

AFFIDAVIT

I, Lynn-Ann van der Sandt, Identity number 6209100183087, residing at 63 Owl Street East, Joostenbergvlakte 7570

hereby make an oath and state that the facts stated in this Affidavit are within my personal knowledge and are true and correct.

Around the 9th of December 2022 our relatively new neighbours Mr de Jager Kitshoff and Mrs Mirlene Kitshoff from 64 Suikerbekkie East Street, Joostenbergvlakte commenced renovating a cottage at the bottom of their property which is adjacent to my property without building plans for the original cottage or the substantial alterations being made as confirmed by the building inspector Mr Andre Witz with the structure being over the municipal lateral building line.

The building inspector advised me to submit a formal complaint and he had a meeting with Mr de Jager Kitshoff on the 15th of December and instructed him verbally to cease building operations and to submit plans for approval.

After verbally agreeing to cease building works Mr de Jager Kitshoff decided to ignore the building inspectors instruction and continue building.

Due to my horse paddocks being very close to the building site my horses were severely affected by the noise from the building operations such as the noisy cement mixer, pouring of the foundations, approximately 10 workmen shouting instructions, knocking down of veranda, removing corrugated iron sheets off of the roof, dismantling and erecting new wooden roof trusses, angle grinding, etc.

My other neighbour was also felling some tree branches for the past few days but the workmen had stopped as it was Saturday 10th of December so I put Maddie who is a very boisterous 3 year old Warmblood and is approximately 16.2 hands high into the bottom grass paddock at around 12h30 so she could graze and I continually checked on her. At around 14h00 I heard the horses galloping around and neighing in terror. I saw that the group of about 10 builders on Kitshoff property were back from lunch and continued to noisily lay the foundations for the alterations and as they were working in close proximity to Maddies paddock I assumed this must have scared her as the tree fellers were no longer working on the other property.

Unfortunately due to the state she was in I knew there was no chance of me catching her and even if I did there was no way I was going to be able to hold her as she was galloping around in absolute terror and bashing the 100mm 1.5m upright and 2.4m cross poles of the paddock fence with her chest in order to escape. Such was the force that about 5 of the upright poles were laying over with the concrete at the base of the poles exposed which could severely injure her hooves in the form of incurring laminitis or worse.

To make matters worse the Agri Co-op informed me that I am no longer allowed to purchase fumigation tablets used for the mole holes in the paddocks as I am not a registered farmer with the Agricultural Department and nor am I a registered Pest Control officer.

TV

MCS

I took a decision to get the lunge whip and used it vigorously without making contact with her body to keep her away from the side of the paddock which she was charging in order to escape and also to keep her away from the mole holes which were mostly in the centre of the paddock. I was afraid that should she escape from the paddock and gallop around the property that the other horses would follow and also break out which would be a huge problem for me as I was alone on the property and I would not be able to secure three horses should this happen.

After about 5 minutes or so Maddie eventually started slowing and calming down. When I looked up I saw that some of the builders as well as Mrs Mirlene Kitshoff were observing me chasing Maddie.

On Saturday the 17th December Mrs Mirlene Kitshoff stopped her car outside of my gate and apologised to me for the builders having scared my horses. She offered me a big bunch of flowers and a gift bag which she said contained chocolates. I politely refused to accept the gifts and told her that I would be grateful if they could stop building and submit building plans as I was unhappy with the size of the new structure being so close to my property as it would affect my privacy and also be a possible noise nuisance.

Her demeanour changed instantly and she said she was not trying to bribe me. I assured her that I saw the gifts as a gesture of goodwill but unfortunately due to my written complaint I did not feel it was appropriate to accept them.

The next day at about 22h00 on Sunday the 18th of December I received a very threatening Whatsapp from Mr de Jager Kitshoff with regards my photographing the continued illegal building work and formal complaint.

On the morning of the 21st December the building inspector told me that he had left messages for Mr de Jager Kitshoff requesting to make an appointment to serve the formal written notice to cease building work.

On the same day in the afternoon Mr de Jager Kitshoff posted a request on the Joostenbergvlakte Community Forum Facebook page asking for advice as to which authority he can report a case of horse abuse to.

He also sent me a SMS at 16h55 on the same day threatening to open three different cases against me but didn't offer any details as to what they were about but again mentioned that he was not happy that I continued to photograph his ongoing illegal building work.

Thank you for your visit on 23rd December 2022 and allowing me to explain as to what had happened on the 10th of December and for viewing Maddie in order to ascertain that she was in good health and spirits.

This has been a very unfortunate incident but I did what I had to do in order to keep Maddie from severely injuring herself as well as possibly injuring me and creating further havoc should the other horses have broken out of their paddocks.

pv

Maddie

WdS andt

DEPONANT

I certify that the DEPONANT has acknowledged that he/she knows and understands the contents of this Affidavit, that he/she does not have any objection to taking the oath/solemn affirmation, and that he/she considers it to be binding on his/her conscience, and which was sworn to and signed before me at Brackenell

on this 26 day of January 2023,

the regulations contained in Government Notice No R 1258 of 21 July 1972, as amended, and Government Notice No R 1648 of 19 August 1977, as amended, having been complied with.

13344
Commissioner of Oaths

Commissioner of Oaths

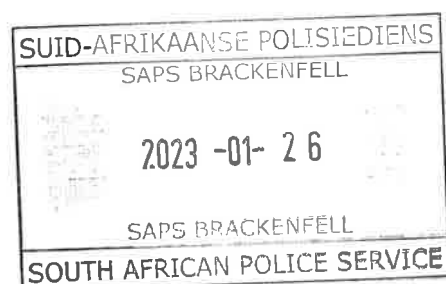
DETAILS OF COMMISSIONER OF OATHS

FULL NAMES AND SURNAME: Thomas Johannes Vermeyn

BUSINESS ADDRESS: Brackenell SAPS

DESIGNATION: Warrant Officer

AREA/OFFICE: Brackenell



DETAILS OF THE COMPLAINANT

FULL NAMES AND SURNAME: Lynn-Ann van der Sandt

PHYSICAL ADDRESS: 63 Owl Street East, Joostenbergvlakte 7570

CELLULAR NUMBER: 083 653 7495

TJV

WVCS