

PORTRAIT: The winning photo of the Kowie Camera Club's January competition, taken by photographer Rob Heffer, who says, 'In order to fit the set subject 'Tell me you are South African', I took this photo while in Cape Town a couple of years ago at the Athlone Stadium during the new year Kaapse Klopse (Cape Town Minstrel) festivities. This festival, now celebrated on Human Rights Day, is such a wonderfully colourful and delightful event and should certainly be on your bucket list if you have not experienced it before. Dating back to the days of slavery, it has thankfully now become a celebration of unity and sustainability, with the noise, hype, colour and laughter portraying SA's rich cultural history. I took this photo with a Nikon D700, 70-200mm Nikon lens at f9 1/640 shutter speed.' The Kowie Camera Club meets twice a month. The club organises excursions and invites guest speakers to talk about their specialist genres. You do not need to have a professional camera or photography background to be a member of the club. To join, or for more information, call 078-428 9551. *Picture: ROBERT HEFFER*



'Five Centuries of Song' for St Paul's concert

MAGGY CLARKE

On Saturday, February 28 St Paul's Church Port Alfred will be privileged to host two talented musicians from Makhanda, who are presenting a concert at 3pm, 'Five Centuries of Song'.

Those who heard the Cathedral Consort, when they sang in St Paul's Port Alfred last April, will have been thrilled by the angelic voice of soprano Caitlin Balmer. She returns as a soloist, to sing numbers by composers from Purcell and Bach to Fauré and Frederick Loewe. Caitlin, neé Webb, grew up in a musical household in Gauteng, and studied at Rhodes University, specialising in Entomology and Classical Voice.

Peter Black is the Director of Music

at Grahamstown Cathedral, having previously served in similar posts in Port Elizabeth (Gqeberha), Kimberley and Windhoek Cathedrals.

Peter went to school in Gqeberha, where he not only sang in St Mary's Collegiate Church Choir, but was appointed organist at St Paul's parish at the tender age of 11. His tertiary studies were at UCT and in London. As well as accompanying Caitlin, he will showcase his versatility as an organ soloist in two contrasting items.

St Paul's Church is at 15 Ferndale Road. There is no entry charge for the concert, but there will be a retiring collection.

— *Maggy Clarke is the Media Officer at St Paul's Anglican Church.*



NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR REZONING OF ERF 8606, PORT ALFRED FROM RESIDENTIAL ZONE 1 TO BUSINESS ZONE 2.

Applicant: MIRINDA DE BEER TOWN & REGIONAL PLANNERS

Owner: LOURIKA ERASMUS

Property Description: ERF 8606, PORT ALFRED

Physical Address: VAN DER RIET STREET, PORT ALFRED, 6170

Detailed description of proposal:

The matter for consideration is an Application for Rezoning of Erf 8606, Port Alfred, from Residential Zone 1 to Business Zone 2 as per the provisions of the Ndlambe Municipality Spatial Planning and Land Use Management By-laws (2016) and Ndlambe Municipality Integrated Land Use Scheme, 2019.

Notice is hereby given in terms of Section 93 of the Ndlambe Municipality Spatial Planning and Land Use Management By-law (2016) that the abovementioned application has been received and is available for inspection during weekdays between 09:00 to 15:00 at the Ndlambe Municipality, Civic Centre, Causeway, and Port Alfred Municipal Office. The application can also be viewed on the Town Planning Portal on Ndlambe Municipal website (<https://www.ndlambe.gov.za/town-planning-portal/>) under Public Participation. Any written comments may be addressed in terms of Section 98 of the said Bylaw to The MUNICIPAL MANAGER, Causeway, Port Alfred, 6170 or emailed to townplanning@ndlambe.gov.za on or before **12 March 2026**. Telephonic enquiries can be made to the Town Planning Section at (046) 604 5520. The Municipality may refuse to accept comment received after the closing date. Any person who cannot write will be assisted by a Municipal Official by transcribing their comments.

NOTICE NUMBER: 26/2026

12 February 2026 ADV. R DUMEZWENI MUNICIPAL MANAGER



NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, REZONING FROM RESIDENTIAL ZONE 1 TO BUSINESS ZONE 2 AND PERMANENT DEPARTURE TO PERMIT A RESTAURANT ON ERVEN 328 AND 329, KENTON ON SEA.

Applicant: TSHANI CONSULTING CC

Owner: DAROS TRUST

Property Description: ERVEN 328 & 329, KENTON ON SEA

Physical Address: 3 & 5 EASTBOURNE ROAD, KENTON ON SEA, 6191

Detailed description of proposal:

The matter for consideration is an Application for Removal of Restrictive Title Deed Conditions, Rezoning from Residential Zone 1 to Business Zone 2 and Permanent Departure to Permit a Restaurant on Erven 328 and 329, Kenton on Sea as per the provisions of the Ndlambe Municipality Spatial Planning and Land Use Management By-laws (2016) and Ndlambe Municipality Integrated Land Use Scheme, 2019.

Notice is hereby given in terms of Section 93 of the Ndlambe Municipality Spatial Planning and Land Use Management By-law (2016) that the abovementioned application has been received and is available for inspection during weekdays between 09:00 to 15:00 at the Ndlambe Municipality, Civic Centre, Causeway, and Port Alfred Municipal Office. The application can also be viewed on the Town Planning Portal on Ndlambe Municipal website (<https://www.ndlambe.gov.za/town-planning-portal/>) under Public Participation. Any written comments may be addressed in terms of Section 98 of the said Bylaw to The MUNICIPAL MANAGER, Causeway, Port Alfred, 6170 or emailed to townplanning@ndlambe.gov.za on or before **12 March 2026**. Telephonic enquiries can be made to the Town Planning Section at (046) 604 5520. The Municipality may refuse to accept comment received after the closing date. Any person who cannot write will be assisted by a Municipal Official by transcribing their comments.

NOTICE NUMBER: 28/2026

12 February 2026 ADV. R DUMEZWENI MUNICIPAL MANAGER



NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DEPARTURE TO RELAX THE LATERAL BUILDING LINE ON PORTION 1 OF THE FARM MARSELLE NO. 348.

Applicant: MIRINDA DE BEER TOWN & REGIONAL PLANNERS.

Owner: DIE NEDERDUITSE GEREFORMEERDE GEMEENTE DIAS TE PORT ALFRED.

Property Description: PORTION 1 OF THE FARM MARSELLE NO.348, DIVISION OF ALEXANDRIA, PROVINCE OF THE EASTERN CAPE.

Physical Address: FARM MARSELLE NO.348, DIVISION OF ALEXANDRIA, PROVINCE OF THE EASTERN CAPE.

Detailed description of proposal:

The matter for consideration is an Application Removal of Restrictive Title Deed Conditions and Departure to Relax the Lateral Building Line on Portion 1 of The Farm Marselle No. 348 as per the provisions of the Ndlambe Municipality Spatial Planning and Land Use Management By-laws (2016) and Ndlambe Municipality Integrated Land Use Scheme, 2019.

Notice is hereby given in terms of Section 93 of the Ndlambe Municipality Spatial Planning and Land Use Management By-law (2016) that the abovementioned application has been received and is available for inspection during weekdays between 09:00 to 15:00 at the Ndlambe Municipality, Civic Centre, Causeway, and Port Alfred Municipal Office. The application can also be viewed on the Town Planning Portal on Ndlambe Municipal website (<https://www.ndlambe.gov.za/town-planning-portal/>) under Public Participation. Any written comments may be addressed in terms of Section 98 of the said Bylaw to The MUNICIPAL MANAGER, Causeway, Port Alfred, 6170 or emailed to townplanning@ndlambe.gov.za on or before **12 March 2026**. Telephonic enquiries can be made to the Town Planning Section at (046) 604 5520. The Municipality may refuse to accept comment received after the closing date. Any person who cannot write will be assisted by a Municipal Official by transcribing their comments.

NOTICE NUMBER: 27/2026

12 February 2026 ADV. R DUMEZWENI MUNICIPAL MANAGER



NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, REZONING FROM RESIDENTIAL ZONE 1 TO RESIDENTIAL ZONE 3 AND PERMANENT DEPARTURE TO RELAX STREET, BOTH LATERAL AND REAR BUILDING LINES AND DEPARTURE TO RELAX THE OPEN SPACE REQUIREMENT ON ERF 9627, PORT ALFRED.

Applicant: WADS PROJECTS (PTY) LTD

Owner: LIZO PATRICK MBIKO

Property Description: ERF 9627, PORT ALFRED

Physical Address: 35 - 37 SEA BREEZE DRIVE, PORT ALFRED, 6170

Detailed description of proposal:

The matter for consideration is an Application The Removal of Restrictive Title Deed Conditions, Rezoning from Residential Zone 1 to Residential Zone 3 and Permanent Departure to Relax Street, Both Lateral and Rear Building Lines and Departure to Relax the Open Space Requirement on Erf 9627, Port Alfred as per the provisions of the Ndlambe Municipality Spatial Planning and Land Use Management By-laws (2016) and Ndlambe Municipality Integrated Land Use Scheme, 2019.

Notice is hereby given in terms of Section 93 of the Ndlambe Municipality Spatial Planning and Land Use Management By-law (2016) that the abovementioned application has been received and is available for inspection during weekdays between 09:00 to 15:00 at the Ndlambe Municipality, Civic Centre, Causeway, and Port Alfred Municipal Office. The application can also be viewed on the Town Planning Portal on Ndlambe Municipal website (<https://www.ndlambe.gov.za/town-planning-portal/>) under Public Participation. Any written comments may be addressed in terms of Section 98 of the said Bylaw to The MUNICIPAL MANAGER, Causeway, Port Alfred, 6170 or emailed to townplanning@ndlambe.gov.za on or before **12 March 2026**. Telephonic enquiries can be made to the Town Planning Section at (046) 604 5520. The Municipality may refuse to accept comment received after the closing date. Any person who cannot write will be assisted by a Municipal Official by transcribing their comments.

NOTICE NUMBER: 29/2026

12 February 2026 ADV. R DUMEZWENI MUNICIPAL MANAGER



NDLAMBE MUNICIPALITY



Ndlambe Municipality
Corporate Services

31 OCT 2025

RECEIVED

LAND USE APPLICATION FORM

PART A: TYPE(S) OF APPLICATION

TICK	APPLICATION TYPE	FEE AS PER FEE LIST
	Rezoning	R
	Consolidation	R
X	Requirements for amendment, suspension or removal of restrictive conditions or obsolete Condition, servitude or reservation registered against title of land	R 10 277.47
	Departure Application: Permanent or Temporary Departure (for Land Use Change)	R
X	Departure Relaxation Building Line	R 5 110.89
	Departure for Relaxation of Development Parameters (Height and/or Coverage)	R
	Consent use in terms of the Land Use Scheme	R
	Extension for validity of an approval	R
	Subdivision	R
	Road closure or Closure of Public Open Space	R
	Approval of Architectural Design Manual, Homeowners Constitution, Site Development Plan	R
	Amendment of Conditions of Approval	R
	Cancellation/Amendment of General Plan	R
	Other	R
TOTAL ON FEES PAYABLE		R 15 840,57.

INSTRUCTIONS:

- Do not convert or edit the land use application form.
- Confirm the applicable fees with the Town Planning Office before proceeding, and do not make any payment without consent from the Town Planning Office.
- Initial the bottom of each page and sign the Declaration on Page 11.

Applicant's Initials: MdB

PART B: GENERAL INSTRUCTIONS

(These instructions should be read before completing the form)

1. GENERAL REMARKS

- 1.1. All applications should take cognizance of the requirements for the change of land use in terms of the Environment Conservation Act of 1997.
- 1.2. Incorrect and incomplete applications will be returned to the Applicant. The Applicant's attention is drawn to the plans and other documentation that must accompany their application as per the Schedules in the Ndlambe Municipality Spatial Planning and Land Use Management By-law (2016).
- 1.3. Applicants must note that until such time that an application has been approved in writing, any correspondence or discussions pertaining to this application must not be regarded as an indication that it will in fact be approved and do not bind the Ndlambe Municipality, in any way.
- 1.4. The Ndlambe Municipality reserves the right to have an approval declared null and void if it was based on wrong information supplied by an applicant. Applicants must therefore ensure that information about restricting factors that could influence the application is provided.
- 1.5. Applicants may supply any additional information, on a particular issue, if they want to and when required to.

2. PRIOR LIAISON WITH OTHER INTERESTED PARTIES

- 2.1. Prior Liaison with interested bodies including National and Provincial Departments, is strongly recommended, as the processing of applications will be expedited in this way. Where an applicant submits proof that an interested party is satisfied with a proposal, it will not be necessary to again approach such interested party for comments.
- 2.2. A list of the different authorities and other interested parties affected by the development, together with the names, telephone numbers and addresses of contact persons may be available from the Local Authority.

3. SUBMISSION OF APPLICATION

- 3.1. The application must be submitted in duplicate, together with all the required annexes, to the Local Authority in whose area of jurisdiction the land unit is situated. If the land is to be incorporated within the jurisdiction of a Local Authority, the application form must also be submitted to the Local Authority concerned.
- 3.2. Applications can be posted via registered mail or hand delivered to the following address:

**The Municipal Manager
Ndlambe Municipality
P O Box 13
Port Alfred
6170**

**Town Planning Office
Ndlambe Municipality
Causeway Road, Civic Centre
Port Alfred
6170**

- 3.3. Lack of information leads to delays and adds to the workload of the Section/Department. It is essential that all applications that are submitted for consideration contain all of the information necessary for the relevant authority to take a rational decision. Ideally applications should indicate the following:

3.3.1. Details in respect of the application

- A Locality sketch showing clearly the details of the application;
- A Description of the site that is to be developed;
- What does the owner intend to do with the land;
- What are the envisaged development parameters (for instance the proposed floor area and coverage);
- What portion of the site is to be developed;
- What is the existing zoning and use of the subject land;
- A copy of the advertisement of the proposal;
- A site development plan.

3.3.2. Details in relation to the existing and proposed development of the land in the vicinity of the subject land

- The existing uses and zonings to be shown on separate map;
- The visual or historical characteristics of the area;
- Topographical and physical features;
- Details of illegal and non-conforming uses.

3.3.3. Details in respect of the planning proposals for the subject area

- what are the existing and proposed conditions applicable to the subject land (servitudes, title deed and/or zoning scheme conditions);
- relevant details contained in Spatial Development Framework, or any other policy proposals for the area.

3.3.4. Motivation

A written motivation for an application should be based on the criteria referred to in the said legislation (SPLUMA), namely;

- Desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister/MEC regarding desirability of proposed land uses;
- Investigations carried out in terms of other laws that are relevant to the consideration of the application;
- The impact of the proposed land development on municipal engineering services;
- Applicable policies of the Municipality that guide decision making;
- Applicable provisions of the zoning scheme;
- Consideration of the following forward planning documents;
- Integrated development plan, including the municipal spatial development framework; provincial spatial development framework; and
- Policies, principles and planning and development norms and criteria set by the national and provincial government; and
- Land development principles as referred to in Chapter 2 of the Spatial Planning Land Use Management Act, 2013 (Act No.16 of 2013) (SPLUMA).
- When an application is submitted for an amendment, suspension or removal of restrictive conditions the criteria referred to in Section 47 of the Act, should also be considered.

3.3.5 Supporting information and documentation

The following information or documentation may be requested at the discretion of the Municipality and can include the following;

- Copy of Traffic Impact Statement (TIS - if between 50 – 150 peak hr trips) or Traffic Impact Assessment (TIA - if > 150 peak hr trips);
- Floodline determination (report / plan);
- Copy of the Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) report;
- Confirmation of submission of EIA / HIA; or Copy of the Environmental Authorisation (EA) / Record of Decision (ROD);

- Services report or indication of all municipal services / registered servitudes;
- Typical unit types (plan & elevation);
- Abutting neighbour consent(s);
- Body Corporate / Home Owners Association (HOA) consent;
- Home Owners Constitution / architectural guidelines;
- Copy of original approval and conditions of approval;
- Minutes of pre-application consultation meeting;
- Confirmation from the Department of Rural Development and Land Reform regarding land claim(s) / restitution claim(s);
- Proof of lawful use right;
- Additional copies of selected documentation;
- Additional motivation; and
- Any other specialist studies, etc.

PART C: INFORMATION TO BE COMPLETED BY THE APPLICANT

NOTE: Complete this form using BLOCK letters and ticking the appropriate boxes	
PART C.1: APPLICANT DETAILS	
First name(s)	Mirinda
Surname	de Beer
Company name <i>(If applicable)</i>	Mirinda de Beer Town & Regional Planners
Street or Postal Address	117 Cape Road, Mill Park, Port Elizabeth
Email Address	mirinda@mdbtownplanner.co.za
Contact Number	082 896 2686
PART C.2: REGISTERED LANDOWNER(S) DETAILS <i>(If different from applicant)</i>	
Registered owner(s) Name	Nederduitse Gereformeerde Gemeente Dias te Port Alfred
Street or Postal Address	Main Street, Boesmansriviermond
E-mail Address	wikus@ngkdias.co.za
Contact Number	078 800 3353

PART D: PROPERTY DETAILS

NOTE: Property details must be in accordance with title deed				
Erf No		Suburb/Town/Area	Boesmansriviermond	
Farm No	Marselle No. 348	Portion (if applicable)	1	
Physical or Street Address	Main Street, Boesmansriviermond			
Current Zoning	Agriculture			
Proposed Zoning	N/A			
Additional Rights or Consent Uses Approved	N/A			
Current activities	Horse stables and arena			
Are any departures applicable to the land unit?	Yes			
Is there any building or other development on the land unit? If so, what are the nature and condition of these improvements?	Yes Horse stables and a lunging arena			
Is the site/property being used in accordance with its present zoning? If not, how is the land being utilised?	Yes			
Property Size/ Extent (m ² / ha - as per Title Deed)	1,7117 ha			
Title Deed Number				
Any additional/relevant information in regard to the property				
Any restrictions ito Conveyance's Certificate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If yes, list condition(s) in motivation report.	
Are the restrictive conditions in favour of a third party?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, list the party(ies) in motivation report.	
Is the property owned by Council?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, <u>attach a power of attorney</u> signed by the Municipal Manager or delegated authority.	
Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, indicate which section are triggered in motivation report and attach relevant permit.	
Is the property or building located within the historical core or contains any heritage significant features?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the building older than 60 years?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Does the property fall inside the urban edge in terms of the SDF?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the property fall within the service edge in terms of SDF?	<input checked="" type="checkbox"/> <input type="checkbox"/>
Is the property encumbered with a bond	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, is bond/mortgage holders consent attached	<input type="checkbox"/> <input type="checkbox"/>
Any existing unauthorized buildings and/or land use on the subject property(ies)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, is this application to legalise the building / land use?	<input type="checkbox"/> <input type="checkbox"/>
NOTE: A contravention penalty may be imposed.				
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are there any land claim(s) registered on the subject property(ies)?	<input type="checkbox"/> <input checked="" type="checkbox"/>

Applicant's Initials: MdB

PART E: DETAILS OF THE APPLICATION

1. Describe the proposed development in detail (A separate motivational report **MUST** be added):

.....
 Condition 3.B. in the Title Deed stipulates that the use of the property is limited to a church, hall and parsonage.

It is the intention of the owner, Nederduitse Gereformerde Gemeente Dias te Port Alfred, to sell the property to a potential buyer.

Condition 3.B. in the Title Deed restricts any interested buyer to develop the property.

The property is currently zoned for Agriculture purposes.

It is the intention of the owner to remove this condition so that a potential buyer may proceed with developing the property in alignment with the Land Use Scheme and to submit a separate rezoning application.

The building line relaxation to 3m will accommodate the existing structures and provide a 3m lateral building line for any future development.

2. Does the proposed development involve the entire land unit? If not, indicate the position and size of the portion of the land unit that is not included in the proposed development and for what purpose it is, or will be used:

.....
Yes
.....
.....
.....

3. Is a departure being applied for in order for a temporary change of use on the land unit? No

If so, explain why rezoning is not being considered and supply reasons for the proposed period of the departure:

.....

4. Departure (for an alteration of the conditions in respect of a particular zone) in terms of Section 76(1) of the Ndlambe Municipality Spatial Planning and Land Use Management Bylaw (2016) for a relaxation of the:

- i. Lateral (side) building line(s) from10 m to3 m; and / or (eastern lateral)
- ii. Rear building line from m to m; and / or
- iii. Street building line from m to m; and / or
- iv. Coverage factor from % to %; and / or
- v. Building height restriction from m to m; and / or
- vi. Street boundary wall / fence height restriction from m to m;
- vii. Relaxation of parking requirements from.....bays to..... bays
- viii. Other zoning scheme condition(s) (as specified).....

5. RESTRICTING FACTORS

(a separate report may be added to address the restricting factors)

5.1 Are there any title deed restrictions, which may have an effect on the application? Yes

If so, furnish details:

.....
Conditions 3. B. from Title Deed
.....
.....

5.2 Is there any portion of the land unit subject to tidal flow or situated under the high water mark? No

If so, furnish details:

.....
.....
.....
.....

5.3 Is any portion of the land unit situated in a flood-plain of a river under the 1 in 50 years flood-line or subject to any floods? No

If so, furnish details:

.....
.....
.....
.....

5.4 Are there any physical restrictions (such as steep slopes, unstable soil formations, swamps etc.) which could affect the development? No

If so, furnish details and state how the problem can be solved:

.....
.....
.....
.....

Are there any other restrictions of which you are aware, but which were not mentioned above? No

.....
.....
.....
.....

PART F: PROVISIONS IN TERMS OF THE RELEVANT PLANNING LEGISLATION POLICIES / GUIDELINES

Please answer the following questions and provide comments:

QUESTIONS REGARDING PLANNING POLICY CONTEXT	YES	NO	COMMENT
Is any Municipal Integrated Development Plan (IDP)/Spatial Development Framework (SDF) and/or any other Municipal policies/guidelines applicable? If yes, is the proposal in line with the aforementioned documentation/plans?	✓		The removal of the restrictive condition in the Title Deed will enable a potential buyer to submit a rezoning application to the Municipality in future.
Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? List condition numbers and third party(ies)]		✓	
Any other Municipal by-law that may be relevant to application? (If yes, specify)		✓	
Does the proposal fall within the provisions/parameters of the land use scheme?	✓		
Are additional applications required to deviate from the land use scheme? (if yes, specify)		✓	

PART G: CONSENT / COMMENT REQUIRED FROM OTHER ORGANS OF STATE

Please answer the following questions and provide comments:

QUESTIONS REGARDING CONSENT / COMMENT REQUIRED	YES	NO	OBTAIN APPROVAL / CONSENT / COMMENT FROM:
Is/was the property(ies) utilised for agricultural purposes?	✓		
Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)?		✓	
Is the property/land situated within 100m from the high-water mark of the sea or tidal river? (NOTE: Please check with the Environmental Compliance Officer of the Municipality)		✓	
Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)?		✓	
Have you obtained a determination from DEDEAT, confirming whether the proposal triggers any listed activities in terms of NEMA? If Yes, please attach communication/confirmation from DEDEAT.		✓	

Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)?		✓	
Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?		✓	
Will the proposal require authorisation in terms of Specific Environmental Management Act(s) (SEMA)? (National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (NEM:PAA) / National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) (NEM:BA) / National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) (NEM:AQA) / National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008) (NEM:ICM) / National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (NEM:WA)		✓	
Will the proposal have an impact on any National or Provincial roads?		✓	
Will the proposal have an impact on any National or Provincial roads?		✓	
Will the proposal trigger a listed activity in terms of the Occupational Health and Safety Act, 1993(Act 85 of 1993): Major Hazard Installations Regulations		✓	
Will the proposal affect any land owned by any State-Owned Entity (Telkom, ESKOM, Transnet etc.) and/or servitudes?		✓	
Is the property subject to any existing mineral rights?		✓	

PART H: SERVICE REQUIREMENTS

DOES THE PROPOSAL REQUIRE THE FOLLOWING INFRASTRUCTURE / SERVICES?	YES	NO	COMMENT
Electricity supply		✓	
Water supply		✓	
Sewerage and wastewater		✓	
Storm water		✓	
Road network		✓	
Other, services. Please specify		✓	

NOTE: Provide more detailed information in the motivation report.

Applicant's Initials: MdB

PART I: DOCUMENTS TO BE SUBMITTED AS PART OF THE APPLICATION

Please indicate if the following Annexures are attached

ANNEXURE	YES	NO	NOT APPLICABLE
COMPULSORY INFORMATION REQUIRED			
Power of Attorney / Owner's consent if applicant is not owner (if applicable)	✓		
Company resolution/Minutes if property is registered under a company or entity			✓
Resolution or other proof that applicant is authorised to act on behalf of a juristic person	✓		
Full Copy of Signed Title Deed	✓		
Bondholder's consent			✓
Locality map	✓		
Zoning map	✓		
Land-use map	✓		
Site Development Plan/ Site Layout			✓
S.G / Erf Diagram	✓		
Motivation report	✓		
Written motivation pertaining to the desirability and impact of the application	✓		
Proof of payment	✓		
MINIMUM AND ADDITIONAL REQUIREMENTS			
Neighbours consent			✓
Proposed subdivision plan			✓
Proposed consolidation plan			✓
Conveyancer's certificate	✓		
Flood-line certificate			✓
Services Report or indication of all municipal services / registered servitudes			✓
Environmental Authorisation (EA) / Record of Decision (ROD)			✓
Heritage Impact Assessment (HIA)			✓
Traffic Impact Assessment (TIA)			✓
Traffic Impact Statement (TIS)			✓
Major Hazard Impact Assessment (MHIA)			✓
Home Owners Association Consent			✓
Any other annexures, give details:			


If any of the above questions, answers are no, give reasons:

.....

PART J: DECLARATION BY THE APPLICANT

I hereby wish to confirm the following:



1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 111(4)(e) of Ndlambe Municipality Spatial Planning and Land Use Management, By-law, 2016, to provide inaccurate, false or misleading information.
3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will conflict with any applicable law.
8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true, and accurate.
9. Approval granted by the Municipality on information or declarations that are incorrect, false, or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false, or misleading information or declarations being set aside.
11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or declarations made as to his or her qualification as a Competent person and/or registration as a professional.
12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
13. A person who supplies particulars, information, or answers in a land use application in terms of the Ndlambe Municipality Spatial Planning and Land Use Management By-law, 2016, knowing it to be incorrect, false, or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.
14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered if it has reason to believe that information submitted, or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.
15. By initialling each page of this form, I confirm that I have read and understood the contents therein, and I declare that all information completed in this form and provided as part of this application is true, correct, and complete to the best of my knowledge and belief. I understand that any false or misleading information may result in the rejection of the application or other legal consequences.
16. I am aware that by lodging an application, the information in the application and obtained during the process may be made available to the public, other sector departments or organs of state, as part of processing the application and public participation processes.

Full Name(s)	Mirinda de Beer		
Professional Capacity & Registration Number	Professional Town and Regional Planner A/1037/1998		
Statutory Body	SACPLAN	Are you In Good Standing with the Statutory Body?	Yes
Applicant's Signature		Date	24/10/2025

Applicant's Initials: MdB

PART K: FOR OFFICE USE ONLY

APPLICATION RECEIVED AND VERIFIED BY:

Full Name(s)	ZAMAGCINA DANTILE
Title/Capacity	ASSISTANT TOWN PLANNER
Signature	
Municipal Stamp	

POWER OF ATTORNEY

I, Wikus Venter, of Identity Number _____, the undersigned, hereby nominate, constitute and appoint -

Mirinda de Beer, Identity Number _____, of Mirinda de Beer Town and Regional Planners, with power of substitution to be my name, place and stead to apply for the -

Removal of Restrictive Title Conditions of Portion 1 of the farm Marselle No. 348, Alexandria Division and any other application deemed necessary to the effect of the application and to do whatever I would do if I were present in person and acting in the matter; and I/we hereby ratify, allow and confirm, promise and agree to ratify, allow and confirm everything and anything my/our agent may do or may permit to be done legally in terms of this power of attorney.

SIGNED AT Port Alfred ON THIS 25 DAY OF June 2025 in the presence of the undersigned witnesses:

Signed: Wt

Name: Wikus Venter

AS WITNESSES:

1. [Signature]

2. L. Plaatjie



Ned. Geref. Gemeente Dias

Kerkkantoor:
Broadwaystraat 26
Port Alfred. 6170

E-pos: skriba@ngkdias.co.za
Tel: 046 624 3534
Kantoorure: Ma. Wo. Vr. : 09h00-12h00

RESOLUTION PASSED BY THE NG CHURCH DIAS

The NG Church Dias do hereby authorize Wikus Venter (ID.) to represent NG Church Dias, the registered owners of Erf 348 in Boesmansriviermouth to submit any application or present any documentation for the purpose of Removal of Restrictive Title Conditions, and any other application that might be deemed necessary to the above property with the Ndlambe Municipality.

SIGNED BY:

WIKUS VENTER

Port Alfred

PLACE

29/6/25

DATE

IRMA VENTER

Port Alfred

PLACE

29/6/25

DATE

MARTIN DAVID BOSHOFF

Port Alfred

PLACE

29/6/25

DATE

FERDINAND JOHANNES BERGH

Port Alfred

PLACE

29/6/25

DATE

BRINLEY PRITCHARD

Port Alfred

PLACE

29/6/25

DATE

Leraar: Ds. Wikus Venter
Sel: 078 800 3353
E-pos:
wikus@ngkdias.co.za

Skriba: Desmaré Matthys
Tel: 0466243534
E-pos:
skriba@ngkdias.co.za

Kassier: Marilette Steyn
Tel: 046 624 3534
E-pos:
kassier@ngkdias.co.za

Saakgelastigde: Debbie Luies
Sel: 076 423 4463
E-pos:
admin@ngkdias.co.za

ERF 1095

MICRO FILM - MICROVERFILM	
LAD-DATUM	OPERATOR-OPERATEUR
1985-01-07	<i>MG</i>

HEROLD GIE INC.
8 D'ARLING ST.
CAPE TOWN
8001

Paras 1+2

SENTIFIKAAT VAN VERENIGDE TITEL
CERTIFICATE OF CONSOLIDATED TITLE ISSUED

HEU BEKEND AS *ERF 1095*
NOW KNOWN AS *Mew 1375 m²*

33980.94
23-05-94

OPERATOR
<i>12/12</i>
<i>new</i>

TENNANT & KIE,
St. Georgestraat 86,
KAAPSTAD.

Jul 2004
Jul 2005
Jul 2006
Jul 2007
Jul 2008
Jul 2009

Opgestel deur my,
[Signature]

AKTE VAN TRANSPORT

SY DIT BEKEND AAN WIE DIT MAG AANGAAN :

Dat *GRAHAM BARRY NORMAN SCOBLE*
voor my, Registrateur van Aktes verskyn het te Kaapstad, hy,
die genoemde komparant synde behoorlik daartoe gemagtig deur
h volmag aan hom verleen deur die

- BLANKE GROEP -

onderteken te ALEXANDRIA op die 20ste dag van SEPTEMBER, 1984.

En /

En die genoemde Komparant het verklaar dat die gemelde Kerkraad waarlik en wettiglik die eiendomme geskenk het op 17 Augustus 1983, en dat hy in sy voornoemde hoedanigheid hiermee in volle en vrye eiendom sedeer en transporteer aan en ten gunste van

DIE NEDERDUITSE GEREFORMEERDE GEMEENTE DIAS TE PORT ALFRED

- BLANKE GROEP -

of sy Gemagtigdes

1. ERF 162 Boesmansriviermond, geleë in die Munisipaliteit van Boesmansriviermond, Afdeling Alexandria ;

GROOT:- Vier Honderd Sewe-en-tagtig (487) vierkant meter

EERSTE OORGEDRA en gehou kragtens Akte van Transport No. T3306/1936 met Kaart aangeheg.

- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Sertifikaat van Verenigde Titel No. T7618/1931.

- B. ONDERHEWIG aan die volgende voorwaarde bevat in Akte van Toekenning uitgereik kragtens die voorwaardes van Wet 7 van 1865 ten gunste van W.J. Scheepers op 5de Januarie 1872 (Alexandria Erf-pagte Vol. 1 No. 19) :-

"The land thus granted being further subject to such duties or regulations as either are already or shall in future be established respecting land granted under similar tenure."

- C. ONDERHEWIG aan die volgende voorwaardes bevat in Akte van Transport No. T3306/1936 opgelê deur die Administrateur van die Kaap Provinsie in terme Ordinansie No. 13 van 1927 :-

(a) That the said Erf shall be used for residential purposes only.

(b) That /

WHITE GROUP
BLANKE GROEP

- (b) That the said Erf shall not be subdivided.
- (c) That not more than one dwelling together with the necessary outbuildings and accessories shall be erected on said erf and that not more than one-half of the area thereof shall be built upon.
- (d) That no building shall be erected on said Erf within 4,72 metres of any boundary line between the said Erf and the streets on which said Erf abuts.

D. ONDERHEWIG aan die volgende voorwaarde bevat in Akte van Transport No. T3306/1936 opgelê vir die voordeel en afdwingbaar deur die geregistreerde eienaars van tyd tot tyd van :-

- (1) Die restant van die grond Berthaville toegeken aan THOMAS JOHN FUTTER kragtens Wet No. 15 van 1887 op 18 November 1927 (Alexandria Erfpagte Vol. 8 No. 1) en van
- (2) Alle ander persele wat deel vorm van die grond Whitney Uitbreiding Dorp en van die persele wat deel vorm van die dorp Whitney (Algemene Plan W 94) :-

That the said Lot shall be used for residential purposes only, and the said Transferee and its successors in title and the occupiers thereof for the time being shall have no right whatever to establish, carry on or conduct on said Lot any Hotel or other business for the sale of liquor of an intoxicating nature either by retail or wholesale, or any boarding house, or any general dealers, butchery or bakery business, or any other business whatsoever.

E. NIE ONDERHEWIG aan voorwaarde IV (i) bevat in Akte van Transport No. T3306/1936 wat verval het as gevolg van artikel 28 van Wet 101/1969.

2. ERF /

2. ERF 163 Boesmansriviermond, geleë soos bogemeld ;

GROOT:- Drie Honderd Twee-en-Neëntig (392) Vierkant
Meter ;

EERSTE OORGEDRA en gehou kragtens Akte van Transport
No. T3306/1936 met Kaart aangeheg.

- A. ONDERHEWIG aan die voorwaardes waarna verwys word
in Sertifikaat van Verenigde Titel No. T7618/1931.
- B. ONDERHEWIG aan die voorwaarde bevat in Akte van
Toekenning uitgereik kragtens die voorwaardes van
Wet 7 van 1865 ten gunste van W.J. Scheepers op 5de
Januarie 1872 (Alexandria Erfpagte Vol. 1 No. 19)
welke voorwaarde in Klousule B na die beskrywing
van bogemelde eiendom No. 1 volledig uiteen gesit
is.
- C. ONDERHEWIG aan die voorwaardes bevat in Akte van
Transport No. T3306/1936 opgelê deur die Adminis-
trateur van die Kaap Provinsie in terme Ordinansie
No. 13 van 1927 welke voorwaardes in Klousule C na
die beskrywing van bogemelde eiendom No. 1 volledig
uiteen gesit is.
- D. ONDERHEWIG aan die voorwaarde bevat in Akte van
Transport No. T3306/1936 opgelê vir die voordeel
en afdwingbaar deur die geregistreeerde eienaars
van tyd tot tyd welke voorwaardes in Klousule D
na die beskrywing van bogemelde eiendom No. 1
volledig uiteen gesit is.
- E. NIE ONDERHEWIG aan voorwaarde IV (i) bevat in Akte
van Transport No. T3306/1936 wat verval het as
gevolg van artikel 28 van Wet 101/1969.

3. GEDEELTE 1 /

3. GEDEELTE 1 van die plaas Marselle No. 348, geleë in die Afdeling van Alexandria ;

GROOT:- Een komma Sewe Een Een Sewe (1,7117) Hektaar ;

EERSTE OORGEDRA en gehou kragtens Akte van Transport No. T20629/1970 met Kaart No. 4309/66 aangeheg.

A. ONDERHEWIG aan sodanige voorwaardes soos bevat in Akte van Toekenning uitgereik kragtens Wet 7 van 1865 op 5de Januarie 1872 (Alexandria Erfpagte Vol. 1 No. 19) een waarvan soos volg lees :-

"The land thus granted being further subject to such Duties or Regulations as either are already or shall in future be established respecting land granted under similar tenure."

B. ONDERHEWIG aan die volgende voorwaarde bevat in Akte van Transport No. T20629/1970 opgelê deur die Administrateur van die Kaap Provinsie toe hy goedkeuring verleen het vir die onderverdeling van die gemelde plaas Marselle No. 348 in terme Artikel 196 van Ordinansie No. 15 van 1952 en Artikel 9 van Ordinansie No. 33 van 1934 naamlik :-

"That the land be used only for the erection of a church, hall and parsonage."

C. ONDERHEWIG aan die onteiening van gedeeltes van die bogemelde eiendom waarna verwys word in Endossement gedateer 27 Julie 1970 op Akte van Transport No. T20629/1970 wat as volg lees :-

"Portions /

"Portions of the herein mentioned properties as detailed below has been expropriated by The Administrator of the Cape Province in terms of S. 130 of Ord 15/1952 to read with S. 7 of Ord 28/1960 Vide Notice of Expropriation No. R/D 17/610 d.d. 3/10/1967 filed as exprop. caveat 729/67 plans in duplicate filed T.3818/1938.

From Para 1 ±	1 996	Square Metres	Plan 15A
" " 2 ±	4,1662	Hectares	" 15"

- D. ONDERHEWIG aan die onteining van gedeeltes van die bogemelde eiendom waarna verwys word in Endossement gedateer 27 Julie 1970 op Akte van Transport No. T20629/1970 wat as volg lees:-

"Portions of the herein mentioned properties as detailed below has been expropriated by The Administrator of the Cape Province in terms of S. 130 of Ord. 15/1952 to read with S. 28 of 1960 Vide Notice of Expropriation No. R/D 17/610 d.d. 3/6/69 filed as exprop. caveat 1237/69 plans in duplicate filed T.3818/1938.

From Para 1 ±	215	Square Metres	Plan 15A
" " 2 ±	2 030	" "	" 15 "

- E. ONDERHEWIG aan die onteining van gedeelte van die bogemelde eiendom waarna verwys word in Endossement gedateer 24 Februarie 1971 op Akte van Transport No. T20629/1970 wat as volg lees :-

"A portion of the herein mentioned property meas. ± 290 Sq. Metres has been expropriated by The Provincial Administrator of the Cape in terms of Section 130 of Ord. 15 of 1952 read with Section 7 of Ordinance 28 of 1960 Vide Notice of Expropriation No. R/D 17/1007 d.d. 3 Sept. 1970 filed as exprop. caveat 210/71 plans in duplicate filed herewith."

Weshalwe /

Weshalwe die komparant afstand gedoen het van alle eiendoms- en ander regte wat die gemelde Transportgewer tot op hede op gemelde vaste eiendom gehad het en gevolglik ook erken dat dit daarvan heeltemaal onteien is, en geen eiendoms- en ander regte daarop besit nie; en dat, kragtens hierdie Akte, die gemelde Transportnemer of sy gemagtigdes, tans daartoe geregtig is, en voortaan daartoe geregtig sal wees ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat.

Ten bewyse waarvan ek, die genoemde Registrateur, tesame met die komparant hierdie Akte onderteken en dit met die ampseël bekragtig het.

Aldus gedoen en geteken op die kantoor van die Registrateur van Aktes te Kaapstad op hede die 10^{de} dag van Desember in die jaar van Ons Heer, Een-duisend Negehonderd Vier-en-Tagtig (1984)

9.9.

In my teenwoordigheid

REGISTRATEUR VAN AKTES

Geregistreeer in die
Register van

Boek Folio

KLERK-IN-BEVEL

CONVEYANCER'S CERTIFICATE

I, the undersigned,

BRIAN HENRY VON DER DECKEN

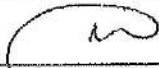
a Conveyancer of King William's Town, do certify, from an investigation of the records at the office of the Registrar of Deeds: Eastern Cape at Qonce that :

1. **PORTION 1 of the Farm MARSELLE No. 348**, Division of Alexandria, Province of the Eastern Cape, measuring 1,7117 (one comma seven one one seven) hectares was registered in the name of **DIE NEDERDUTSE GEREFORMEERDE GEMEENTE DIAS TE PORT ALFRED** on 10th December 1984 under Deed of Transfer No
2. The following restrictive title deed condition affects the owner's use of the above property for agricultural purposes and, accordingly, is required to be removed from the title deed:

"B. **SUBJECT** to the following condition contained in Deed of Transfer No [REDACTED] imposed by the Administrator of the Cape Province when he granted approval for the subdivision of the said Farm Marselle No 348 in terms of Section 196 of Ordinance No 15 of 1952 and Section 9 of Ordinance No 33 of 1934 namely:

"That the land be used only for the erection of a church, hall and parsonage."

DATED at KING WILLIAM'S TOWN this 8th day of JULY 2025.



BRIAN HENRY VON DER DECKEN
B.Proc.LL.B / LPCM No 80120
Smith Tabata Incorporated
Sutton Square, Queens Road
King William's Town

PORTION 1 OF THE FARM MARSELLE NO. 348, ALEXANDRIA DIVISION

Application for:

- Removal of Restrictive Title Deed Condition 3. B. from Title Deed [REDACTED]
- Permanent Departure from the 10m eastern lateral building line to a 3m eastern lateral building line.

Compiled by:



Pr. Ptn A/1037/1998
BA M(TRP) MSAPI

Contact Details:

Email: mirinda@mbdtownplanner.co.za

Cell: 082 896 2686

117 Cape Road, Mill Park

Port Elizabeth, 6001

www.mdbtownplanner.co.za

SEPTEMBER 2025

EXECUTIVE SUMMARY

Portion 1 of the farm Marselle No. 348, Alexandria Division is located in the southern part of Bushmans River Mouth, situated between Main Street in the north and Alexandria Street in the south. The subject property is currently zoned for Agriculture purposes. Stables and a lunging arena is situated on the property.

Condition 3.B. in the Title Deed stipulates that the use of the property is limited to a church, hall and parsonage. It is the intention of the owner, Nederduitse Gereformerde Gemeente Dias te Port Alfred, to sell the property to a potential buyer. Condition 3.B. in the Title Deed restricts any interested buyer to develop the property. It is the intention of the owner to remove this condition so that a potential buyer may proceed with developing the property in alignment with the Land Use Scheme (2019) or submit a separate rezoning application.

The existing stables along the eastern boundary of the property are encroaching the 10m lateral building lines. The proposed relaxation of the 10m building line to a 3m lateral building line will accommodate the existing structures and permit future development in alignment with the existing development footprints.

Summary:

Existing Zoning	Agriculture
Area	1,7117 ha
Title Deed	
Owner	Nederduitse Gereformerde Gemeente Dias te Port Alfred
Address	Main Street, Boesmansriviermond
Bond	There is no bond registered on the property
Application required	Application in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), Ndlambe Municipality Spatial Planning and Land Use Management By-Laws (2016) and the Ndlambe Municipality Integrated Land Use Scheme (2019) for: <ul style="list-style-type: none">• Removal of Restrictive Title Deed Condition 3. B. from Title Deed T59140/1984, in terms of Section 69 of the Ndlambe Municipality SPLUM By-Laws (2016).• Permanent Departure from the 10m eastern lateral building line to a 3m eastern lateral building line, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).

CONTENTS

SECTION A : BASELINE INFORMATION	1
1. The Applicant	1
2. The Site	1
3. Locality	1
4. Existing Zonings & Existing Land Uses	2
5. Title Deed, Servitudes and Bond Holder	2
SECTION B : THE APPLICATION	4
SECTION C : REMOVAL OF RESTRICTIVE TITLE DEED CONDITION	5
SECTION D : PERMANENT DEPARTURE	8
1. Permanent Departure from Eastern Lateral Building Line	8
SECTION E : PLANNING INFORMANTS	10
1. Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)	10
2. Ndlambe Municipal Spatial Development Framework (SDF) (2023)	11
3. Ndlambe Municipality Integrated Land Use Scheme (2019)	16
SECTION F : DESIRABILITY	17
1. Potential of the property	17
2. Compatibility with surrounding area	18
3. Engineering Services	19
4. Economic Impact	19
SECTION G : CONCLUSION	20

ANNEXURES

A. MAPS

1. Locality Map
2. Land Use Map
3. Zoning Map
4. Site Development Plan

B. APPLICATION FORM

C. PROPERTY DETAILS

1. Power of Attorney
 2. Church Resolution
 3. Members of Executive and Management Committee
 4. Title Deed
 5. Cadastral Diagram
 6. Conveyancers Certificate
-

1. The Applicant

Mirinda de Beer Town and Regional Planners (MDB) is appointed by the owners of Portion 1 of the farm Marselle No. 348, Alexandria Division, to prepare and submit an application to the Ndlambe Municipality for the Removal of Restrictive Title Deed Condition and Permanent Departure from the eastern lateral building line.

The Power of Attorney and Church Resolution are attached as **Annexure C.1 and C.2.**

2. The Site

► Cadastral information:

The subject property is described as Portion 1 of the farm Marselle No. 348, Alexandria Division, situated in the Ndlambe Municipal jurisdiction. The Cadastral Diagram (No. 4309/66) is attached as **Annexure C.5.**

► Ownership:

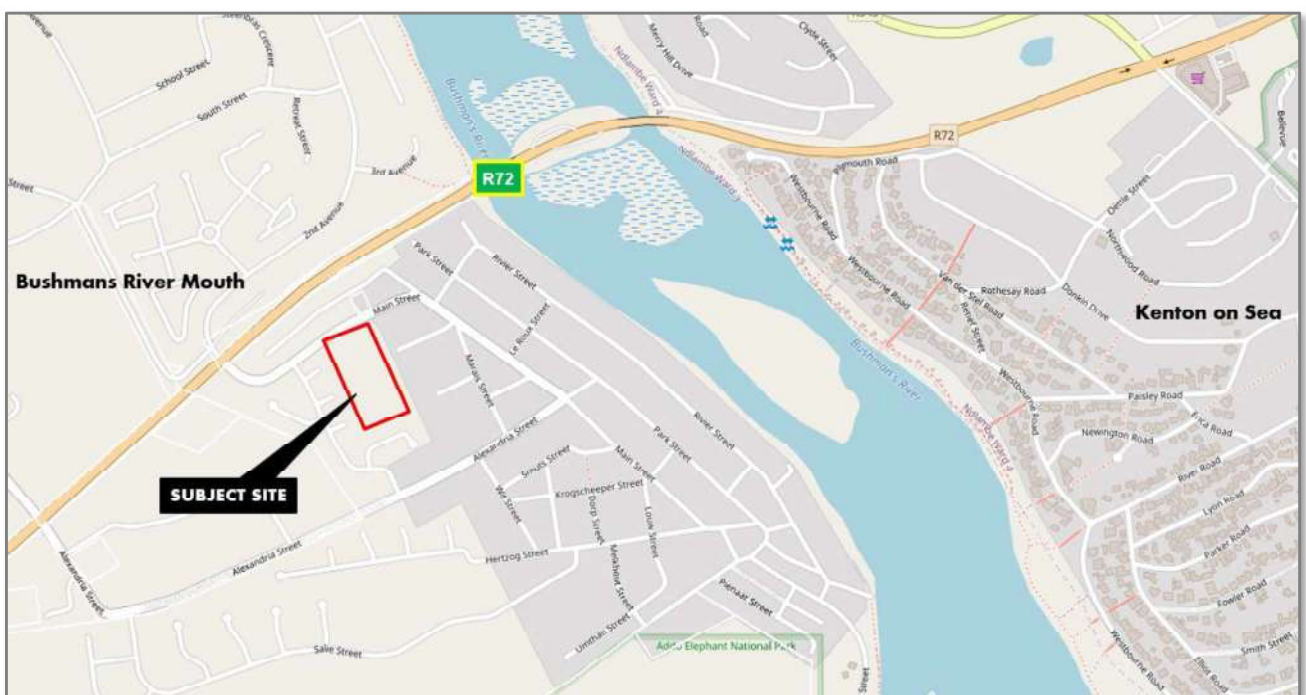
Nederduitse Gereformerde Gemeente Dias te Port Alfred. The Church Council confirmed the Members of the Executive and Management Committee attached as **Annexure C.3.**

► Property size:

1,7117ha

3. Locality

The property is located between Main Street in the north-west and Alexandria Street in the south.



Map 1 illustrates the **Locality** of the subject site.

4. Existing Zonings & Existing Land Uses

The property is currently zoned for Agriculture purposes. Stables and a lunging arena are situated on the southern portion of the property, as illustrated below. Main Street borders the property in the north and access is obtained from Kiewiet Street in the south-eastern corner of the site.



Map 2 illustrates the **Land Use** of the subject property.

In terms of the Ndlambe Municipality Integrated Land Use Scheme (2019) the property is zoned for Agriculture purposes, with the following development parameters:

Zoning	Agriculture
Primary Use	<i>Agriculture means the cultivation and/ or utilization of land for crops and plants, the keeping and breeding of animals, operation of a game farm, the utilization of the natural veld or land on limited or extensive basis and includes only such activities and building directly related to the main farming activities, but excludes abattoirs, intensive animal farming and agricultural industries.</i>
Coverage	20%
Height	11m
Building Lines	10m

5. Title Deed, Servitudes and Bond Holder

Title Deed 4 is relevant to the subject site. A copy of the Title Deed is attached as **Annexure C.4**.

The Conveyancer Certificate confirmed that conditions in Title Deed prohibit development of the property and should be removed.

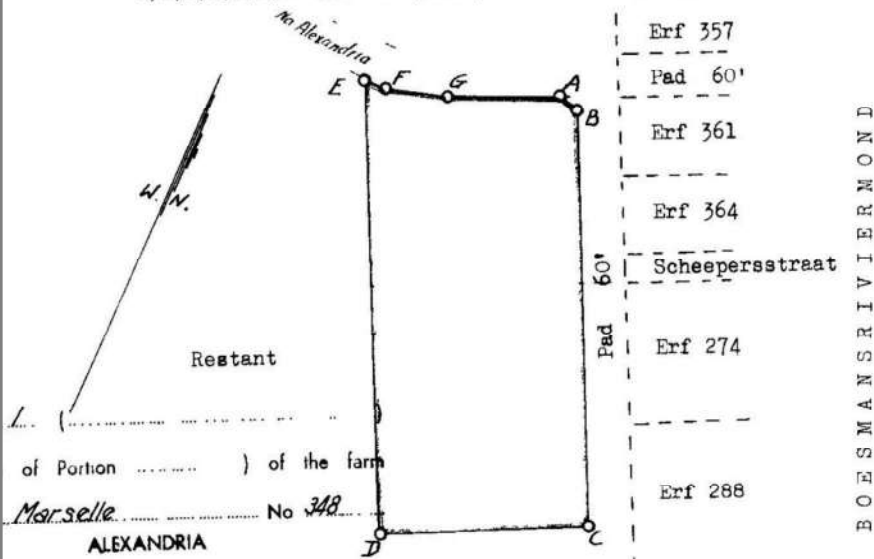
A copy of the Conveyancer Certificate is attached as **Annexure C.6**.

H.S. Laack
 Landmeter-Generaal
 12-7-1966.

SYE Kaapse Voet		RIGTINGSHOEKE			STELSEL Lo 27° KOORDINATE	
		" ' "			y	x
					+ 0.00	+ 11800000.00
AB	26.37	289	22	10	A + 102826.12	+ 41388.29
BC	576.00	334	12	10	B + 102799.37	+ 41397.70
CD	288.09	64	12	10	C + 102548.70	+ 41916.30
DE	620.37	154	12	10	D + 102608.08	+ 42041.67
EF	29.54	267	47	50	E + 103078.05	+ 41483.13
FG	86.85	251	51	40	F + 103048.53	+ 41482.00
GA	154.95	244	31	00	G + 102966.00	+ 41454.96

Bakens:

A, B, C, D, E, F, G ... 1" ysterpen onder klipstapel.



of Portion) of the farm

Marselle No *348*

ALEXANDRIA

SKAAL 1:2500.

Die figuur A B C D E F G stel voor 1.9984 Morge grond, synde

GEDEELTE 1 van die plaas MARSELLE

geleë in die Administratiewe Distrik van ALEXANDRIA,
 Provinsie Kaap Die Goëie Hoop.

Ongemeet in Mei 1966

deur my,

J. Laack
 Landmeter.

E EKE C E
 1.717. EK AAR

Hierdie kaart is geheg
 aan
 No. *7/A. ged. 20629/70*
 t.g.v.

Die oorspronklike
 kaart is Nr. *2347/66*
 en behoort tot *2383/69*

L.G. Leer Nr. *5/8/33*
 Meetstukke *21164/60*
 BF-6CB/223

Registrateur van Aktes

Aix Q B-1
 L/L 277/1

There are no servitudes registered on the property. A copy of the **Cadastral Diagram** is attached as **Annexure C.5**.

There is no bond registered on the property. Subsequently, consent from a bond holder is not required.

This application is, based on the stipulations of the Ndlambe Municipality Integrated Land Use Scheme (2019), Ndlambe Spatial Planning and Land Use Management By-Laws (2016) and Section 33(1) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), for the following on Portion 1 of the farm Marselle No. 348, Alexandria Division:

1. **Removal of Restrictive Title Deed Condition 3. B.** from Title Deed in terms of Section 69 of the Ndlambe Municipality SPLUM By-Laws (2016).
2. **Permanent Departure** from the 10m eastern lateral building line to a 3m eastern lateral building line, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).

Development parameters on Portion 1 of the farm Marselle No. 348, Alexandria, Division:

Zoning	Agriculture
Primary Land Use	Agriculture
Street Building Lines	10m
Rear Building Lines	10m
Lateral Building Lines	Eastern lateral building line: 3m Western lateral building line: 10m
Height	11m
Coverage	20%

- ▶ Condition 3.B. in the Title Deed stipulates that the use of the property is limited to a church, hall and parsonage and the Conveyancer Certificate confirmed Condition 3. B. from Title Deed T59140/1984 should be removed:

“3. B. – **ONDERHEWIG** aan die volgende voorwaarde bevat in Akte van Transport No. T20629/1970 opgelê deur die Administrateur van die Kaap Provinsie toe hy goedkeuring verleen het vir die onderverdeling van die gemelde plaas Marselle No. 348 in terme Artikel 196 van Ordinansie No. 15 van 1952 en Artikel 9 van Ordinansie No. 33 van 1934 naamlik:-

“That the land be used only for the erection of a church, hall and parsonage.”

- ▶ It is the intention of the owner, Nederduitse Gereformeerde Gemeente Dias te Port Alfred, to sell the property to a potential buyer. Condition 3.B. in the Title Deed restricts any interested buyer to develop the property. In terms of the Ndlambe Land Use Scheme (2019) the property is zoned for Agriculture purposes and the existing land uses are in line with the present zone. Horse stables and a lunging arena are situated on the southern portion of the property.
- ▶ It is the intention of the owner to remove this condition so that a potential buyer may proceed with developing the property in alignment with the Ndlambe Land Use Scheme (2019) or submit a separate rezoning application.
- ▶ The Nederduitse Gereformeerde Gemeente Dias Te Port Alfred has no intention of developing the property for religious, or any other, purposes.
- ▶ The existing Nederduitse Gereformeerde Gemeente Dias, situated at 4 Hertzog Street, provides efficient space for the members of the congregation to meet.
- ▶ The following churches are already operational in the Kenton-on-Sea and Bushmans River Mouth areas:
 - Ethiopian Episcopal Church
 - St Anthony's Catholic Church
 - St David's Anglican Church
 - Dutch Reformed Church
 - Kenton Methodist Church
 - Sunshine Coast Church
 - Church at Merryhill
- ▶ The existing seven churches in the area will be enough to sustain the needs of the surrounding community for the foreseeable further.
- ▶ The restrictive condition in the Title Deed referring to land use will be adequately regulated in terms of the Ndlambe Integrated Land Use Scheme (2019). The Land Use Scheme provides sufficient development controls to regulate land use, building lines, coverage, height, density, etc.
- ▶ The Municipality earmarked the property for Mixed-Use purposes and the restrictive conditions in the Title Deed prohibit the efficient use of property.
- ▶ Before Local Authorities adopted formal Land Use Schemes, Provincial Administrators or township developers used Title Deed conditions to restrict land to certain uses and to prevent undesirable development that could affect property values or character of the area. These acted as predecessors to Municipal Land Use Schemes, ensuring controlled and compatible land use in the absence of town planning schemes.

- ▶ In terms of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA), the Municipal Land Use Scheme (LUS) serves as the primary legal instrument regulating land use within the jurisdiction of the municipality. Once this restrictive condition has been lawfully removed will the land be capable of being lawfully developed or used in line with the rights granted under the Ndlambe Municipality Land Use Scheme (2019).
- ▶ The Removal of Restrictive Condition in the Title Deed will not have a detrimental impact on the property and surrounding area.

Section 69 of the Ndlambe Municipality Spatial Planning and Land Use Management By-Laws (2016)

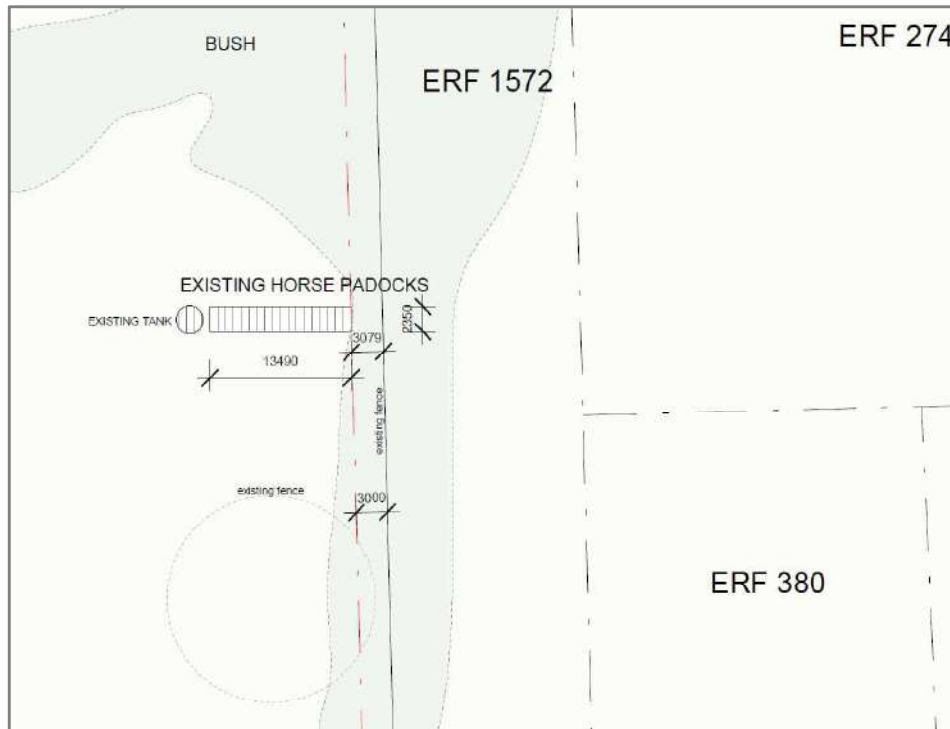
According to Section 69 (5) of the Ndlambe Municipality Spatial Planning and Land Use Management By-Laws (2016), the municipality must have regard to the following, when considering the removal, suspension or amendment of restrictive title deed conditions:

Section 69 (5)	Response:
(a) the financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement	<p>The Title Deed condition limiting the property to church purposes only substantially restricts the development potential and marketability of the land. Its financial value is significantly lower than that of comparable properties with broader land use rights.</p> <p>The condition limits the pool of potential buyers to religious or community-based entities, and the land cannot be lawfully developed for residential, commercial, or mixed-use purposes unless the restrictive condition is removed.</p>
(b) the personal benefits which accrue to the holder of rights in terms of the restrictive condition.	<p>The personal benefit to the Church as rights holder is the ability to use the land for religious purposes without interference. However, since the Church no longer intends to use the land this way, these benefits are no longer practically relevant to its current or future plans.</p>
(c) the personal benefits which will accrue to the person seeking the removal condition.	<p>After the restrictive condition has been removed, the land becomes attractive to a wide range of buyers (e.g. residential developers, commercial investors). This will provide greater flexibility and will allow the possible redevelopment of the property into income-generating uses (e.g. businesses/schools/apartments as per the SDF).</p> <p>Removal of this condition would enable the church to access a broader pool of buyers, substantially increase the sale value, and unlock capital that could be reinvested into the church's core mission and future growth.</p> <p>The personal benefit to the Church in removing the restriction is that it gains full flexibility to sell or redevelop the land, significantly increasing its economic value and utility.</p>
(d) the social benefit of the restrictive condition remaining in place in its existing form.	<p>The restrictive condition that limits the property to church-related uses no longer serves a meaningful social function. The Church no longer requires the property for its religious mission, and no replacement institution is proposed to take over such use. Retaining the condition would result in an underutilized parcel of land and unnecessarily limit the potential for development that could benefit the wider community—such as residential, small-scale commercial, or mixed-use purposes. Accordingly, there is no material social benefit in retaining the</p>

	restrictive condition in its current form, and its removal would allow the land to be put to more productive and socially beneficial use.
(e) the social benefit of the removal or amendment of the restrictive condition.	<p>Removing the condition would allow for new uses aligned with the property's zoning and location, which could unlock a range of social and community benefits.</p> <p>It will enable the property, which is currently unused and limited to outdated religious purposes, to be repurposed for development aligned with contemporary community needs. This includes the potential for new housing, local economic activity, or services that benefit the broader public. Removal of the condition will contribute to local spatial transformation objectives, unlock underutilized land for productive use, and support economic and social development within the municipality. As such, the removal of the restriction serves the public interest and advances the principles of efficient and equitable land use.</p>
(f) whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights.	<p>The Church itself is the beneficiary of the restrictive condition, as it was imposed historically to ensure that the land be used exclusively for religious purposes associated with the Church. By applying for the removal of this condition, the Church seeks to voluntarily relinquish the exclusive right that was originally granted for its benefit. The removal would, in legal terms, completely remove the specific rights associated with the condition—that is, the exclusive right to erect and operate a church, hall, and parsonage on the land.</p> <p>However, no other third-party beneficiary or holder of rights exists in this case. The removal of the condition will not prejudice or interfere with the rights of any other party, nor will it affect general property rights under the Ndlambe Land Use Scheme.</p>

1. Permanent Departure from Eastern Lateral Building Line

- ▶ The existing stables in the southern portion of the property have been constructed 3m from the eastern lateral boundary of the property, as illustrated below.
- ▶ Permanent Departure from the 10m eastern lateral building line will formalize the existing development along the eastern boundary, as illustrated below.



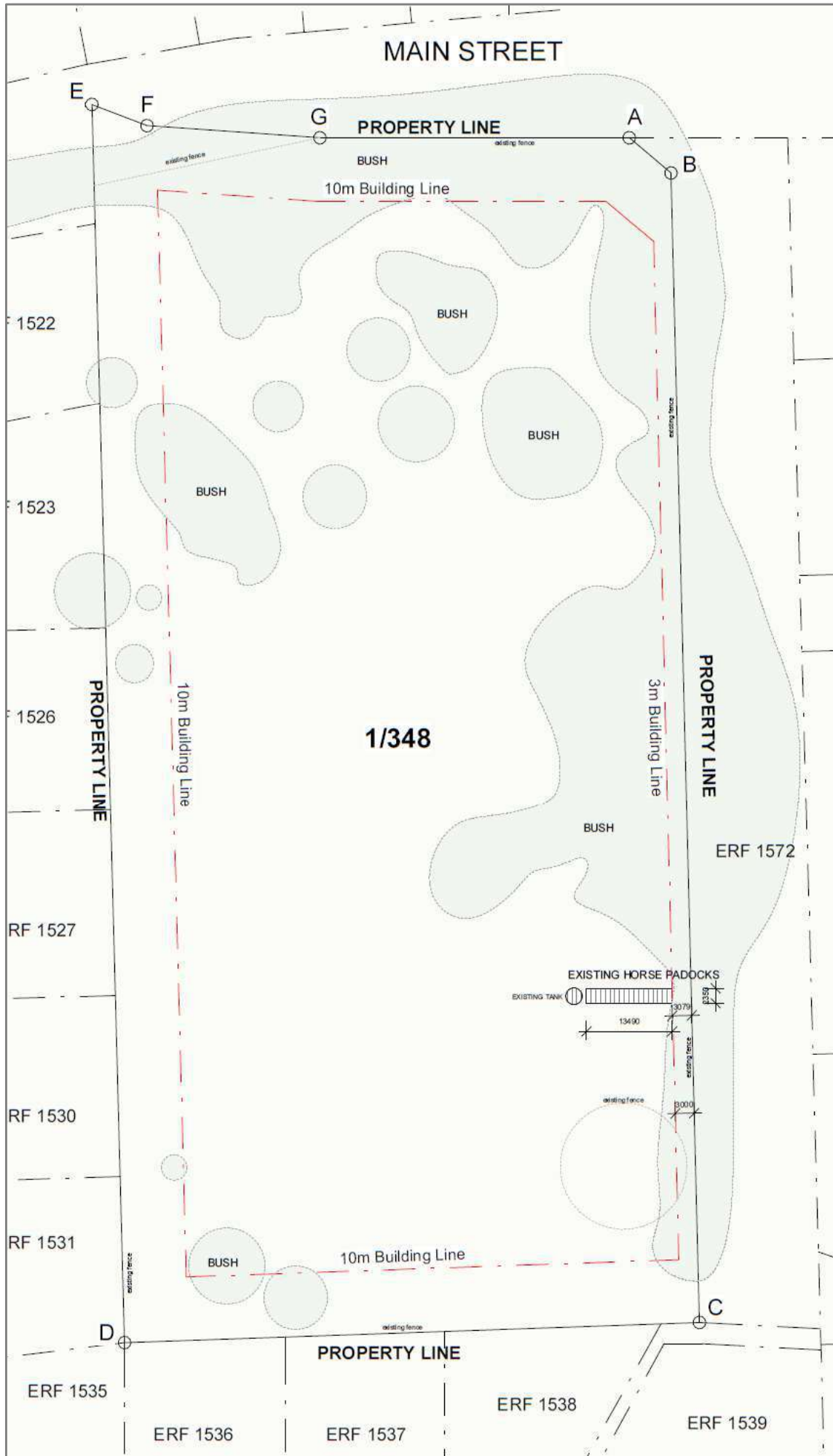
Existing Structures on Portion 1 of the farm Marselle

- ▶ The stables are situated ±20m from surrounding dwellings (on Erf 274 and Erf 380, Boesmansriviermond) and it is the opinion of this office that the building line departure will not have a material or negative impact on the surrounding properties.
- ▶ Erf 1572, Boesmansriviermond, an undeveloped, vegetated parcel covered with trees and scrub, will serve as a natural buffer between the subject site and properties to the east. This vegetative screen will help maintain the privacy of surrounding property owners.
- ▶ The neighbouring properties are zoned Residential Zone 1, 2, and 3, each permitting considerably smaller lateral and rear building lines as follows:

Zoning:	Lateral Building Lines:	Rear Building Lines:
Residential zone 1 (>600m ²)	1,5m	3m
Residential zone 2	1m	1m
Residential zone 3	4m	4m

- ▶ In light of the above, the proposed relaxation of the eastern lateral building line from 10 meters to 3 meters on Portion 1 of the Farm Marselle No. 348, Alexandria Division, is consistent with the development parameters applicable to surrounding properties.
- ▶ It is therefore concluded that the removal of the restrictive conditions in the Title Deed, together with the relaxation of the 10-meter eastern lateral building line, will not negatively affect property values, nor will it impact the quality of life of neighbouring residents in terms of privacy or access to sunlight.
- ▶ The proposed 3-meter lateral building line will accommodate the existing stables and facilitate future development aligned with the established development footprint.

Site Development Plan



1. Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The Spatial Planning and Land Use Management Act, 2013 (SPLUMA) is set to aid effective and efficient planning and land use management. Section 7 of SPLUMA stipulates development principles, aimed at achieving sustainability, equality, efficiency, fairness and good governance in spatial planning and land use management, which all planning authorities should adhere to.

The development principles are summarized below, as well as how the development on the application area complies with these planning principles.

The principle of spatial justice:

Criteria:	Compliance: Planning Implication
Section 7 (a) deals with past spatial and other development imbalances must be redressed through improved access to and use of land.	The subject site is situated within a residential neighborhood, known as Bushmans River Mouth, south of the R72 Provincial Route.
	The location of the property and the type of land use envisaged cannot directly contribute to spatial reform. These matters are best addressed through Spatial Development Frameworks, Integrated Land Use Schemes and other management systems.
	The nature of this application is such that this principle has no bearing as the application only seeks to enable the current landowners to develop the properties to their full potential.

The principle of spatial sustainability:

Criteria:	Compliance: Planning Implication
Section 7 (b) deals with: (i) promotion of land development in strategic location, protecting the environment, stimulation of land markets and viable communities. (v) consider all current and future costs to all parties for the provision of infrastructure and social services in land developments. (vi) promote land development in locations that are sustainable and limit urban sprawl. (vii) result in communities that are viable.	The development proposal is fully Ndlambe SDF compliant. The proposal does not intend to change the agricultural land use on the subject property of contradict the SDF proposals of Bushmans River Mouth.
	The development is within the urban edge of the Bushmans River Mouth area and within an established urban environment.
	Given the need to contain urban sprawl, effective utilization of properties located within the urban edge is regarded as one of the approaches to realise spatial sustainability.
	The existing development will not be in conflict with the present character of the area and is in line with the spatial vision of the Municipality for the Bushmans River Mouth area.
	The effective and equitable functioning of land markets is not negatively affected by this land use application.

The principle of efficiency:

Criteria:	Compliance: Planning Implication
Section 7 (c) deals with:	The proposal will promote the optimal utilization of the subject property and existing infrastructure, as well as formalize the existing development on the subject site.
(i) land development optimises the use of existing resources and infrastructure.	The proposal will not have a negative impact regarding financial, social, economic or environmental considerations for the relevant authority.
(ii) Decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts.	

The principle of spatial resilience:

Criteria:	Compliance: Planning Implication
Section 7 (d) deals with flexibility of spatial plans, policies and land use management systems to ensure sustainable livelihoods in communities that are most likely to suffer from environmental and economic shocks.	The proposed development is in accordance with the Municipal policies and land use management.

The principle of good administration:

Criteria:	Compliance: Planning Implication
Section 7 (e) refers to the promotion of administrative actions, procedure and consultative planning practices for all the relevant role players.	The proposed development complies with the Spatial Planning and Land Use Management Act as demonstrated in the report.
	The public will be given an opportunity to participate, and all affected parties will be notified as per the requirement of SPLUMA.
	The application complies with all relevant policies, legislation and procedures as well as transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them.

2. Ndlambe Municipal Spatial Development Framework (SDF) (2023)

The Spatial Development Framework for Ndlambe Municipality (2023) guides land use and development and ensures that future public or private development is implemented in line with the vision and development objectives and strategies of the municipality as set out in the IDP. It therefore acts as a planning and land use management tool to assist the Local Authority to make informed decisions on a day-to-day basis and on strategic issues regarding the land use options, timing and phasing of development in the area.

Key Issues

The following key issues were identified pertaining to the Ndlambe Local Municipality:



The Ndlambe Municipality Spatial Development Framework can be regarded as a spatial representation of the municipal Integrated Development Plan. It shows the areas of desired aims, the SDF act as a guide for future development to ensure that the municipality maximizes co-ordination of planned activities within its area of jurisdiction.

Vision 2023

The vision of the Ndlambe Municipality is as follows:

Vision

"A Spatially integrated Municipality which has unique characteristics and provides support to the towns of Ndlambe Local Municipality for various needs, and where the growth and development of towns are in line with spatial proposals for the Municipality and aims to achieve sustainability."

Spatial Objectives

In order to achieve the future vision, the following overall objectives have been formulated (applicable to this application):

- ▶ Stimulate development and growth where there is proven demand.
- ▶ Use future growth and development to consolidate and improve municipal performance.
- ▶ To ensure sustainable use of environmental resources, their enhancement and replenishment.
- ▶ Capitalise on the valuable role of environmental resources.
- ▶ Create new social and economic opportunities and to improve access to the existing ones.
- ▶ Create healthy, comfortable, and safe living and working environments for all.
- ▶ Create employment opportunities.

The following objectives have been identified specifically for Urban areas:

- ▶ The sustainable utilisation of the environment by means of optimum utilisation of natural resources and land.
- ▶ Provision of services/bulk infrastructure for the purpose of appropriate land development and expansion.
- ▶ To pursue a more compact and viable urban form, thereby facilitating medium to higher densities by means of infill development and densification where possible.

Development Strategies

The following development strategies were identified for the Ndlambe Local Municipality (applicable to this application):

- ▶ Create sustainable human settlement with quality physical, economic, and social environments.
- ▶ Planning for densification/infill and careful expansion of existing settlements on productive agricultural resources.

Spatial Planning Principles

The following spatial planning principles are of critical importance for the Ndlambe Local Municipality:

- ▶ Development of Sustainable Human Settlements
- ▶ Ensuring a Sustainable and Functioning Environment
- ▶ Managing and Maintaining Safe and Accessible Infrastructure Provision
- ▶ Access to and Affordable Public Transportation and Accessible Linkages between Settlements
- ▶ Thriving economy which is well positioned within the province and within the country
- ▶ “Smart City” and Information Technology
- ▶ Effective Governance

Spatial Structuring Elements

There needs to be certain structuring elements to give guidance to develop and spatial planning. The key objective of the structuring elements is as follows:

- ▶ Contain urban sprawl
- ▶ Promote urban and social integration
- ▶ Promote higher densities
- ▶ Create quality urban environments
- ▶ Promote pedestrian friendly environments and movement patterns.
- ▶ Create a sense a place
- ▶ Enhancement of investment opportunities
- ▶ Simplifying decisions-making regarding development application

The following elements guide spatial development and decision-making in the municipality :

- ▶ Transforming Human Settlements
- ▶ **Nodes**
- ▶ Corridors
- ▶ **Urban Edge**
- ▶ **Services Edge**

The **Services Edge** is described as the area within which the Ndlambe Local Municipality is able to provide services within. This is the space that is promoted for densification. Development within this zone serves to manage, direct, and limit urban expansion.



Land Use Proposals: Bushmans River Mouth

The following Land Use Proposals have been developed through a detailed study of understanding the current land use patterns of the towns of Ndlambe as well as unpacking Land use development trends within these towns and likelihood of development guidelines and future trends and direction of growth.

The “Bushmans River Mouth” urban concentration has been identified as a “*Sub-District Centre*” owing to its location in close proximity to the R72 (Tourism Route) and a large number of tourism activities situated in town where tourists from all over the country visits.

Portion 1 of the farm Marselle No. 348, Alexandria Division is earmarked for Mixed-Use Development.



Consistency with the Ndlambe SDF: Bushmans River Mouth

- ▶ Portion 1 of the farm Marselle No. 348, Alexandria Division is situated within the urban edge and service edge of Bushmans River Mouth within walking distance of residential areas and surrounding community facilities.
- ▶ The Removal of Restrictive Title Deed Conditions and Permanent Departure from the eastern lateral building line will not change the current land use or character of the surrounding area.
- ▶ Optimal development of land within the existing urban structure can be developed in the future.
- ▶ Therefore, the application is not considered to be in conflict with the vision of the Ndlambe SDF for Bushmans River Mouth.

3. Ndlambe Municipality Integrated Land Use Scheme (2019)

- ▶ Land use and land use parameters applicable to the subject site are managed through the Ndlambe Municipality Integrated Land Use Scheme (2019). Portion 1 of the farm Marselle No. 348, Alexandria Division is currently zoned for Agriculture purposes
- ▶ Proposed development parameters:

Zoning	Agriculture
Primary Land Use	Agriculture
Street Building Line	10m
Rear Building Line	10m
Lateral Building Lines	Eastern lateral building line: 3m Western lateral building line: 10m
Height	11m
Coverage	20%

- ▶ Development parameters and future land use management on the property can be adequately managed through the provisions and guidelines as contained in the relevant Integrated Land Use Scheme.

1. Potential of the property

- ▶ The subject site is 1,7117ha in size and horse stables and a lunging arena are situated on the site. The property is located between Main Street in the north and Alexandria Street in the south.
- ▶ Main Street borders the northern boundary of the property. Currently access to the property is obtained from Kiewiet Street via a Lane in the south-eastern corner of the site.
- ▶ The property slopes in a northerly direction towards Main Street. The topography of the property is suitable for development and poses no foreseeable impact on future development plans.
- ▶ The Ndlambe Municipality SDF for Bushmans River Mouth earmarks the property for Mixed-Use purposes. The Removal of Conditions 3.B. from Title Deed will enable potential buyers to utilize the property in accordance with the Land Use Scheme (2019) and to submit a separate rezoning application to the Municipality for any future development.
- ▶ The existing stables along the eastern boundary of the property are encroaching the 10m lateral building lines. The proposed relaxation of the 10m building line to a 3m lateral building line will accommodate the existing structures and permit future development in alignment with the existing development footprints.
- ▶ This will provide greater flexibility and will allow the possible redevelopment of the property into income-generating uses (e.g. business/ schools/ apartments as per the Spatial Development Framework).
- ▶ Any future development proposal will make more effective use of land, which is a scarce resource, especially in an established environment.
- ▶ It is hereby concluded that the proposal will not have any material and undue impact on the subject property or surrounding properties.



2. Compatibility with surrounding area

- ▶ Bushmans River Mouth is a holiday town with a growing number of permanent residents. The area is characterized by moderate slopes towards Bushman’s River.
- ▶ The property is situated in an area predominantly characterized by single residential dwellings, limited businesses, community facilities and undeveloped properties.
- ▶ The proposed Removal of Restrictive Title Deed Condition and Permanent Departure from the eastern lateral building line will not change the character of the area and have no detrimental impact on the surrounding properties.
- ▶ Based on the above it can be concluded that the Removal of Condition in the Title Deed and Permanent Departure from the eastern lateral building line will not lead to a loss in property value or the quality of life in terms of the right to privacy and sunlight.
- ▶ The proposal will not have any negative impact on the rights currently enjoyed by the surrounding properties, built character, land values and the privacy of the neighbors.



Surrounding zonings

3. Engineering Services

- ▶ The property is located within the existing urban fabric, situated within an area of adequate existing service infrastructure and capacity with regards to roads, sewer, electricity, and storm-water reticulation.
- ▶ The Removal of Restrictive Conditions from the Title Deed and Permanent Departure from the eastern lateral building line will not have any effect on the existing municipal services.

4. Economic Impact

- ▶ Development at a later stage will contribute to capital investment in an area by increasing the property value, attracting new residents, and potentially stimulating further development or improvement in nearby properties, thereby improving the overall attractiveness and market value of the neighborhood.
- ▶ Future development of the property will result in increased rates and will have a direct positive impact for the Municipality in increased rates and revenue.
- ▶ It is anticipated that a number of short-term construction and downstream jobs will be created during the implementation of services and construction in the future.
- ▶ The market value of the property as well as the surrounding properties will increase due to investment in the area.

This report has provided background, a statement of the current situation and motivation which supports the Removal of Restrictive Title Deed Condition and Permanent Departure from the eastern lateral building line on Portion 1 of the farm Marselle No. 348, Alexandria Division.

In light of this motivation and the information contained in the foregoing report, it is clear that the application for Portion 1 of the farm Marselle No. 348, Alexandria Division:

- ▶ **Removal of Restrictive Title Deed Condition** 3. B. from Title Deed in terms of Section 69 of the Ndlambe Municipality SPLUM By-Laws (2016),
- ▶ **Permanent Departure** from the 10m eastern lateral building line to a 3m eastern lateral building line, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).

meets the criteria as set out in The Spatial Planning and Land Use Management Act, 2013 (SPLUMA), Ndlambe Municipality SPLUM By-Laws (2016) and the Ndlambe Municipality Integrated Land Use Scheme (2019).

To conclude:

- ▶ The relaxation of the eastern lateral building line will formalize the development footprints on Portion 1 of the farm Marselle No. 348, Alexandria Division.
- ▶ Condition 3.B. in the Title Deed stipulates that the use of the property is limited to a church, hall and parsonage and the Conveyancer Certificate confirmed Condition 3. B. from Title Deed should be removed.
- ▶ It is the intention of the owner, Nederduitse Gereformeerde Gemeente Dias te Port Alfred, to sell the property to a potential buyer. Condition 3.B. in the Title Deed restricts any interested buyer to develop the property. In terms of the Ndlambe Land Use Scheme (2019) the property is zoned for Agriculture purposes and the existing land uses are in line with the present zone. Stables and a lunging arena are situated on the southern portion of the property.
- ▶ It is the intention of the owner to remove this condition so that a potential buyer may proceed with developing the property in alignment with the Ndlambe Land Use Scheme (2019) or submit a separate rezoning application.
- ▶ The existing stables along the eastern boundary of the property are encroaching the 10m lateral building lines. The proposed relaxation of the 10m building line to a 3m lateral building line will accommodate the existing structures and permit future development in alignment with the existing development footprints.
- ▶ The Nederduitse Gereformeerde Gemeente Dias Te Port Alfred has no intention of developing the property for religious, or any other, purposes.
- ▶ The Ndlambe Municipality SDF for Bushmans River Mouth earmarks the property for Mixed-Use purposes. The Removal of Conditions 3.B. from Title Deed will enable potential buyers to utilize the property in accordance with the Land Use Scheme (2019) and to submit a separate rezoning application to the Municipality for any future development.
- ▶ This will provide greater flexibility and will allow the possible redevelopment of the property into income-generating uses (e.g. business/ schools/ apartments as per the Spatial Development Framework).

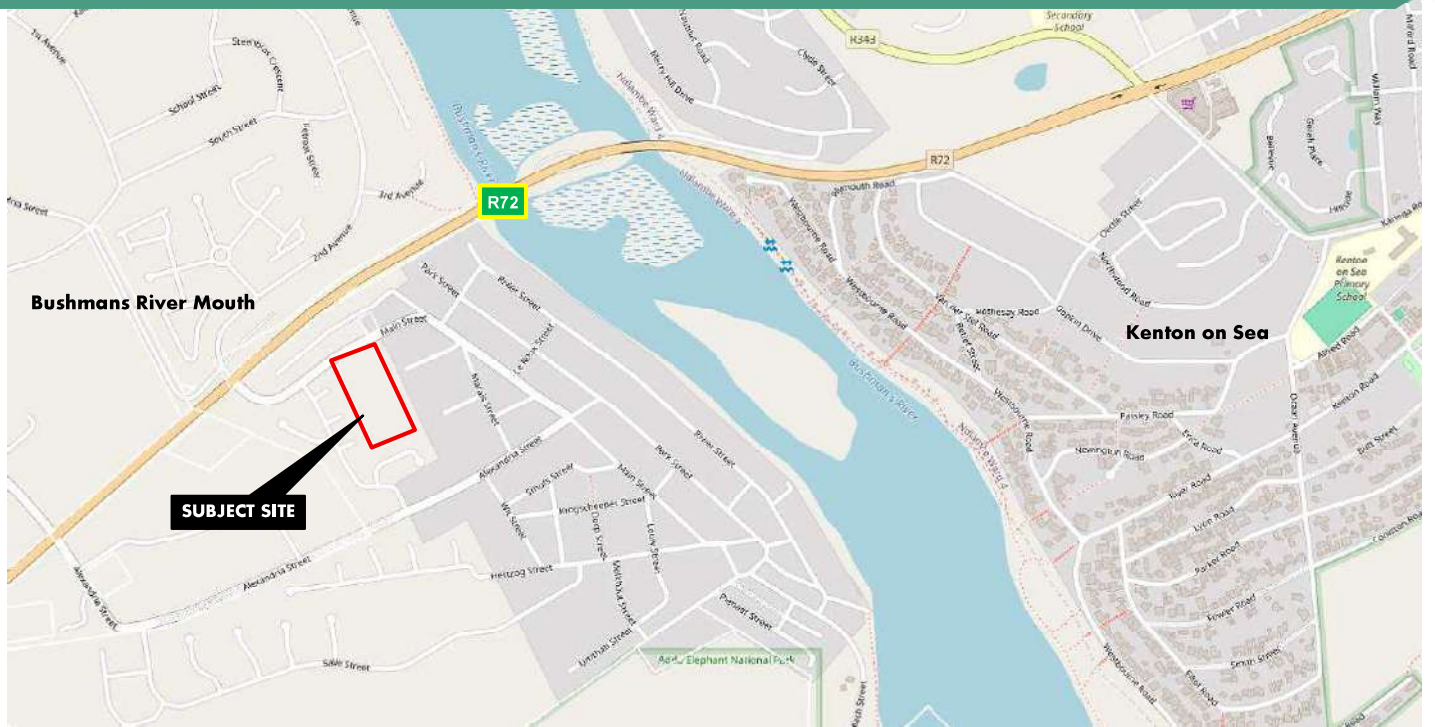
- ▶ Any future development proposal will make more effective use of land, which is a scarce resource, especially in an established environment.
- ▶ The proposal is not in conflict with the SPLUMA principles and Ndlambe Municipality SDF for the Bushmans River Mouth Precinct and will promote optimal use of existing resources and infrastructure. There are no significant negative impacts that are envisaged from the proposal.

It is therefore recommended, from a planning point of view, that this application should be supported as it will have a positive impact on development in the area.

ANNEXURE A

MAPS

- 1. Locality Map**
- 2. Land Use Map**
- 3. Zoning Map**
- 4. Site Development Plan**



PORTION 1 OF THE FARM MARSELLE NO. 348, ALEXANDRIA DIVISION

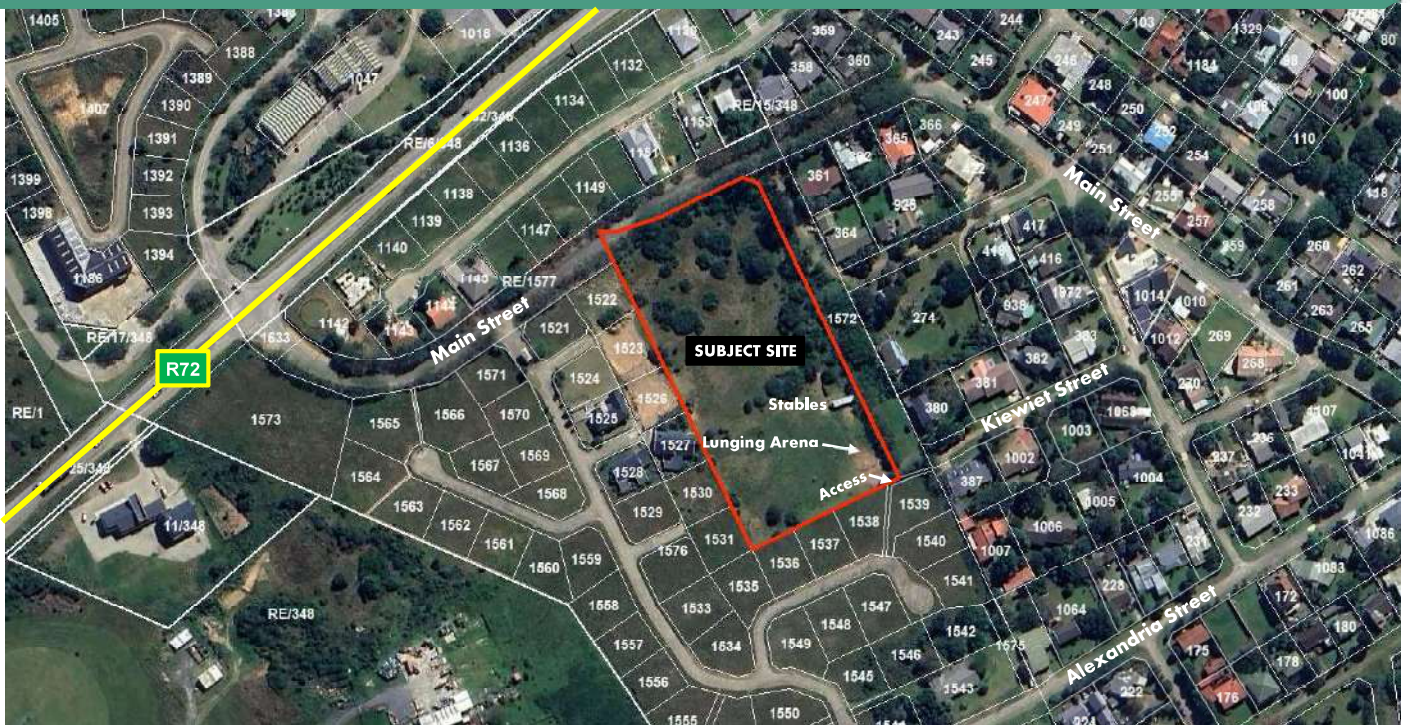


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PORTION 1 OF THE FARM MARSELLE NO. 348, ALEXANDRIA DIVISION



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

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ZONINGS

	Residential Zone 1		Business Zone 1
	Residential Zone 2		Open Space Zone 1
	Residential Zone 3		Open Space Zone 2
	Authority Zone		Agriculture Zone

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ANNEXURE D

CONSENT LETTER FROM NEIGHBOUR



NDLAMBE MUNICIPALITY
 The Manager: Town Planning & Land Estates
 P.O. Box 13
 Port Alfred
 6170

Tel: (046) 604-5520
 Fax: (046) 624-2669
 www.ndlambe.gov.za

COMMENT (S) TO APPLICATION

NOTE: The owner of the property does not have to sign this document if they do not consent to the application. They must submit a letter of objection or comment to the Manager, Town Planning, giving reasons against the application if they wish.

APPLICATION FOR: REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DEPARTURE FROM EASTERN LATERAL BUILDING LINE
 1/348, ALEXANDRIA DIVISION
 SITUATED ON ERF STREET & NO. MAIN STREET TOWNSHIP BOESMANSRIVERMOND

It is confirmed that I (Name in Full of affected land owner) ... INEOGOLD INV. 27& PTY. LTD
 being the registered owner of Erf ..1572..... Township ..BOESMANSRIVERMOND.....
 have **NO OBJECTION** to the above proposal being (Delete which is not applicable):

- a) A relaxation of the lateral building line from ...10... m to3... m from our common side; (EASTERN LATERAL BUILDING LINE)
- b) A relaxation of the rear building line from m to m;
- c) A relaxation of the street building line from m to m;
- d) A relaxation of building height from m to m;
- e) A second dwelling unit not exceeding m²;
- f) A relaxation of the lateral / street boundary wall / fence height restriction from m to m;
- g) Other (Give details)

shown on plan number101..... undated ...18/09/2025.....

Additional comments by consenting owner to the above consent:
WE CONSENT TO THE CHANGES

(If additional space is required a separate sheet may be attached)

I, the undersigned, hereby declare that I am familiar with the contents of the building plan(s) and site plan by signing the building plan(s).

Signed: [Signature]
 Date: 14/10/2025

Residential Address (Of owner giving consent):

 Home Tel: ...
 Work Tel:

WITNESSES

1.....
 Full Name
 2.....
 Full Name

[Signature]
 Signature
[Signature]
 Signature