africa Docex 256, PRETORIA.
Call Centre Tel 086 100 2472, Website www.cipc.co.za



OWLS HEAD (PTY) LTD

(2012/070831/07)

**MEMORANDUM OF
INCORPORATION**

(MOI)

COMPANIES AND INTELLECTUAL PROPERTY COMMISSION REPUBLIC OF SOUTH AFRICA

CoR14.3 Registration Certificate

Issue date: 18/04/2012
Print date: 18/04/2012
Customer code: MRI-PE
Tracking number: 110075449

Concerning:

OWLS HEAD: 2012/070831/07.

The above company has been registered in terms of section 14 of the Companies Act, 2008.

In accordance with the Notice of Incorporation, the registration of the company takes effect on: 18/04/2012.

In conjunction with this certificate, the Commission has not issued another notice contemplated in section 12 (3).

Asbrid Lucin

Commissioner: CIPC

NKA NKA

About this Notice

This Notice is issued in terms of section 14 of the Companies Act, 2008, and Regulation 14 of the Companies Regulations, 2011.

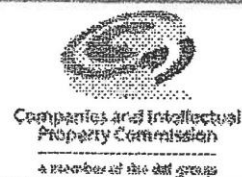
If the Commission has altered the name of the company, in terms of section 14 (2) (b), the company may file an amended Notice of Incorporation to change the name.

If the Commission has issued a Notice of a Potentially Contested Name in conjunction with the Certificate, the company must serve that Notice on each person identified in the Notice, and any such person has the right to challenge the use of the name, by the company.

The Companies and Intellectual Property Commission of South Africa
P.O. Box 429, Pretoria, 0001, Republic of South Africa
Docex 256, Pretoria
Contact centre 086 100 2472
www.cipc.co.za



**Certificate issued by the Companies and Intellectual Property Commission
on Wednesday, April 18, 2012 10:12
Certificate of Confirmation of Incorporation**

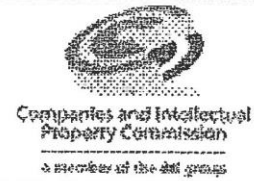


Registration number	2012 / 070831 / 07
Enterprise name	OWLS HEAD
Enterprise shortened name	NOT APPLICABLE
Enterprise translated name	NOT APPLICABLE
Registration date	18/04/2012
Business start date	18/04/2012
Enterprise type	PRIVATE COMPANY
Enterprise status	IN BUSINESS
Financial year end	FEBRUARY
Main business/main object	NO RESTRICTION ON BUSINESS ACTIVITIES
Postal address	P O BOX 285 PORT ELIZABETH 6000
Address of registered office	30 BIRD STREET CENTRAL PORT ELIZABETH 6000

The Companies and Intellectual Property Commission of South Africa
P.O. Box 429, Pretoria, 0001, Republic of South Africa
Docex 256, Pretoria
Contact centre 086 100 2472
www.cipc.co.za



**Certificate issued by the Companies and Intellectual Property
Commission on Wednesday, April 18, 2012
Confirmation of Incorporation**



Registration number 2012 / 070831 / 07

Enterprise name OWLS HEAD

Name MAZARS

Postal address 30 BIRD STREET
CENTRAL
PORT ELIZABETH
6001

Directors

Surname and first names	Status	ID number or date of birth	Director type	Appointment date	Addresses
BISSON, MELANIE ANN	ACTIVE	6906210226082	DIRECTOR	18/04/2012	Postal P O BOX 285, PORT ELIZABETH, 6000 Residential 30 BIRD STREET, CENTRAL, PORT ELIZABETH, 6000

The Companies and Intellectual Property Commission of South Africa
P.O. Box 429, Pretoria, 0001, Republic of South Africa
Docex 256, Pretoria
Contact centre 086 100 2472
www.cipc.co.za



Companies and Intellectual Property Commission Republic of South Africa

Form CoR 14.1

- This form is issued in terms of section 13 of the Companies Act, 2008 and Regulation 14 of the Companies Regulations, 2011.
- A profit company may be incorporated by an organ of state, or by one more persons. A non-profit company may be incorporated by an organ of state, a juristic person, or by three or more persons.
- At each of Paragraphs 1, 2, 3, 6 and 7, you must select one option, by ticking the appropriate box.
- Annexure A must be completed and attached.
- Annexure B required only if you tick the 3rd option at paragraph 6.
- Annexure C is required only if you tick the 2nd option at paragraph 7.
- The basic filing fee is R175 if the company's Memorandum of Incorporation is in Form 15.1A or 15.1C, or R475 in any other case.
- If you tick the 1st option at paragraph 6, the basic fee is reduced by R50.
- An MOI in form CoR15.1A, 15.1B, 15.1C, 15.1D or 15.1E or unique to the company must be attached.
- A company is not registered until the Commission has issued a Registration Certificate in Form CoR 14.3.

Contacting the Commission

The Companies and Intellectual Property Commission of South Africa

Postal Address: PO Box 429

Pretoria 0001

Republic of South Africa

Tel: 086 100 2472

www.cipc.co.za

Notice of Incorporation

Customer code: MRI-PE

From:

(Name, address and identity or registration number of Incorporator:)

(If there are multiple incorporators, each must be listed. Use a separate sheet)

Name: MELANIE ANN BISSON

Address: 30 BIRD STREET

CENTRAL

PORT ELIZABETH

Identity/ Reg. No: 6906210225082

- The incorporators have incorporated a juristic person registered as a:

☐ State owned company	☐ Public company
☐ Personal Liability company	☐ Private company
☐ Non Profit Company	
- The incorporation of the company is to take effect on:

☒ The date the Registration Certificate is issued;	
☐ <u>//</u> , if later than the registration date.	
- The company's first financial year will end on February.
- The company's registered office address is:

<u>30 BIRD STREET</u>	<u>P O BOX 285</u>
<u>CENTRAL</u>	<u>PORT ELIZABETH</u>
<u>PORT ELIZABETH</u>	<u>6000</u>
- There are 1 initial directors of the company, as listed in Annexure A.
- The company name is to be:

☐ The company's registration number, followed by the elements required by section 11 (3).	
☒ The name currently reserved or registered under # <u>714890042</u> for use by <u>MELANIE BISSON</u>	
☐ The first of the names set out on Annexure B that proves to be eligible, in terms of Regulation 14 (1) (b) (iii).	
- The company's Memorandum of Incorporation, attached in form CoR _____ (indicate form number) or unique ☒ (tick if appropriate).

☒ Has no provisions of the type contemplated in section 15 (2) (b) or (c).	
☐ Has provisions of the type contemplated in section 15 (2) (b) or (c), as listed in Annexure C.	

I declare that the information in this Notice and the Annexures is true. If I am not the applicant, I declare that the Applicant has authorised me to make this application.

Signature



Date

29/8/2012

For Commission
Use Only:

Commission file number:

Date filed:

**Companies and Intellectual Property Commission
Republic of South Africa**

Form CoR 14.1**Annexure A**

- This form is issued in terms of Section 13 of the Companies Act, 2008, and Regulation 14 of the Companies Regulations, 2011.
- Annexure A must be completed and attached to the notice of incorporation when it is filed.
- A public company, or a state-owned company, must have at least 3 initial directors.
- A Non-profit company must have at least 3 initial directors.
- A private company, or a personal liability company, must have at least 1 initial director.
- A company is not registered until the Commission has issued a Registration Certificate in Form CoR 14.3.

Contacting the Commission

The Companies and Intellectual
Property Commission of South Africa
Postal Address: PO Box 429
Pretoria 0001
Republic of South Africa
Tel: 086 100 2472
www.cipc.co.za

**Notice of Incorporation
Initial Directors of the Company**

The incorporators confirm that each person named below has consented to being appointed in terms of s 66 (7) (b) as a director of the company, whose Memorandum of Incorporation is attached.

1. Full name/former name, if any:	MELANIE ANN BISSON
2. Identity number:	6906210226082
3. Nationality:	SA
4. Passport number, if not South African:	
5. Date of appointment:	DATE OF INCORPORATION
6. Designation in company:	DIRECTOR
7. Residential address:	30 BIRD STREET CENTRAL PORT ELIZABETH
8. Business address:	30 BIRD STREET CENTRAL PORT ELIZABETH 6001
9. Postal address:	P O BOX 285 PORT ELIZABETH
10. Occupation:	COMPANY SECRETARY
11. South African Resident:	X (yes) (no)
12. Nature of change:	NEW APPOINTMENT: DATE OF INCORPORATION
13. E-Mail Address:	
14. Cell Number:	083 650 4951

For Commission Use Only:	Commission file number:	Date filed:
-----------------------------	-------------------------	-------------

This form is prescribed by the Minister of Trade and Industry in terms of section 223 of the Companies Act, 2008 (Act No. 71 of 2008)

"This form is reproduced and/or distributed by Accfin Software with the permission of the CIPC under Government Printing Works Authority Number 11535 on conditions as determined by the CIPC from time to time. Copyright of this form vests with the CIPC and it is not liable for any misrepresentation or error on this form and any subsequent loss or damages suffered by any party in the use of this form"

Notice of Incorporation
Notice of Company Appointments

The incorporators advise that the following persons have been appointed, and consented to serve, as the initial company secretary, auditor, or member of the audit committee of the company, as indicated.

Name and Address	Identity, Registration or Practice Number	Office to which appointed
------------------	---	---------------------------

AUDITOR

PORT ELIZABETH

6000

A company is not registered until the Commission has Issued a Registration Certificate in Form CoR-14.3

The Companies and Intellectual Property Commission of South Africa

Postal Address: PO Box 429
Pretoria 0001
Republic of South Africa
Tel: 086 100 2472
www.cipc.co.za

Date filed:

Use Only

This form is prescribed by the Minister of Trade and Industry in terms of section 223 of the Companies Act, 2008 (Act No. 71 of 2008)
 "This form is reproduced and/or distributed by Accfin Software with the permission of the CIPC under Government Printing Works Authority Number
 11535 on conditions as determined by the CIPC from time to time. Copyright of this form vests with the CIPC and it is not liable for any misrepresentation
 or error on this form and any subsequent loss or damages suffered by any party in the use of this form"

MRI - PE

Companies and Intellectual Property Commission
Republic of South Africa

Form CoR 15.1B
Long Standard Form
for Profit Companies

- This form is issued in terms of section 13 of the Companies Act, 2008 and regulation 15 of the Companies Regulations,
- This form may be used only to incorporate a profit company
- A profit company may be incorporated by one or more persons

The incorporators must complete this form by:
(a) filling in the Name of the Company, unless it is to be completed by the Commission in terms of Regulation 14(b)(i) or (iii);

(b) inserting the number of directors and alternate directors in the spaces provided;

(c) inserting the number of authorised shares, in the space provided; and

(d) each signing and dating the form on a line of the table at left.

- There are 11 pages in this form. If filling by paper, all 11 pages, together with any additional sheets, must be filed.

- This Form must be filed with Form CoR 14.1 Notice of Incorporation, and requires annexures and fees

Contacting the Commission

The Companies and Intellectual Property Commission of South Africa
Postal Address: PO Box 429
Pretoria 0001
Republic of South Africa
Tel: 086 100 2472
www.cipc.co.za

Memorandum of Incorporation
of

OWLS HEAD (PTY) LTD

Which is a profit company, has 1 director(s) and 0 alternate directors, is authorised to issue securities as described in Article 2, and is referred to in the rest of this Memorandum of Incorporation Company.

Adoption of Memorandum of Incorporation

This Memorandum of Incorporation was adopted by the incorporators of the company, in accordance with section 13 (1), as evidenced by the following signatures made by each of them, or on their behalf.

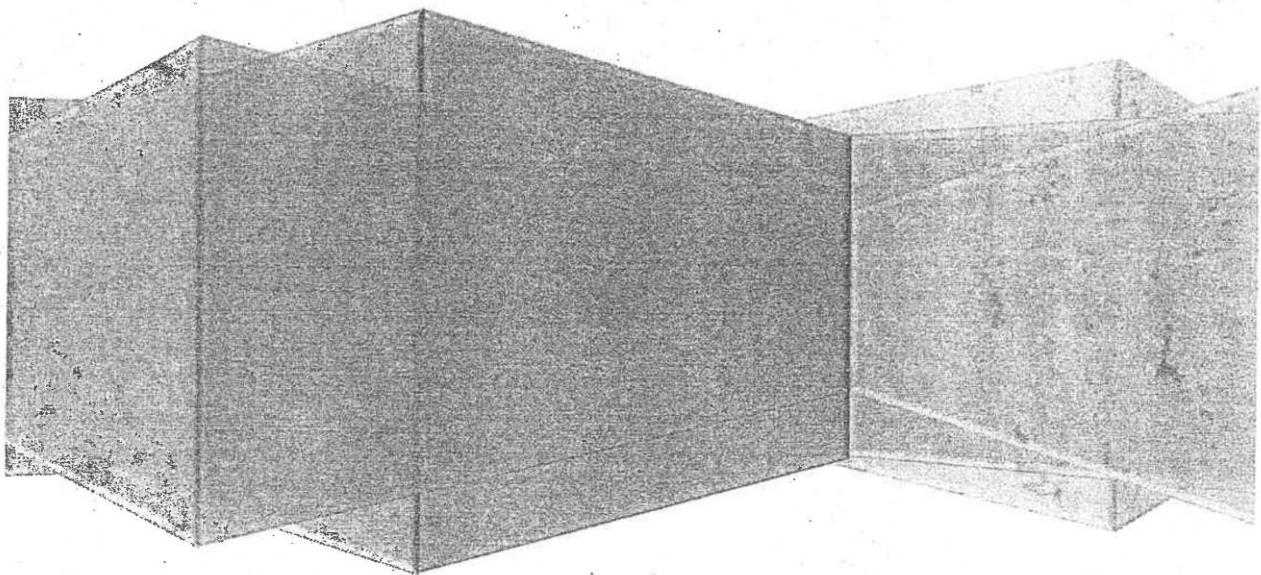
Name and Address of incorporator	Identity or Registration #	Signature	Date
BISSON MELANIE ANN 30 BIRD STREET CENTRAL PORT ELIZABETH	6906210226082		27/3/2012

This form is prescribed by the Minister of Trade and Industry in terms of section 223 of the Companies Act, 2008 (Act No. 71 of 2008)

"This form is reproduced and/or distributed by Accfin Software with the permission of the CIPC under Government Printing Works Authority Number 11535 on conditions as determined by the CIPC from time to time. Copyright of this form vests with the CIPC and it is not liable for any misrepresentation or error on this form and any subsequent loss or damages suffered by any party in the use of this form"

MRI - PE

OWLS HEAD (PTY) LTD
MEMORANDUM OF INCORPORATION



Article 1 – Incorporation and Nature of the Company

In this Memorandum of Incorporation-

- a) a reference to a section by number refers to the corresponding section of the Companies Act, 2008;
- b) words that are defined in the Companies Act, 2008, bear the same meaning in the Memorandum as in that Act.
- c) words appearing to the right of an optional check in line are void unless contains a mark to indicate that it has been chosen as the application option.

The Schedules attached to this Memorandum are part of the Memorandum of Incorporation

1.1 Incorporation –

- (1) The Company is incorporated as a private Company, as defined in section 8 (2) (b).
- (2) The Company is incorporated in accordance with and governed by-
 - (a) the unalterable provisions of the Companies Act, 2008; and
 - (b) the alterable provisions of the Companies Act, 2008, subject to the limitations, extensions, variations or substitutions set out in this Memorandum; and
 - (c) the provisions of this Memorandum of Incorporation.
- (3) The main object and main business of the Company is unlimited.

1.2 Powers of the Company

- (1) The Company is not subject to any provisions contemplated in section 15 (2) (b) or (c).
- (2) The purposes and powers of the Company are not subjected to any restrictions, limitations or qualifications, as contemplated in section 19 (1) (b) (ii).

1.3 Memorandum of Incorporations and Company Rules

- (1) This Memorandum of Incorporation of the Company may be altered or amended only in the manner set out section 16, 17 or 152 (6) (b).
- (2) The authority of the Company's Board of Directors to make rules for the Company, as contemplated in section 15 (3) to (5) is not limited or restricted in any manner by this Memorandum of Incorporation.
- (3) The Board must publish any rules made in terms of section 15 (3) to (5) by delivering a copy of those rules to each shareholder by ordinary mail.
- (4) The Company must publish a notice of any alteration of the Memorandum of Incorporation or the Rules, made in terms of section 17 (1), by delivering a copy of those rules to each shareholder by ordinary mail.

1.4 Application of optional provisions of Companies Act, 2008

- (1) The Company does not elect, in terms of section 34 (2), to comply voluntarily with the provisions of Chapter 3 of the Companies Act, 2008.
- (2) The Company does not elect, in terms of sections 118 (1) (c) (ii), to submit voluntarily to the provisions of Parts B and C of Chapter 5 of the Companies Act, 2008, and to the Takeover Regulations provided for in that Act.

Article 2 – Securities of the Company

2.1 Shares

- (1) The Company is authorised to issue no more than 10 000 shares of a single class of common shares, each of which entitles the holder to -
 - (a) vote on any matter to be decided by a vote of shareholders of the Company;
 - (b) participate in any distribution of profit to the shareholders; and
 - (c) share in the distribution of the company's residual value upon its dissolution.
- (2) The authority of the Company's Board of Directors to increase or decrease the number of authorised shares of any class of the Company's shares, to reclassify any shares that have been authorised but not issued, to classify any unclassified shares, or to determine the preferences, rights, limitations or other terms of any class of shares, as set out in section 36 (2) (b) and (3) (c) is limited or restricted to the extent set out in Part A of Schedule 2.
- (3) The pre-emptive right of the Company's shareholders to be offered and to subscribe for additional shares, as set out in section 39 is unconditional, and is not limited, negated or restricted in any manner contemplated in subsection (2) of section 39.
- (4) The authority of the Company's Board of Directors to authorise the Company to provide financial assistance in relation to the subscription of any option or securities of the Company or a related or inter-related Company, as set out in section 44 is not limited or restricted by this Memorandum of Incorporation.
- (5) The authority of the Company's Board of Directors to approve the issuing of any authorised shares of the Company as capitalisation shares, to issue shares of one class as capitalisation shares in respect of shares of another class, and to resolve to permit shareholders to elect to receive a cash payment in lieu of a capitalisation share, as set out in section 47 (1) is limited or restricted to the extent set out in Part C of Schedule 2.
- (6) Securities of the Company are to be issued in certificated form.
- (7) If a member of the company desires to sell all or any of his shares of the company he shall give notice, in writing, of his intention to sell, to the directors of the company, and state the price he requires for the shares.
- (8) The directors shall within one month of the date of receipt of the notice referred to in article 7 advise every other member of the company of the contents thereof and each such member shall be entitled to acquire the shares so offered within one month after the date of the receipt of such advice: Provided that if more than one member makes an offer for all of the shares so offered, the shares shall be sold to each such member in equal portions, and where fractional

MRI - PE

proportions of shares remain, such members shall become joint holders of such fractional proportions of the shares.

- (9) If the members of the company are unable to agree upon the selling price of the shares, the auditor of the company may be requested to determine the true and fair value and the members shall accept that value as the selling price of the shares.
- (10) If none of the members of the company offers to purchase the shares within the time referred to in 8 above, or if members of the company offer to purchase a part of the shares so offered, the member who is offering the shares for sale may offer the shares or the remaining portion of the shares which have not been purchased by members of the company, for sale to any other person and the directors shall approve the registration of the shares in the name of that person unless they have good reason to refuse such registration.

2.2 Debt Instruments

- (1) The authority of the Company's Board of Director to authorise the Company to issue secured or unsecured debt instruments, as set out in section 43 (2) is limited or restricted to the extent set out in Part D of Schedule 2.
- (2) The authority of the Company's Board of Directors to grant special privileges associated with any debt instruments to be issued by the Company, as set out in section 43 (3) is limited or restricted to the extent set out in Part D of Schedule 2.

2.3 Registration of Beneficial Interests

The authority of the Company's Board of Directors to allow the Company's issued securities to be held by, and registered in the name of, one person for the beneficial interest of another person, as set out in section 56 (1) is not limited or restricted by this Memorandum of Incorporation.

Article 3 – Shareholders

3.1 Shareholder's right to information

In addition to the rights to access information set out in section 26 (1), every person who has a beneficial interest in any of the Company's securities has the further rights to information, if any, set out in Part A of Schedule 2 of this Memorandum of Incorporation.

3.2 Shareholders' Authority to Act

- (1) If, at any time, there is only one shareholder of the Company, the authority of that shareholder to act without notice or compliance with any other internal formalities, as set out in section 57 (2), is not limited or restricted by this Memorandum of Incorporation.
- (2) If, at any time, every shareholder of the Company is also a director of the Company, as contemplated in section 57 (4), the authority of the shareholders to act without notice or compliance with any other internal formalities, as set out in that section is not limited or restricted by this Memorandum of Incorporation.

3.3 Representation by concurrent proxies

The right of a shareholder of a Company to appoint persons concurrently as proxies, as set out in section 58 (3) (a) is not limited, restricted or varied by this Memorandum of Incorporation.

3.4 Authority of proxy to delegate

The authority of a shareholder's proxy to delegate the proxy's powers to another person, as set out in section 58 (3) (b) is not limited or restricted by this Memorandum of Incorporation.

3.5 Requirement to deliver proxy instrument to the Company

The requirement that a shareholder must deliver to the Company a copy of the instrument appointing a proxy before that proxy may exercise the shareholder's right at a shareholder's meeting, as set out in section 58 (3) (c) is not varied by this Memorandum of Incorporation.

3.6 Deliberative authority of proxy

The authority of a shareholder's proxy to decide without direction from the shareholder whether to exercise, or abstain from exercising any voting right of the shareholder, as set out in section 58 (7) is not limited or restricted by this Memorandum of Incorporation.

3.7 Record date for exercise of shareholder rights

If, at any time, the Company's Board of Directors fails to determine a record date, as contemplated in section 59, the record date for the relevant matter is as determined in accordance with section 59 (3).

Article 4 – Shareholders Meetings

4.1 Requirement to hold meetings

The Company is not required to hold any shareholders meetings other than those specifically required by the Companies Act, 2008.

4.2 Shareholder's right to requisition a meeting

The right of shareholders to requisition a meeting, as set out in section 61 (3), may be exercised by the holders of at least 10% of the voting rights entitled to be exercised in relation to the matter to be considered at the meeting, as provided for in that section.

4.3 Location of shareholders meetings

The authority of the Company's Board of Directors to determine the location of any shareholders meeting, and the authority of the Company to hold any such meeting in the Republic or in any foreign country, as set out in section 61 (9) is limited or restricted to the extent set out in Part B of Schedule 4.

4.4 Notice of shareholders meetings

The minimum number of days for the Company to deliver a notice of a shareholders meeting to the shareholders, as required by section 62 is as provided for in section 62 (1).

4.5 Electronic participation in shareholders meetings

The authority of the Company to conduct a meeting entirely by electronic communication or to provide for participation in a meeting by electronic communication, as set out in section 63 is no limited or restricted by this Memorandum of Incorporation.

4.6 Quorum for shareholders meetings

- (1) The quorum requirement for a shareholders meeting to begin, or for a matter to be considered are as set out in section 64 (1) without variation.

- (2) The time periods allowed in section 64 (4) and (5) apply to the Company without variation.
- (3) The authority of a meeting to continue to consider a matter, as set out in section 64 (9) is not limited or restricted by this Memorandum of Incorporation.

4.7 Adjournment of shareholders meetings

The maximum period allowable for an adjournment of a shareholders meeting is as set out in section 64 (13), without variation.

4.8 Shareholders resolutions

- (1) For an ordinary resolution to be adopted at a shareholders meeting, it must be supported by the holders of more than 50% of the voting rights exercised on the resolution, as provided in section 65 (7).
- (2) For a special resolution to be adopted at a shareholders meeting, it must be supported by the holders of at least 75% of the voting rights exercised on the resolution, as provided in section 65 (9).
- (3) A special resolution adopted at a shareholders meeting is not required for a matter to be determined by the Company, except those matters set out in section 65 (11), or elsewhere in the Act.

Article 5 – Directors and Officers

5.1 Composition of the Board of Directors

- (1) The Board of Directors of the Company comprises of a minimum of one director, to be elected by holders of the companies securities entitled to exercise voting rights, as contemplated in section 68.
- (2) In addition to the elected directors there may be *ex officio* directors appointed, as contemplated in section 66 (4).
- (3) In addition to satisfying the qualification and eligibility requirements set out in section 69, to become or remain a director or a prescribed officer of the Company, a person need not satisfy any further eligibility requirements or qualifications.
- (4) Each elected director of the Company serves for an indefinite term, as contemplated in section 68 (1).
- (5) The manner of electing directors of the Company is as set out in section 68 (2).
- (6) The authority of the Company's Board of Directors to fill any vacancy on the Board on a temporary basis, as set out in section 68 (3) is not limited or restricted by this Memorandum of Incorporation.

5.2 Authority of the Board of Directors

- (1) The authority of the Company's Board of Directors to manage and direct the business and affairs of the Company, as set out in section 66 (1) is not limited or restricted by this Memorandum of Incorporation.
- (2) If, at any time, the Company has only one director, as contemplated in section 57 (3), the authority of that director to act without notice or compliance with any other internal formalities, as set out in that section is not limited or restricted by this Memorandum of Incorporation.

5.3 Directors' Meeting

- (1) The authority of the Company's Board of Directors to consider a matter other than at a meeting, set out in section 74 is not limited or restricted by this Memorandum of Incorporation.
- (2) The right of the Company's directors to requisition a meeting of the Board, as set out in section 73 (1), may be exercised by at least 25% of the directors, despite the provisions of that section.
- (3) The authority of the Company's Board of Directors to conduct a meeting entirely by electronic communication, or to provide for participation in a meeting by electronic communication, as set out in section 73 (3) is not limited or restricted by this Memorandum of Incorporation.
- (4) The authority of the Company's Board of Directors to determine the manner and form of providing notice of its meetings, as set out in section 73 (4) is not limited or restricted by this Memorandum of Incorporation.
- (5) The authority of the Company's Board of Directors to proceed with a meeting despite a failure or defect in giving notice of the meeting, as set out in section 73 (5) is not limited or restricted by this Memorandum of Incorporation.
- (6) The quorum requirement for a directors meeting to begin, the voting rights at such a meeting, and the requirements for approval of a resolution at such a meeting, are as set out in section 73 (5), without variation.

5.4 Director's compensation and financial assistance

- (1) The authority of the Company to pay remuneration to the Company's directors for services as directors, in accordance with a special resolution approved by the Company's shareholders within the previous two years, as set out in section 66 (9) and (10) is not limited or restricted by this Memorandum of Incorporation.
- (2) The authority of the Company's Board of Directors, as set out in section 45, to authorise the Company to provide financial assistance to a director, prescribed officer or other person referred to in section 45 (2) is not limited or restricted by this Memorandum of Incorporation.

5.5 Indemnification of Directors

- (1) The authority of the Company to advance expenses to a director, or indemnify a director, in respect of the defence of legal proceedings, as set out in section 78 (4) is not limited, restricted or extended by this Memorandum of Incorporation.
- (2) The authority of the Company to indemnify a director in respect of liability, as set out in section 78 (5) is not limited or restricted by this Memorandum of Incorporation.
- (3) The authority of the Company to purchase insurance to protect the Company, or a director, as set out in section 78 (7) is not limited, restricted or extended by this Memorandum of Incorporation.

5.6 Committees of the Board

- (1) The authority of the Company's Board of Directors to appoint committees of directors, and to delegate any such committee any of the authority of the Board, as set out in section 72 (1), and to include in any such committee persons who are not directors, as set out in section 73 (2) (a) is not limited or restricted by this Memorandum of Incorporation.

- (2) The authority of a committee appointed by the Company's Board of Directors, as set out in section 72 (2) (b) and (c) is not limited or restricted by this Memorandum of Incorporation.

Schedule 1 – Incorporation and nature of the Company

Part A – C

None

Schedule 2 – Company Securities

Part A

The directors shall not have the powers relating to shares, as contemplated in section 36 (3) of the Act without the prior approval of the shareholders in general meeting.

Part B

None

Part C

The directors shall not have the powers with respect to issuing of capitalisation shares, as contemplated in section 47 (1) of the Act without the prior approval of the shareholders in general meeting.

Part D

The authority of the Board with respect to the issuing of debt instruments, as contemplated in section 43 (2) or (3) of the Act is hereby restricted in its entirety and must be authorised by its shareholders in general meeting.

Part E

None

Schedule 3 – Shareholders

None

Schedule 4 – Shareholders Meetings

Part A

None

Part B

The authority of the Board to determine the location of shareholders meetings, or the authority of the Company to meet is hereby restricted to inside the Republic of South Africa.

Part C –G

None

Schedule 5 – Directors of the Company

Part A – K

None

Annexure E

 **REPUBLIC OF SOUTH AFRICA**
NATIONAL IDENTITY CARD

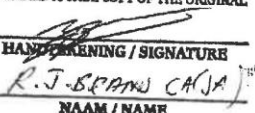
Surname:
FOURIE
Names:
ANDRIES ADRIAAN
Sex:
M
Nationality:
RSA
Identity Number:
7406065007082
Date of Birth:
06 JUN 1974
Country of Birth:
RSA
Status:
CITIZEN







GESERTIFISEER 'N WARE AFSKRIF
VAN DIE OORSPRONKLIKE /
CERTIFIED A TRUE COPY OF THE ORIGINAL


HANDSREKENING / SIGNATURE

R.J. BRANW CA(JA)
NAAM / NAME

SAICA 00010406
KOMMISSARIS VAN EDE NR. /
COMMISSIONER OF OATH NR.

This card has been issued by the
Department of Home Affairs in terms of the
Identification Act, Act 68 of 1997
If found please return to the Department of Home Affairs
For enquiry or verification purposes contact 0800 80 11 80

26 JAN 2019

109741237



Annexure F

OWLS HEAD (PTY) LTD

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

RESOLUTION

Resolution passed at the meeting of the Shareholders/ Partners/ Trustees/ Members held in Gqeberha on the 13 day of August 2022.

Resolved that A.A Fourie 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:

KNYSNA ERF 4653

NATURE OF APPLICATION:

LEASE OF ADJACENT MUNICIPAL LAND

SIGNATURE OF SHAREHOLDERS/ PARTNERS/ TRUSTEES/ MEMBERS:

NAME:

GEORGE KASTRATIDOU
ANDRIES ADRIAAN FOURIE

SIGNATURE:

[Signature]
[Signature]

SPECIAL POWER OF ATTORNEY

I/We GEORGE KESTRAVEN + ANDRIES ADRIAAN

FOURCE

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:

LEASE OF ADJACENT MUNICIPAL LAND

on

KNYSNA ERF 4653

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 applications and further to represent *me/us at any inquiry in relation to the
above-mentioned 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 GRABBERA on this 13 day of AUGUST 2022

SIGNED:

SIGNED:

SIGNED:

In the presence of the undersigned witnesses:

AS WITNESSES:

1.

2.



KNYSNA Municipality Munisipaliteit uMasipala

ONLY VALID IF PRINTED BY MACHINE / SLEGS MASJIENGEDRUKTE KWITANSIES GELDIG
RECEIVED WITHOUT PREJUDICE TO RIGHTS / ONTVANG SONDER BENADELING VAN REGTE

☎ 044 302 6300
✉ 21 KNYSNA 6570
FAX 044 302 6333

VAT INVOICE/RECEIPT

RECEIPT: 003471 DATE: 03/11/2022 MC NO:025 TIME: 09:50

KNYSNA MUNICIPALITY VAT REG: 4360193876

* DUPLICATE *

CST:9/209-32-43	Rental Land	ZY	32.60	250.00	*
-----------------	-------------	----	-------	--------	---

CREDIT CARD
ERF: 1316 KNYSNA

TOTAL:	250.00
VAT:	32.60 *
TENDERED:	250.00
CHANGE:	0.00



forestry, fisheries
& the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +27 86 625 1042

Ref: EDMS276245/Close-out Letter/Food Lover's Market/Unlawful Activity/s_ Knysna

Enquiries: B Perumal

Tel: (012) 399-9492 Email: BPerumal@dfre.gov.za

www.dfre.gov.za

Andries Fourie
Food Lover's Market
London Circle
Brackenridge Business Park
BRACKENFELL
7561

Email: andries@kdpq.co.za

Dear Sir

CLOSE-OUT LETTER:

NOTICE OF INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA"): FOOD LOVER'S MARKET, WITH RESPECT TO NON-COMPLIANCE(S) WITH THE PROVISIONS OF ENVIRONMENTAL LAWS, KNYSNA, WESTERN CAPE PROVINCE

1. I refer to the following, *inter alia*:
 - 1.1. The environmental inspection conducted by Environmental Management Inspector's ("EMIs") from this Department as well as officials from SANParks, at Erf 1316; RE/1352 and RE/1146 (hereinafter referred to as "the property") in Knysna on the 04th of March 2025;
 - 1.2. The "Notice of intention to issue a Compliance Notice in terms of Section 31L of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA")..." dated the 02nd of June 2025 ("Notice of Intent");
 - 1.3. The meeting between the Department, the South African National Parks ("SANParks"); Knysna Municipality and representatives of Food Lover's Market, held on the 09th of June 2025;
 - 1.4. The letter submitted to the Department on the 12th of June 2025;



Batho pele – putting people first

Departement van Bosbou, Visserye en die Omgewings • Departement van Forestry, Fisheries and the Environment • UmNyungo wezamaletshi, zokuThiya neBhoduluko • iSebe lezamaletshi, azokul obo noKusigagqigqiso • Umnyungo Wezamaletshi, Enkutholwa Naxenwelo • Kgoro ya Dikholwaga, Boreshlapi le Tlotogo • Lefapha la Meru, Bafshwasi ba dithayeli le Fikeleho • Lefapha la Dikgwa, Dikgwa le Tlotogo • Likho Latamahloli, Tikhonli Nalandawo • Mubasho wa zwa Vhusimo-madaka, Vhumakhotso na Mupo • Ndzwamiso ya Switikhile, Vunjoventi na Mbangi. The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessively for the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act, and/or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

CLOSE-OUT LETTER:

NOTICE OF INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA"): FOOD LOVER'S MARKET, WITH RESPECT TO NON-COMPLIANCE(S) WITH THE PROVISIONS OF ENVIRONMENTAL LAWS, KNYSNA, WESTERN CAPE PROVINCE

- 1.5. The *Method Statement for the removal of unlawful infilling and rehabilitation of ecologically sensitive estuarine areas Erf 1316, Knysna* ("Method statement"), submitted to the Department on the 25th of June 2025;
 - 1.6. The Department's letter dated the 26th of June 2025, approving certain aspects of the Method Statement, for implementation;
 - 1.7. The environmental inspection conducted by EMIs from the Department, as well as officials from SANParks and the Knysna Municipality at the property on the 02nd of July 2025;
 - 1.8. The *Amended Method Statement for the removal of unlawful infilling and rehabilitation of ecologically sensitive estuarine areas Erf 1316, Knysna*, submitted to this Department on the 18th of August 2025 [with soil sampling results];
 - 1.9. The Department's letter dated the 28th of August 2025, approving the Method Statement, for implementation;
 - 1.10. The verification inspection undertaken by EMIs from this Department as well as officials from the Knysna Municipality, at the property on the 13th of August 2026.
2. In making my decision on the way forward on this matter, I have considered the information recorded in paragraph 1 above. Having given due regard to the following:
 - a) The non-compliances and issues of concern identified during the environmental inspection conducted on the 04th of March 2025, have been adequately addressed.
 - b) The rubble and soil dumped at the property has been removed.
 - c) The berm constructed at the property has been removed.
 - d) There is active rehabilitation taking place in the disturbed area.
 3. Against this background, no further administrative enforcement intervention is required by this Department's Chief Directorate: Sector Enforcement and the administrative enforcement file is now closed.
 4. It should, however, be noted that this Department reserves its rights to take further enforcement action (criminal and / or administrative) should future information and / or inspections reveal that Food Lover's Market Knysna is in non-compliance with environmental legislation.
 5. Should you be unclear about any aspect of this communication, kindly contact the person indicated for enquiries.

Yours sincerely



GRANT WALTERS
DIRECTOR: SECTOR ENFORCEMENT: ENVIRONMENTAL IMPACT AND POLLUTION
GRADE 1 ENVIRONMENTAL MANAGEMENT INSPECTOR

DATE: 26 Aug 2026

Batho pele- putting people first

CLOSE-OUT LETTER:

NOTICE OF INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA"): FOOD LOVER'S MARKET, WITH RESPECT TO NON-COMPLIANCE(S) WITH THE PROVISIONS OF ENVIRONMENTAL LAWS, KNYSNA, WESTERN CAPE PROVINCE

Acknowledgement of Receipt:

CLOSE-OUT LETTER:

NOTICE OF INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA"): FOOD LOVER'S MARKET, WITH RESPECT TO NON-COMPLIANCE(S) WITH THE PROVISIONS OF ENVIRONMENTAL LAWS, KNYSNA, WESTERN CAPE PROVINCE

Received by Mr/Ms: ANDRIES ADRIAAN FOURIE

On behalf of: DEEP BLUE SEE PROPERTIES (PTY) LTD.

On this 27th day of AUGUST 2026, at KNYSNA.

Signature: A.A. FOURIE
DIRECTOR: DEEP BLUE SEE PROPERTIES (PTY) LTD.



Marike Vreken Town Planners CC
21 Trotter Street | P.O. Box 2180 | KNYSNA | 6570
☎ 044 382 0420 | 📠 086 459 2987
info@vreken.co.za | www.vreken.co.za

Our Ref: Pr22/60b01
Your Ref:

02 November 2022

BY EMAIL: nmndebela@knysna.gov.za
snelo@knysna.gov.za
knysna@knysna.gov.za

Collab No.:

The Manager: Property Management
Knysna Municipality
P.O. Box 21
Knysna
6570

File No.: 7/2/21

FOR ATTENTION: MS N MNDEBELA

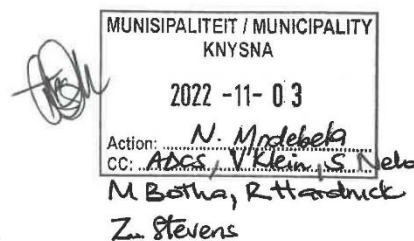
Dear Madam,

**LEASE OF MUNICIPAL LAND FOR THE PURPOSES OF A TURNING CIRCLE AND ACCESS
AND EGRESS FOR DELIVERIES (A PORTION TIDE STREET) ABUTTING KNYSNA ERF
3556**

Marike Vreken Urban and Environmental Planners have been appointed by the owners of Knysna Erf 3556 **OWLS HEAD (PTY) LTD** (Refer to **Annexure F**: for the signed Power of Attorney and Company Resolution) to prepare and submit the required application to apply to Knysna Municipality to lease or purchase A portion of Municipal Land being a portion of the remainder of Knysna Erf 1316 (802m²) situated adjacent to their property.

1. BACKGROUND

The application area is adjacent to Knysna Erven 3556 which is situated at the eastern end of Tide Street, Knysna. See attached **Annexure C**: for the Locality Plan. Knysna Erf 4653 is currently zoned "Industrial Zone I", 2807m² in extent. There is a pending land development application to redevelop Knysna Erven 1310; 1331; 2944; 3414 & 3556 into an upgraded Food Lovers' Market retail area.



Member: HM Vreken
Reg. CK 2005/032114/23 VAT: 4690222106

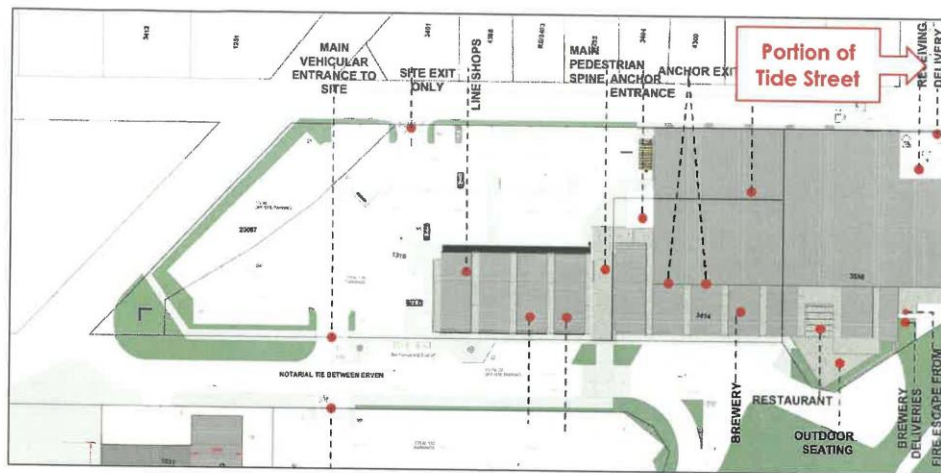


FIGURE 1: PROPOSED SITE DEVELOPMENT PLAN – FOOD LEVER'S MARKET

2. PROPOSAL

(Refer to Error! Reference source not found. for the Plan indicating the lease / purchase area)

It is proposed to lease or purchase a portion of the remainder of Knysna Erf 1316 (802m²) from Knysna Municipality to allow for landscaping and beautifying this area; which is the eastern most end of Tide Street.



FIGURE 2: PORTION TO BE LEASED OR PURCHASED

The applicant's objective is to beautify the area AND maintain it on behalf of the Municipality. The applicant will need this for staff parking and delivery trucks turning circle. The applicant proposes to fence this parcel and make it part of the entire development.

Should Knysna Municipality agree to the alienation, the applicant will be responsible for the necessary closure, subdivision and rezoning applications.



FIGURE 3: PORTION TO BE LEASED OR PURCHASED

The landowners are hereby applying to lease or purchase this unutilised land from Knysna Municipality. The total portion of land to be alienated is ±802m².

3. CONCLUSION

- 3.1. No new structures or buildings are proposed within the lease / alienation area. The request is merely to upgrade and fence the delivery area for the proposed upgrade Food Lovers' Market development on the consolidated Erven 1310; 1331; 2944; 3414 & 3556.
- 3.2. The proposal will lead to urban renewal upgrading the area and allowing a more aesthetically pleasing streetscape along both Waterfront Drive and New Street.
- 3.3. The safety and convenience of the general public are not compromised.
- 3.4. The proposal does not have any impact on the existing municipal services, sight distances or manoeuvrability of vehicles.

The following documents are attached to this application:

- Annexure A:** Application Form
- Annexure B:** Subdivision / Lease area Plan
- Annexure C:** Locality Plan
- Annexure D:** 'Owls Head' Company registration documents

Annexure E: Copy of identity document of the authorised person.

Annexure F: Signed Company Resolution & Power of Attorney

Annexure G: Proof of payment

We trust the above is in order and that the application will receive your expeditious response. Please do not hesitate to contact the writer if you require any additional information.

Yours faithfully



MARIKE VREKEN
Pr. Pln 1101 M SAPI 10233

Annexure A



Knysna

Municipality || Munisipaliteit || uMasipala

inclusive || innovative || inspired

APPLICATION TO LEASE OR PURCHASE MUNICIPAL PROPERTY:

Name of Applicant : Marike Vreken Town Planners CC
Residential Address : 21 Trotter Street Knysna
:
:
:
Erf Number : Knysna Erf 1316
Telephone/Cell No : 044-382-0420
Email address : marike@vreken.co.za / info@vreken.co.za

☒ To buy property

☒ To lease property for a period of

☐ To lease by means of encroachment

Description of municipal owned property..... Portion of Knysna Erf 1316

(Portion of Erf..... Knysna Erf 1316.....).

Size of property to be considered (..... $\pm 802\text{m}^2$ m^2).

Zoning of Property..... Transport Zone II (Public Street)

Intended Use of Property..... Access / Deliveries / manoeuvring space for business purposes

Reason/Motivation for application:

The owners of Erven 1310; 1331; 2944; 3414 & 3556 have agreed to redevelop

these properties into a new, consolidated local neighbourhood centre, with a new, larger

Food Lover's Market, and some smaller line shops, and parking. The existing buildings

will be demolished, and a new retail precinct will be developed.

The area where Erf 3556 is located, will be the proposed delivery area, with a large, enclosed

delivery yard. Tide Street is the only access to Erf 3556, and Tide Street runs into Erf 1316

and then terminates in a cul-de-sac at the eastern end of Erf 1316. The remainder of Erf 1316

is vacant and not developed for road purposes, and doesn't provide access to any other

public facilities or private properties. The owners of Erven 1310; 1331; 2944; 3414 & 3556

wish to purchase the eastern portion of Erf 1316 ($\pm 802\text{m}^2$), to provide easy access and

manoeuvring space into the proposed delivery yard, on what is currently Erf 3556.

The eastern portion of Erf 1316 will be subdivided and consolidated with Erven 1310; 3414 & 3556.

The cul-de-sac area will remain open for the public for turning space.

Support/Objections/Comments of Neighbours and/or Residents Associations to the property that is being applied for *(only registered property owners may comment)*

Erf No.....

Address.....

Name and Signature.....

Contact Details.....

☐ Approved

☐ Disapproved

Comments

.....

.....

.....

.....

Erf No.....

Address.....

Name and Signature.....

Contact Details.....

☐ Approved

☐ Disapproved

Comments

.....

.....

.....

.....

The following documents must be attached to the application:

- Any additional motivation or comments
- Sketch plan that indicates the property that is being applied for.
- Copy of identity document of the applicant.
- If the applicant is a non-profit or non-governmental organization, NPO or NGO registration certificate must be attached.
- If the applicant is a registered business, the company/trust/close corporation must submit the relevant registration documents with the application and disclose the particulars of the Directors or Trustees.

Please note:

- Incomplete applications will not be considered.
- A non-refundable application fee is payable on submission; proof of payment must be attached to the application form.
- Application to lease property will be finalized between 4 - 6 months after the date on which the complete application was received subject to no objections being received.
- Applications to purchase property will be finalized between 6 - 12 months after the date on which the complete application was received subject to no objections being received.
- In the event that a person purchases property from the Municipality, he will be responsible for some or all of the following costs depending on the specific transaction, namely: Sub division costs, advertisement costs, land use costs, road closure costs, consolidation costs, surveyor costs, transfer costs, valuation costs, and connection costs to Municipal services.
- In the event that a person leases property from the Municipality, he will be responsible for the advertisement costs, valuation costs (in some cases) and monthly Municipal service costs.
- I hereby give permission and consent that my name, surname and personal information contained in this application form, may be presented to Council and made available to interested and affected parties for the purpose of this application.

TARRIFF FOR THE 2022/2023 FINANCIAL YEAR

Kindly note the **non-refundable application fee** is payable on submission. An incomplete application form or form with missing supporting documentation will not be processed

1.	Alienation and leasing of Municipal Land		
2.	Application Fee to lease/Purchase Municipal Property	per application	R250,00
3.	Advertising Fee	per application	R500,00

	Encroachment on municipal land		
4.	Encroachment of 0m ² - 50m ² over the property boundary	Per annum	R1 500,00
5.	Encroachment of 50m ² > over the property boundary	Per annum	R3 000,00

Hllret

Signature of Applicant

Date:

For Official use

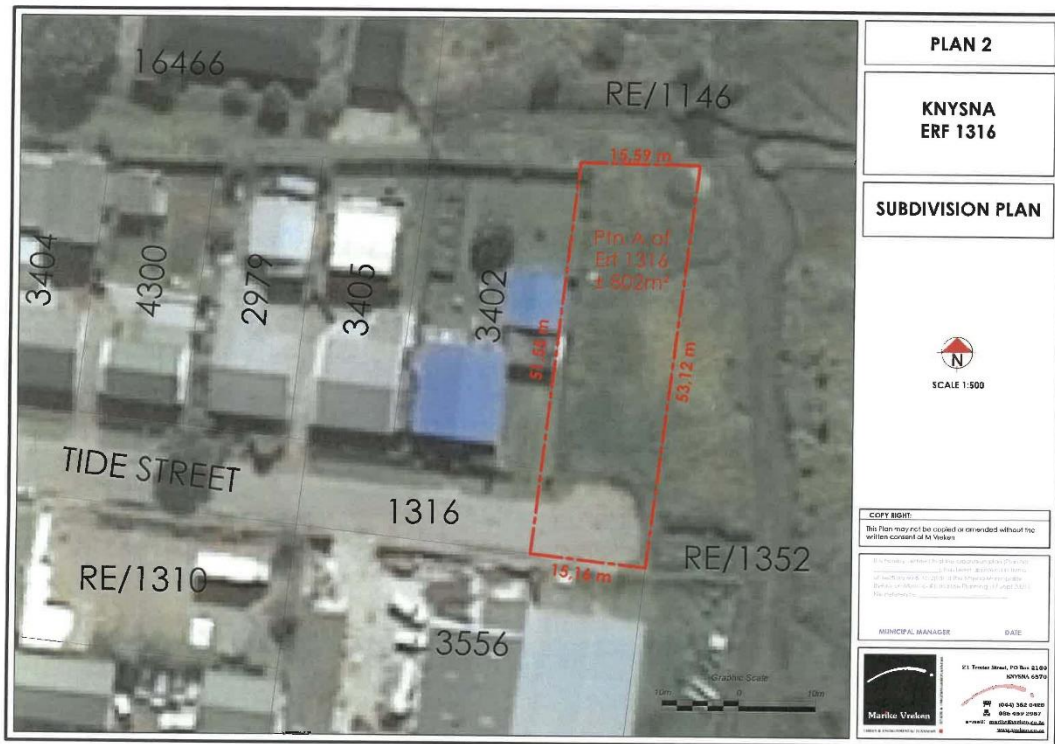
COLLAB NUMBER OF APPLICATION:.....

DATE ITEM SERVED BEFORE COUNCIL:.....

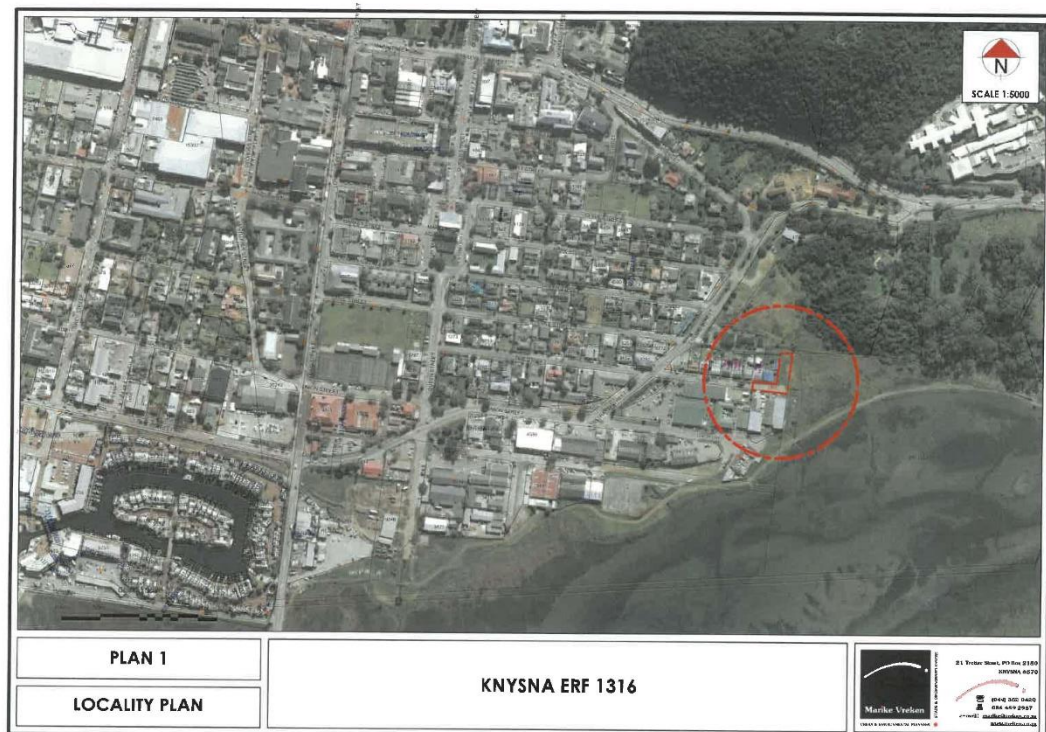
DATE ADVERTISEMENT WAS PLACED IN THE NEWSPAPER:.....

DATE ON WHICH THE AGREEMENT WAS SIGNED:.....

COLLAB NUMBERS OF CORRESPONDENCE WITH APPLICANT IN REGARDS TO THIS APPLICATION:.....



Annexure B



Annexure C

Annexure D COR39



Companies and Intellectual
Property Commission
a member of the dti group

Date: 25/01/2017

Our Reference: 961644418

MAGDALENE BURLAND
E-mail: MAGDA@MPK.CX
P O BOX 82
KNYSNA
KNYSNA
6570

RE: Amendment to Company Information
Company Number: 2012/070831/07
Company Name: OWLS HEAD (PTY) LTD

We have received a COR39 (Notice of change of company directors) from you dated 19/01/2017.
The COR39 was accepted and placed on file.

The following change was effected to Director/Secretary/Officer:
Director BRIAN AUBREY COPPIN details was Changed

The following change was effected to Director/Secretary/Officer:
Director GEORGE EFSTRATIOU details was Changed

The following change was effected to Director/Secretary/Officer:
Director ANDRIES ADRIAAN FOURIE details was Changed

Yours truly

Commissioner: CIPC

Please Note:

The attached certificate can be validated on the CIPC web site at www.cipc.co.za.
The contents of the attached certificate was electronically transmitted to the South African Revenue Services.



The Companies and Intellectual Property Commission
of South Africa
P.O. BOX 429, PRETORIA, 0001, Republic of South Africa Docex 256, PRETORIA
Call Centre Tel 086 100 2472, Website www.cipc.co.za



1

COR39

**Certificate issued by the Companies and Intellectual Property
Commission on Wednesday, January 25, 2017 03:06
Certificate of Confirmation**



Companies and Intellectual
Property Commission
a member of the dti group

Registration number	2012 / 070831 / 07
Enterprise Name	OWLS HEAD (PTY) LTD
Enterprise Shortened Name	None provided.
Enterprise Translated Name	None provided.
Registration Date	18/04/2012
Business Start Date	18/04/2012
Enterprise Type	Private Company
Enterprise Status	In Business
Financial year end	February
Main Business/Main Object	
Postal address	P O BOX 285 PORT ELIZABETH 6000
Address of registered office	30 BIRD STREET CENTRAL PORT ELIZABETH 6000



The Companies and Intellectual Property Commission
of South Africa
P O BOX 429, PRETORIA, 0001, Republic of South Africa Docex 255, PRETORIA
Call Centre Tel 086 100 2472, Website www.cipc.co.za



2

COR39

**Certificate issued by the Companies and Intellectual Property
Commission on Wednesday, January 26, 2017 03:06
Certificate of Confirmation**



Companies and Intellectual
Property Commission
a member of the SAG Group

Registration number 2012/070831/07
Enterprise Name OWLS HEAD (PTY) LTD
Auditor Name MICHAELIDES PARKER KRETZMANN INC
Postal Address P O BOX 285
PORT ELIZABETH
6000
Designated Auditor Name TANYA FACTOR
Postal Address P O BOX 285
PORT ELIZABETH
6000

Active Directors / Officers

Surname and first names	ID number or date of birth	Director type	Appoint-ment date	Addresses
FOURIE, ANDRIES ADRIAAN	7408065007082	Director	31/08/2012	Postal: P O BOX 479, KNYSNA, KNYSNA, WESTERN CAPE, 6570 Residential: 6 FISH EAGLE DRIVE, BELVIDERE HEIGHTS, KNYSNA, WESTERN CAPE, 6571
EFSTRATIOU, GEORGE	5911115131081	Director	18/04/2012	Postal: 15 ST JOHNS AVENUE, WALMER, PORT ELIZABETH, WESTERN CAPE, 6070 Residential: 15 ST JOHNS AVENUE, WALMER, PORT ELIZABETH, WESTERN CAPE, 6070



The Companies and Intellectual Property Commission
of South Africa
P.O. BOX 429, PRETORIA, 0001, Republic of South Africa Doxex 256, PRETORIA.
Call Centre Tel 086 100 2472, Website www.cipc.co.za



3

OWLS HEAD (PTY) LTD
(2012/070831/07)

**MEMORANDUM OF
INCORPORATION**
(MOI)



**COMPANIES AND INTELLECTUAL PROPERTY COMMISSION
REPUBLIC OF SOUTH AFRICA**

CoR14.3 Registration Certificate

Issue date: 18/04/2012
Print date: 18/04/2012
Customer code: MRI-PE
Tracking number: 110075449

Concerning:

OWLS HEAD: 2012/070831/07.

The above company has been registered in terms of section 14 of the Companies Act, 2008.

In accordance with the Notice of Incorporation, the registration of the company takes effect on: 18/04/2012.

In conjunction with this certificate, the Commission has not issued another notice contemplated in section 12 (3).

Abriel Ludin

Commissioner: CIPC

NKA NKA

About this Notice

This Notice is issued in terms of section 14 of the Companies Act, 2008, and Regulation 14 of the Companies Regulations, 2011.

If the Commission has altered the name of the company, in terms of section 14 (2) (b), the company may file an amended Notice of Incorporation to change the name.

If the Commission has issued a Notice of a Potentially Contested Name in conjunction with the Certificate, the company must serve that Notice on each person identified in the Notice, and any such person has the right to challenge the use of the name, by the company.

The Companies and Intellectual Property Commission of South Africa
P.O. Box 429, Pretoria, 0001, Republic of South Africa
Docex 256, Pretoria
Contact centre 086 100 2472
www.cipc.co.za



1

Certificate issued by the Companies and Intellectual Property Commission on Wednesday, April 18, 2012 10:12 Certificate of Confirmation of Incorporation		 Companies and Intellectual Property Commission a member of the sda group
Registration number	2012 / 070831 / 07	
Enterprise name	OWLS HEAD	
Enterprise shortened name	NOT APPLICABLE	
Enterprise translated name	NOT APPLICABLE	
Registration date	18/04/2012	
Business start date	18/04/2012	
Enterprise type	PRIVATE COMPANY	
Enterprise status	IN BUSINESS	
Financial year end	FEBRUARY	
Main business/main object	NO RESTRICTION ON BUSINESS ACTIVITIES	
Postal address	P O BOX 285 PORT ELIZABETH 6000	
Address of registered office	30 BIRD STREET CENTRAL PORT ELIZABETH 6000	
The Companies and Intellectual Property Commission of South Africa P.O. Box 429, Pretoria, 0001, Republic of South Africa Docex 256, Pretoria Contact centre 086 100 2472 www.cipc.co.za 		



2

Certificate issued by the Companies and Intellectual Property Commission on Wednesday, April 18, 2012 Confirmation of Incorporation					
 Companies and Intellectual Property Commission a member of the dti group					
Registration number	2012 / 070831 / 07				
Enterprise name	OWLS HEAD				
Name	MAZARS				
Postal address	30 BIRD STREET CENTRAL PORT ELIZABETH 6001				
Directors					
Surname and first names	Status	ID number or date of birth	Director type	Appointment date	Addresses
BISSON, MELANIE ANN	ACTIVE	6806210226082	DIRECTOR	18/04/2012	Postal P O BOX 285, PORT ELIZABETH, 6000 Residential 30 BIRD STREET, CENTRAL, PORT ELIZABETH, 6000
The Companies and Intellectual Property Commission of South Africa P.O. Box 429, Pretoria, 0001, Republic of South Africa Docex 256, Pretoria Contact centre 086 100 2472 www.cipc.co.za 					



3

MRI - PE

**Companies and Intellectual Property Commission
Republic of South Africa**

Form CoR 14.1

- This form is issued in terms of section 13 of the Companies Act, 2008 and Regulation 14 of the Companies Regulations, 2011.
- A profit company may be incorporated by an organ of state, or by one more persons. A non-profit company may be incorporated by an organ of state, a juristic person, or by three or more persons.
- At each of Paragraphs 1, 2, 3, 6 and 7, you must select one option, by ticking the appropriate box.
- Annexure A must be completed and attached.
- Annexure B required only if you tick the 3rd option at paragraph 6.
- Annexure C is required only if you tick the 2nd optional at paragraph 7.
- The basic filing fee is R475 if the company's Memorandum of Incorporation is in Form 15.1A or 15.1C, or R475 in any other case.
- If you tick the 1st option at paragraph 6, the basic fee is reduced by R50.
- An MOI in form CoR15.1A, 15.1B, 15.1C, 15.1D or 15.1E or unique to the company must be attached.
- A company is not registered until the Commission has issued a Registration Certificate in Form CoR14.3.

**Contacting the
Commission**

The Companies and Intellectual
Property Commission of South Africa
Postal Address: PO Box 429
Pretoria 0001
Republic of South Africa
Tel: 086 100 2472
www.cipc.co.za

Notice of Incorporation

Customer code: MRI-PE

From:

(Name, address and identity or registration number of Incorporator:)

(If there are multiple incorporators, each must be listed. Use a separate sheet)

Name: MELANIE ANN BISSON

Address: 30 BIRD STREET

CENTRAL

PORT ELIZABETH

Identity/ Reg. No: 6906210226082

1. The incorporators have incorporated a juristic person registered as a:
☐ State owned company ☐ Public company
☐ Personal Liability company ☐ Private company
☐ Non Profit Company
2. The incorporation of the company is to take effect on:
☒ The date the Registration Certificate is issued;
☐ / /, if later than the registration date.
3. The company's first financial year will end on February.
4. The company's registered office address is:
30 BIRD STREET P O BOX 285
CENTRAL PORT ELIZABETH
PORT ELIZABETH 6000
5. There are 1 initial directors of the company, as listed in Annexure A.
6. The company name is to be:
☐ The company's registration number, followed by the elements required by section 11 (3).
☒ The name currently reserved or registered under # 714890042 for use by MELANIE BISSON
☐ The first of the names set out on Annexure B that proves to be eligible, in terms of Regulation 14 (1) (b) (iii).
7. The company's Memorandum of Incorporation, attached in form CoR _____ (indicate form number) or unique X (tick if appropriate).
☒ Has no provisions of the type contemplated in section 15 (2) (b) or (c).
☐ Has provisions of the type contemplated in section 15 (2) (b) or (c), as listed in Annexure C.

I declare that the information in this Notice and the Annexures is true. If I am not the applicant, I declare that the Applicant has authorised me to make this application.

Signature



Date

29/8/2012

For Commission
Use Only:

Commission file number:

Date filed:

MRI - PE

Companies and Intellectual Property Commission Republic of South Africa

Form CoR 14.1

Annexure A

- This form is issued in terms of Section 13 of the Companies Act, 2008, and Regulation 14 of the Companies Regulations, 2011.
- Annexure A must be completed and attached to the notice of incorporation when it is filed.
- A public company, or a state-owned company, must have at least 3 initial directors.
- A Non-profit company must have at least 3 initial directors.
- A private company, or a personal liability company, must have at least 1 initial director.
- A company is not registered until the Commission has issued a Registration Certificate in Form CoR 14.3.

Contacting the Commission

The Companies and Intellectual Property Commission of South Africa
Postal Address: PO Box 429
Pretoria 0001
Republic of South Africa
Tel: 086 100 2472
www.cipc.co.za

Notice of Incorporation Initial Directors of the Company

The incorporators confirm that each person named below has consented to being appointed in terms of s 66 (7) (b) as a director of the company, whose Memorandum of Incorporation is attached.

1. Full name/former name, if any:	MELANIE ANN BISSON
2. Identity number:	6906210226082
3. Nationality:	SA
4. Passport number, if not South African:	
5. Date of appointment:	DATE OF INCORPORATION
6. Designation in company:	DIRECTOR
7. Residential address:	30 BIRD STREET CENTRAL PORT ELIZABETH
8. Business address:	30 BIRD STREET CENTRAL PORT ELIZABETH 6001
9. Postal address:	P O BOX 285 PORT ELIZABETH
10. Occupation:	COMPANY SECRETARY
11. South African Resident:	☒ (yes) ☐ (no)
12. Nature of change:	NEW APPOINTMENT: DATE OF INCORPORATION
13. E-Mail Address:	
14. Cell Number:	083 650 4951

For Commission Use Only:	Commission file number:	Date filed:
--------------------------	-------------------------	-------------

This form is prescribed by the Minister of Trade and Industry in terms of section 223 of the Companies Act, 2008 (Act No. 71 of 2008)
"This form is reproduced and/or distributed by Accfin Software with the permission of the CIPC under Government Printing Works Authority Number 11535 on conditions as determined by the CIPC from time to time. Copyright of this form vests with the CIPC and it is not liable for any misrepresentation or error on this form and any subsequent loss or damages suffered by any party in the use of this form"

MRI - PE

**Companies and Intellectual Property Commission
Republic of South Africa**

**Form CoR 15.1B
Long Standard Form
for Profit Companies**

* This form is issued in terms of section 13 of the companies Act, 2008 and regulation 15 of the Companies Regulations.

* This form may be used only to incorporate a profit company

* A profit company may be incorporated by one or more persons

The incorporators must complete this form by-

(a) filling in the Name of the Company, unless it is to be completed by the Commission in terms of Regulation 14(b)(i) or (iii);

(b) inserting the number of directors and alternate directors in the spaces provided;

(c) inserting the number of authorised shares, in the space provided; and

(d) each signing and dating the form on a line of the table at left.

* There are 11 pages in this form. If filling by paper, all 11 pages, together with any additional sheets, must be filed.

* This Form must be filed with Form CoR 14.1 Notice of Incorporation, and requires annexures and fees

**Contacting the
Commission**

The Companies and Intellectual
Property Commission of South Africa

Postal Address: PO Box 429
Pretoria 0001
Republic of South Africa
Tel: 086 100 2472
www.cipc.co.za

**Memorandum of Incorporation
of**

OWLS HEAD (PTY) LTD

Which is a profit company, has 1 director(s) and 0 alternate directors, is authorised to issue securities as described in Article 2, and is referred to in the rest of this Memorandum of Incorporation Company.

Adoption of Memorandum of Incorporation

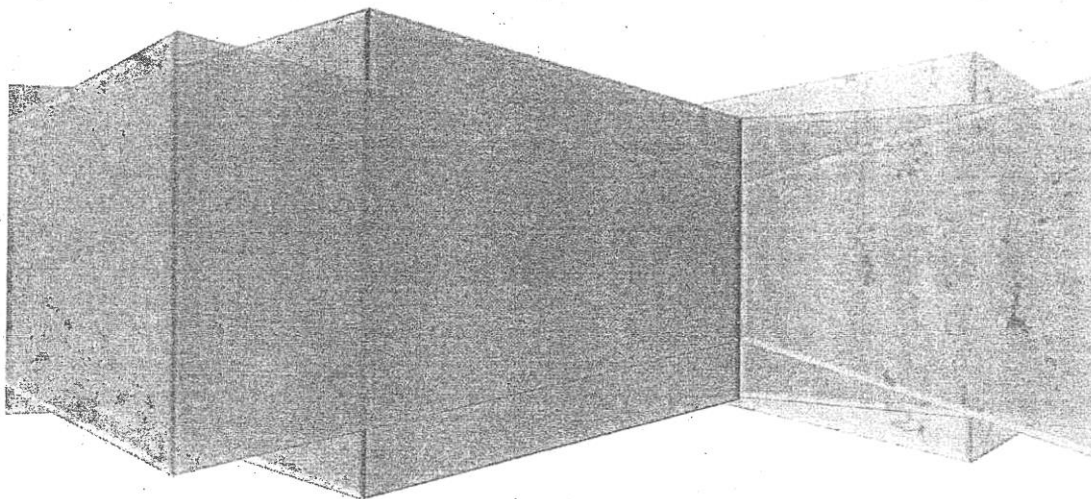
This Memorandum of Incorporation was adopted by the incorporators of the company, in accordance with section 13 (1), as evidenced by the following signatures made by each of them, or on their behalf.

Name and Address of Incorporator	Identity or Registration #	Signature	Date
BISSON MELANIE ANN 30 BIRD STREET CENTRAL PORT ELIZABETH	6906210226082		27/10/2012

This form is prescribed by the Minister of Trade and Industry in terms of section 223 of the Companies Act, 2008 (Act No. 71 of 2008)
*This form is reproduced and/or distributed by Accfin Software with the permission of the CIPC under Government Printing Works Authority Number 11535 on conditions as determined by the CIPC from time to time. Copyright of this form vests with the CIPC and it is not liable for any misrepresentation or error on this form and any subsequent loss or damages suffered by any party in the use of this form"

MRI - PE

OWLS HEAD (PTY) LTD MEMORANDUM OF INCORPORATION



MRI - PE

Article 1 – Incorporation and Nature of the Company

In this Memorandum of Incorporation-

- a) a reference to a section by number refers to the corresponding section of the Companies Act, 2008;
- b) words that are defined in the Companies Act, 2008, bear the same meaning in the Memorandum as in that Act.
- c) words appearing to the right of an optional check in line are void unless contains a mark to indicate that it has been chosen as the application option.

The Schedules attached to this Memorandum are part of the Memorandum of Incorporation

1.1 Incorporation –

- (1) The Company is incorporated as a private Company, as defined in section 8 (2) (b).
- (2) The Company is incorporated in accordance with and governed by-
 - (a) the unalterable provisions of the Companies Act, 2008; and
 - (b) the alterable provisions of the Companies Act, 2008, subject to the limitations, extensions, variations or substitutions set out in this Memorandum; and
 - (c) the provisions of this Memorandum of Incorporation.
- (3) The main object and main business of the Company is unlimited.

1.2 Powers of the Company

- (1) The Company is not subject to any provisions contemplated in section 15 (2) (b) or (c).
- (2) The purposes and powers of the Company are not subjected to any restrictions, limitations or qualifications, as contemplated in section 19 (1) (b) (ii).

1.3 Memorandum of Incorporations and Company Rules

- (1) This Memorandum of Incorporation of the Company may be altered or amended only in the manner set out section 16, 17, or 152 (6) (b).
- (2) The authority of the Company's Board of Directors to make rules for the Company, as contemplated in section 15 (3) to (5) is not limited or restricted in any manner by this Memorandum of Incorporation.
- (3) The Board must publish any rules made in terms of section 15 (3) to (5) by delivering a copy of those rules to each shareholder by ordinary mail.
- (4) The Company must publish a notice of any alteration of the Memorandum of Incorporation or the Rules, made in terms of section 17 (1), by delivering a copy of those rules to each shareholder by ordinary mail.

MRI - PE

1.4 Application of optional provisions of Companies Act, 2008

- (1) The Company does not elect, in terms of section 34 (2), to comply voluntarily with the provisions of Chapter 3 of the Companies Act, 2008.
- (2) The Company does not elect, in terms of sections 118 (1) (c) (ii), to submit voluntarily to the provisions of Parts B and C of Chapter 5 of the Companies Act, 2008, and to the Takeover Regulations provided for in that Act.

Article 2 – Securities of the Company

2.1 Shares

- (1) The Company is authorised to issue no more than 10 000 shares of a single class of common shares, each of which entitles the holder to –
 - (a) vote on any matter to be decided by a vote of shareholders of the Company;
 - (b) participate in any distribution of profit to the shareholders; and
 - (c) share in the distribution of the company's residual value upon its dissolution.
- (2) The authority of the Company's Board of Directors to increase or decrease the number of authorised shares of any class of the Company's shares, to reclassify any shares that have been authorised but not issued, to classify any unclassified shares, or to determine the preferences, rights, limitations or other terms of any class of shares, as set out in section 36 (2) (b) and (3) (c) is limited or restricted to the extent set out in Part A of Schedule 2.
- (3) The pre-emptive right of the Company's shareholders to be offered and to subscribe for additional shares, as set out in section 39 is unconditional, and is not limited, negated or restricted in any manner contemplated in subsection (2) of section 39.
- (4) The authority of the Company's Board of Directors to authorise the Company to provide financial assistance in relation to the subscription of any option or securities of the Company or a related or inter-related Company, as set out in section 44 is not limited or restricted by this Memorandum of Incorporation.
- (5) The authority of the Company's Board of Directors to approve the issuing of any authorised shares of the Company as capitalisation shares, to issue shares of one class as capitalisation shares in respect of shares of another class, and to resolve to permit shareholders to elect to receive a cash payment in lieu of a capitalisation share, as set out in section 47 (1) is limited or restricted to the extent set out in Part C of Schedule 2.
- (6) Securities of the Company are to be issued in certificated form.
- (7) If a member of the company desires to sell all or any of his shares of the company he shall give notice, in writing, of his intention to sell, to the directors of the company, and state the price he requires for the shares.
- (8) The directors shall within one month of the date of receipt of the notice referred to in article 7 advise every other member of the company of the contents thereof and each such member shall be entitled to acquire the shares so offered within one month after the date of the receipt of such advice: Provided that if more than one member makes an offer for all of the shares so offered, the shares shall be sold to each such member in equal portions, and where fractional

MRI - PE

proportions of shares remain, such members shall become joint holders of such fractional proportions of the shares.

- (9) If the members of the company are unable to agree upon the selling price of the shares, the auditor of the company may be requested to determine the true and fair value and the members shall accept that value as the selling price of the shares.
- (10) If none of the members of the company offers to purchase the shares within the time referred to in 8 above, or if members of the company offer to purchase a part of the shares so offered, the member who is offering the shares for sale may offer the shares or the remaining portion of the shares which have not been purchased by members of the company, for sale to any other person and the directors shall approve the registration of the shares in the name of that person unless they have good reason to refuse such registration.

2.2 Debt Instruments

- (1) The authority of the Company's Board of Director to authorise the Company to issue secured or unsecured debt instruments, as set out in section 43 (2) is limited or restricted to the extent set out in Part D of Schedule 2.
- (2) The authority of the Company's Board of Directors to grant special privileges associated with any debt instruments to be issued by the Company, as set out in section 43 (3) is limited or restricted to the extent set out in Part D of Schedule 2.

2.3 Registration of Beneficial Interests

The authority of the Company's Board of Directors to allow the Company's issued securities to be held by, and registered in the name of, one person for the beneficial interest of another person, as set out in section 56 (1) is not limited or restricted by this Memorandum of Incorporation.

Article 3 – Shareholders

3.1 Shareholder's right to information

In addition to the rights to access information set out in section 26 (1), every person who has a beneficial interest in any of the Company's securities has the further rights to information, if any, set out in Part A of Schedule 2 of this Memorandum of Incorporation.

3.2 Shareholders' Authority to Act

- (1) If, at any time, there is only one shareholder of the Company, the authority of that shareholder to act without notice or compliance with any other internal formalities, as set out in section 57 (2), is not limited or restricted by this Memorandum of Incorporation.
- (2) If, at any time, every shareholder of the Company is also a director of the Company, as contemplated in section 57 (4), the authority of the shareholders to act without notice or compliance with any other internal formalities, as set out in that section is not limited or restricted by this Memorandum of Incorporation.

3.3 Representation by concurrent proxies

The right of a shareholder of a Company to appoint persons concurrently as proxies, as set out in section 58 (3) (a) is not limited, restricted or varied by this Memorandum of Incorporation.

MRI - PE

3.4 Authority of proxy to delegate

The authority of a shareholder's proxy to delegate the proxy's powers to another person, as set out in section 58 (3) (b) is not limited or restricted by this Memorandum of Incorporation.

3.5 Requirement to deliver proxy instrument to the Company

The requirement that a shareholder must deliver to the Company a copy of the instrument appointing a proxy before that proxy may exercise the shareholder's right at a shareholder's meeting, as set out in section 58 (3) (c) is not varied by this Memorandum of Incorporation.

3.6 Deliberative authority of proxy

The authority of a shareholder's proxy to decide without direction from the shareholder whether to exercise, or abstain from exercising any voting right of the shareholder, as set out in section 58 (7) is not limited or restricted by this Memorandum of Incorporation.

3.7 Record date for exercise of shareholder rights

If, at any time, the Company's Board of Directors fails to determine a record date, as contemplated in section 59, the record date for the relevant matter is as determined in accordance with section 59 (3).

Article 4 – Shareholders Meetings

4.1 Requirement to hold meetings

The Company is not required to hold any shareholders meetings other than those specifically required by the Companies Act, 2008.

4.2 Shareholder's right to requisition a meeting

The right of shareholders to requisition a meeting, as set out in section 61 (3), may be exercised by the holders of at least 10% of the voting rights entitled to be exercised in relation to the matter to be considered at the meeting, as provided for in that section.

4.3 Location of shareholders meetings

The authority of the Company's Board of Directors to determine the location of any shareholders meeting, and the authority of the Company to hold any such meeting in the Republic or in any foreign country, as set out in section 61 (9) is limited or restricted to the extent set out in Part B of Schedule 4.

4.4 Notice of shareholders meetings

The minimum number of days for the Company to deliver a notice of a shareholders meeting to the shareholders, as required by section 62 is as provided for in section 62 (1).

4.5 Electronic participation in shareholders meetings

The authority of the Company to conduct a meeting entirely by electronic communication or to provide for participation in a meeting by electronic communication, as set out in section 63 is no limited or restricted by this Memorandum of Incorporation.

4.6 Quorum for shareholders meetings

- (1) The quorum requirement for a shareholders meeting to begin, or for a matter to be considered are as set out in section 64 (1) without variation.

MRI - PE

- (2) The time periods allowed in section 64 (4) and (5) apply to the Company without variation.
- (3) The authority of a meeting to continue to consider a matter, as set out in section 64 (9) is not limited or restricted by this Memorandum of Incorporation.

4.7 Adjournment of shareholders meetings

The maximum period allowable for an adjournment of a shareholders meeting is as set out in section 64 (13), without variation.

4.8 Shareholders resolutions

- (1) For an ordinary resolution to be adopted at a shareholders meeting, it must be supported by the holders of more than 50% of the voting rights exercised on the resolution, as provided in section 65 (7).
- (2) For a special resolution to be adopted at a shareholders meeting, it must be supported by the holders of at least 75% of the voting rights exercised on the resolution, as provided in section 65 (9).
- (3) A special resolution adopted at a shareholders meeting is not required for a matter to be determined by the Company, except those matters set out in section 65 (11), or elsewhere in the Act.

Article 5 – Directors and Officers

5.1 Composition of the Board of Directors

- (1) The Board of Directors of the Company comprises of a minimum of one director, to be elected by holders of the companies securities entitled to exercise voting rights, as contemplated in section 68.
- (2) In addition to the elected directors there may be *ex officio* directors appointed, as contemplated in section 66 (4).
- (3) In addition to satisfying the qualification and eligibility requirements set out in section 69, to become or remain a director or a prescribed officer of the Company, a person need not satisfy any further eligibility requirements or qualifications.
- (4) Each elected director of the Company serves for an indefinite term, as contemplated in section 68 (1).
- (5) The manner of electing directors of the Company is as set out in section 68 (2).
- (6) The authority of the Company's Board of Directors to fill any vacancy on the Board on a temporary basis, as set out in section 68 (3) is not limited or restricted by this Memorandum of Incorporation.

5.2 Authority of the Board of Directors

- (1) The authority of the Company's Board of Directors to manage and direct the business and affairs of the Company, as set out in section 66 (1) is not limited or restricted by this Memorandum of Incorporation.
- (2) If, at any time, the Company has only one director, as contemplated in section 57 (3), the authority of that director to act without notice or compliance with any other internal formalities, as set out in that section is not limited or restricted by this Memorandum of Incorporation.

MRI - PE

5.3 Directors' Meeting

- (1) The authority of the Company's Board of Directors to consider a matter other than at a meeting, set out in section 74 is not limited or restricted by this Memorandum of Incorporation.
- (2) The right of the Company's directors to requisition a meeting of the Board, as set out in section 73 (1), may be exercised by at least 25% of the directors, despite the provisions of that section.
- (3) The authority of the Company's Board of Directors to conduct a meeting entirely by electronic communication, or to provide for participation in a meeting by electronic communication, as set out in section 73 (3) is not limited or restricted by this Memorandum of Incorporation.
- (4) The authority of the Company's Board of Directors to determine the manner and form of providing notice of its meetings, as set out in section 73 (4) is not limited or restricted by this Memorandum of Incorporation.
- (5) The authority of the Company's Board of Directors to proceed with a meeting despite a failure or defect in giving notice of the meeting, as set out in section 73 (5) is not limited or restricted by this Memorandum of Incorporation.
- (6) The quorum requirement for a directors meeting to begin, the voting rights at such a meeting, and the requirements for approval of a resolution at such a meeting, are as set out in section 73 (5), without variation.

5.4 Director's compensation and financial assistance

- (1) The authority of the Company to pay remuneration to the Company's directors for services as directors, in accordance with a special resolution approved by the Company's shareholders within the previous two years, as set out in section 66 (9) and (10) is not limited or restricted by this Memorandum of Incorporation.
- (2) The authority of the Company's Board of Directors, as set out in section 45, to authorise the Company to provide financial assistance to a director, prescribed officer or other person referred to in section 45 (2) is not limited or restricted by this Memorandum of Incorporation.

5.5 Indemnification of Directors

- (1) The authority of the Company to advance expenses to a director, or indemnify a director, in respect of the defence of legal proceedings, as set out in section 78 (4) is not limited, restricted or extended by this Memorandum of Incorporation.
- (2) The authority of the Company to indemnify a director in respect of liability, as set out in section 78 (5) is not limited or restricted by this Memorandum of Incorporation.
- (3) The authority of the Company to purchase insurance to protect the Company, or a director, as set out in section 78 (7) is not limited, restricted or extended by this Memorandum of Incorporation.

5.6 Committees of the Board

- (1) The authority of the Company's Board of Directors to appoint committees of directors, and to delegate any such committee any of the authority of the Board, as set out in section 72 (1), and to include in any such committee persons who are not directors, as set out in section 73 (2) (a) is not limited or restricted by this Memorandum of Incorporation.

MRI - PE

- (2) The authority of a committee appointed by the Company's Board of Directors, as set out in section 72 (2) (b) and (c) is not limited or restricted by this Memorandum of Incorporation.

Schedule 1 – Incorporation and nature of the Company

Part A – C

None

Schedule 2 – Company Securities

Part A

The directors shall not have the powers relating to shares, as contemplated in section 36 (3) of the Act without the prior approval of the shareholders in general meeting.

Part B

None

Part C

The directors shall not have the powers with respect to issuing of capitalisation shares, as contemplated in section 47 (1) of the Act without the prior approval of the shareholders in general meeting.

Part D

The authority of the Board with respect to the issuing of debt instruments, as contemplated in section 43 (2) or (3) of the Act is hereby restricted in its entirety and must be authorised by its shareholders in general meeting.

Part E

None

Schedule 3 – Shareholders

None

Schedule 4 – Shareholders Meetings

Part A

None

Part B

The authority of the Board to determine the location of shareholders meetings, or the authority of the Company to meet is hereby restricted to inside the Republic of South Africa.

Part C – G

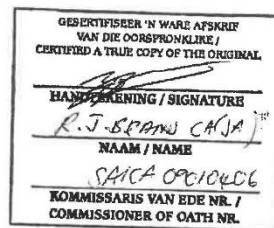
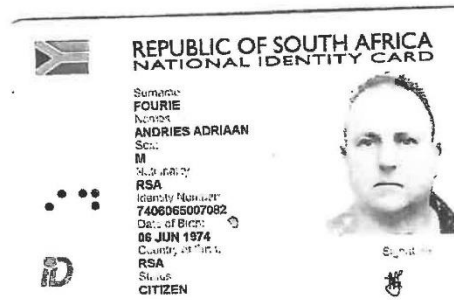
None

Schedule 5 – Directors of the Company

Part A – K

None

Annexure E



This card has been issued by the
Department of Home Affairs in terms of the
Identification Act, Act 68 of 1997

26 JAN 2019

If found please return to the Department of Home Affairs
For copying or verification purposes contact 0800 80 11 62



109741237



Annexure F

OWLS HEAD (PTY) LTD

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

RESOLUTION

Resolution passed at the meeting of the Shareholders/ Partners/ Trustees/ Members held in Gqeberha on the 13 day of August 2022.

Resolved that A.A Fourie 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:

KNYSNA ERF 4653

NATURE OF APPLICATION:

LEASE OF ADJACENT MUNICIPAL LAND

SIGNATURE OF SHAREHOLDERS/ PARTNERS/ TRUSTEES/ MEMBERS:

NAME:

GEORGE KASTRATION
ANDRIES ADRIAN FOURIE

SIGNATURE:

[Signature]
[Signature]

SPECIAL POWER OF ATTORNEY

I/We GEORGE KASTRATION + ANDRIES ADRIAAN

FOUR 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:

LEASE OF ADJACENT MUNICIPAL LAND

on

KNYSNA ERF 4653

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 applications and further to represent *me/us at any inquiry in relation to the
above-mentioned 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 GEORGETOWN on this 13 day of August 2022

SIGNED: [Signature]

SIGNED: [Signature]

SIGNED: [Signature]

In the presence of the undersigned witnesses:

AS WITNESSES:

1. [Signature]

2. [Signature]

MAYORAL COMMITTEE MEETING
SUPPLEMENTARY AGENDA
15 SEPTEMBER 2026



KNYSNA Municipality Munisipaliteit uMasipala

ONLY VALID IF PRINTED BY MACHINE / SLEGS MASJENGEDRUKTE KWITANSIES GELDIG
RECEIVED WITHOUT PREJUDICE TO RIGHTS / ONTVANG SONDER BENADELING VAN REGTE

☎ 044 302 6300
✉ 21 KNYNSA 6570
FAX 044 302 6393

VAT INVOICE/RECEIPT

RECEIPT: 003471 DATE: 03/11/2022 MD NO:025 TIME: 09:50
KNYSNA MUNICIPALITY VAT REG: 4360193876

* DUPLICATE *

CST:9/209-32-43 Rental Land ZY 32.60 250.00 *

CREDIT CARD
ERF: 1316 KNYNSA

TOTAL: 250.00
VAT: 32.60 *
TENDERED: 250.00
CHANGE: 0.00

Annexure D



**forestry, fisheries
& the environment**

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +27 86 625 1042

Ref: EDMS260095/PCN/Food Lover's Market/Unlawful Activity/s_Knysna

Enquiries: B Perumal

Tel: (012) 399-9492 Email: BPerumal@dfpe.gov.za

www.dfpe.gov.za

Andries Fourie
Food Lover's Market
London Circle
Brackengate Business Park
BRACKENFELL
7561

Email: andries@kdpq.co.za

Dear Sir

NOTICE OF INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA"): FOOD LOVER'S MARKET, WITH RESPECT TO NON-COMPLIANCE(S) WITH THE PROVISIONS OF ENVIRONMENTAL LAWS, KNYSNA, WESTERN CAPE PROVINCE

INTRODUCTION:

1. I refer to the environmental inspection conducted by Environmental Management Inspector's ("EMIs") from this Department as well as officials from SANParks, at Erf 1316; RE/1352 and RE/1146 (hereinafter referred to as "the property") in Knysna on the 04th of March 2025.
2. I, Frances Craigie, in my capacity as a Grade 1 EMI, having considered the matter, am of the view that the management of Food Lover's Market have failed to adhere to the provisions of environmental law(s).
3. Accordingly, I hereby give you written notice of this Department's intention to issue Food Lover's Market with a Compliance Notice in terms of Section 31L of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA").



Batho pele- putting people first

The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

1

NOTICE OF INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA"): FOOD LOVER'S MARKET, WITH RESPECT TO NON-COMPLIANCE(S) WITH THE PROVISIONS OF ENVIRONMENTAL LAWS, KNYSNA, WESTERN CAPE PROVINCE

RATIONALE FOR THE INTENDED COMPLIANCE NOTICE:

4. The Compliance Notice I intend to issue relates to the following:
 - 4.1. The undertaking of listed activities in the absence of an Environmental Authorisation/s, in contravention with the provisions of the NEMA, read with the Environmental Impact Assessment Regulations: Listing Notice 1 [GNR 983] dated the 04th of December 2014.

DETAILS OF ALLEGED NON-COMPLIANCE(S):

5. Please refer to Table 1 [below] for the details of the contravention/s identified by the EMIs and officials during the environmental inspection mentioned in paragraph 1 above.
6. Also refer to Annexure A contained at the end of this document, for further details on the legislation contravened, as well as the offences and penalties that are applicable.

Batho pele- putting people first

2



MAYORAL COMMITTEE MEETING
SUPPLEMENTARY AGENDA
15 SEPTEMBER 2026

NOTICE OF INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA"): FOOD LOVER'S MARKET, WITH RESPECT TO NON-COMPLIANCE(S) WITH THE PROVISIONS OF ENVIRONMENTAL LAWS, KNYSNA, WESTERN CAPE PROVINCE

7. **Details of alleged contravention/s identified during the environmental inspection:**

Table 1: Observations and findings in relation to the activities taking place at Erf 1316; RE/1352 and RE/1146, in contravention with the requirements of the NEMA.

Environmental Impact Assessment Regulations: Listing Notice 1 [GNR 983] of 2014		
Application of the facts	Activity Undertaken	Legislation Contravened
a) Following receipt of a complaint regarding environmental impacts taking place at the property, EMIs from Department as well as officials from SANParks conducted a joint inspection of the property. b) During the inspection, the EMIs observed construction activities taking place at the property. Upon enquiry regarding said construction activities the EMIs were informed that the activities observed were part of a re-development project for the property. c) The EMIs were further informed that excavation and demolishing activities took place as part of the re-development project, which resulted in building rubble and additional soil being accumulated. d) In addition to the above, the EMIs were informed that Food Lover's Market was approached by property owners from the area, who requested that the building rubble and soil be used as berms to prevent flooding of their properties. e) The EMIs observed that berms had been constructed along the banks of a drainage channel. f) The EMIs further identified that the new structures were constructed within 32m of the drainage channel, with the fence being located within the drainage channel. Considering the observations made during the inspection, the Department is of the view that Food Lover's Market have unlawfully undertaken listed activities in the absence of the required Environmental Authorisation/s [in terms of NEMA].	1. The construction activities taking place at the property may constitute one or more of the following listed activities in terms of the "Environmental Impact Regulations: Listing Notice 1 of 2014" published in terms of the NEMA, under GN R983 in GG 38282 dated the 04th of December 2014 [as amended on the 07th of April 2017 and the 13th of July 2018]. Listing Notice 1 [GNR 983]: Activity 12(ii)(a) <i>The development of infrastructure or structures with a physical footprint of 100 square metres or more within a watercourse.</i> <i>And/or</i> Activity 19A <i>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from:</i> <i>(ii) the littoral active zone, an estuary or a distance of 100 metres inland of the highwater mark of the sea or an estuary, whichever distance is the greater.</i>	NEMA: Section 24F(1)(a) states that: <i>"Notwithstanding any other Act, no person may -</i> <i>commence an activity listed or specified in terms of section 24(2)(a) or (b) unless the competent authority or the Minister responsible for mineral resources, as the case may be, has granted an environmental authorisation for the activity."</i>

Batho pele- putting people first

NOTICE OF INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA"): FOOD LOVER'S MARKET, WITH RESPECT TO NON-COMPLIANCE(S) WITH THE PROVISIONS OF ENVIRONMENTAL LAWS, KNYSNA, WESTERN CAPE PROVINCE

INTENDED INSTRUCTIONS:

8. In light hereof, and having regard to the national environmental management principles set out in Section 2 of the NEMA, Food Lover's Market are hereby provided with an opportunity to provide written reasons, within thirty (30) calendar days from the date of receipt of this notification, as to why a Compliance Notice in terms of Section 31L of the NEMA should not be issued which will instruct you to do the following:
 - 8.1. Within twenty (20) calendar days upon receipt of the final Compliance Notice, **demolish** and remove all structures (including the berms) which have been unlawfully constructed at the property.
 - 8.2. Within ten (10) calendar days upon receipt of the final Compliance Notice, contract the services of a suitably qualified estuarine specialist to undertake an Estuarine Impact Study of the estuary located near the property. Said impact study must include the following information, as a minimum:
 - a) An indication of the impact/s which the construction of the berms has had/is having/may have on the estuary.
 - b) An indication of the impact/s which the removal of the berms may have on the estuary.
 - c) Proposed remediation and / or mitigation measures to be implemented.
 - d) Timeframes for the implementation of the remediation/mitigation measures mentioned in 8.2(c) above.
 - 8.3. The study mentioned in intended instruction 8.2 above must result in a written, signed and detailed Estuarine Impact Report, which must be submitted to this Department, for approval, within thirty (30) calendar days upon receipt of the final Compliance Notice.
 - 8.4. Commence with the implementation of the proposed remediation/mitigation measures (if any), within the timeframes which are approved by the Department.

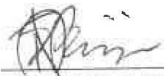
CONCLUSION:

9. I wish to make it clear that the intended instructions contained herein are made in the interest of responsible environmental management, and with a view of a co-operative resolution of the issue/s. Depending on the outcome of the representations made in this regard, this Department will decide on a way forward on this matter.

NOTICE OF INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA"): FOOD LOVER'S MARKET, WITH RESPECT TO NON-COMPLIANCE(S) WITH THE PROVISIONS OF ENVIRONMENTAL LAWS, KNYSNA, WESTERN CAPE PROVINCE

10. Should you be unclear about any aspect of this communication, kindly contact the person indicated for enquiries as soon as possible.

Yours sincerely



MS FRANCES CRAIGIE
CHIEF DIRECTOR: SECTOR ENFORCEMENT
GRADE 1 ENVIRONMENTAL MANAGEMENT INSPECTOR

DATE: 2/6/25

Acknowledgement of Receipt:

NOTICE OF INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA"): FOOD LOVER'S MARKET, WITH RESPECT TO NON-COMPLIANCE(S) WITH THE PROVISIONS OF ENVIRONMENTAL LAWS, KNYSNA, WESTERN CAPE PROVINCE

Received by Mr/Mrs/Ms: _____

On behalf of: _____

On this _____ day of _____ 2025, at _____

Signature

NOTICE OF INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA"): FOOD LOVER'S MARKET, WITH RESPECT TO NON-COMPLIANCE(S) WITH THE PROVISIONS OF ENVIRONMENTAL LAWS, KNYSNA, WESTERN CAPE PROVINCE

**ANNEXURE A:
OFFENCES AND PENALTIES**

National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA")

OFFENCES	
Section	Provision
S49A(1)(a)	<i>A person is guilty of an offence if that person commences with an activity in contravention of section 24F(1).</i>
PENALTIES	
Section	Provision
S49B(1)	<i>A person convicted of an offence in terms of section 49A(1)(a) is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine or such imprisonment.</i>

Batho pele- putting people first

6



11. IN COMMITTEE (Green pages)

See separate agenda

12. CLOSURE