

**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](mailto: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](mailto: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](mailto: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](mailto: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

12 NOV 2025

**RECEIVED**

**LAND USE APPLICATION FORM**

**PART A: TYPE(S) OF APPLICATION**

TICK	APPLICATION TYPE	FEE AS PER FEE LIST
X	Rezoning	R 10 729,68
	Consolidation	R
X	Requirements for amendment, suspension or removal of restrictive conditions or obsolete Condition, servitude or reservation registered against title of land	R 10 729,68
	Departure Application: Permanent or Temporary Departure (for Land Use Change)	R
X	Departure Relaxation Building Line	R 5 110,89
X	Departure for Relaxation of Development Parameters (Height and/or Coverage)	R 8 583,74
	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
<b>TOTAL ON FEES PAYABLE</b>		<b>R 35 153,99</b>

**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: SS

**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:

Applicant's Initials: ST

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);

Applicant's Initials: JS

- 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**

<b>NOTE: Complete this form using BLOCK letters and ticking the appropriate boxes</b>	
<b>PART C.1: APPLICANT DETAILS</b>	
First name(s)	Solly
Surname	James
Company name (if applicable)	WADS PROJECTS (PTY) LTD
Street or Postal Address	15 ST JAMES RD BELGRAVIA EAST LONDON 5200
Email Address	WADSPROJECTS@GMAIL.COM
Contact Number	061 548 9103
<b>PART C.2: REGISTERED LANDOWNER(S) DETAILS (if different from applicant)</b>	
Registered owner(s) Name	LIZO PATRICK MBIKO
Street or Postal Address	35-37 SEA BREEZE DRIVE EMERALD HEIGHTS PORT ALFRED
E-mail Address	LIZO929@GMAIL.COM
Contact Number	083 700 2967

Applicant's initials: SJ

**PART D: PROPERTY DETAILS**

NOTE: Property details must be in accordance with title deed			
Erf No	9627	Suburb/Town/Area	EMERALD HEIGHTS
Farm No		Portion (if applicable)	
Physical or Street Address	35-37 Sea BREEZE DRIVE		
Current Zoning	RESIDENTIAL ZONE 1		
Proposed Zoning	RESIDENTIAL ZONE 3		
Additional Rights or Consent Uses Approved	NO		
Current activities	DWEELLING		
Are any departures applicable to the land unit?	YES - BUILDING LINES & COMMON SPACE		
Is there any building or other development on the land unit? If so, what are the nature and condition of these improvements?	YES - GOOD		
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 <sup>2</sup> / ha - as per Title Deed)	1569 m <sup>2</sup>		
Title Deed Number			
Any additional/relevant information in regard to the property	NO		
Any restrictions in to Conveyance's Certificate?	<input checked="" type="checkbox"/>	If yes, list condition(s) in motivation report.	
Are the restrictive conditions in favour of a third party?	<input checked="" type="checkbox"/>	If yes, list the party(ies) in motivation report.	
Is the property owned by Council?	<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 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 checked="" type="checkbox"/>	Is the building older than 60 years?	<input checked="" type="checkbox"/>
Does the property fall inside the urban edge in terms of the SDF?	<input checked="" type="checkbox"/>	Does the property fall within the service edge in terms of SDF?	<input checked="" type="checkbox"/>
Is the property encumbered with a bond	<input checked="" type="checkbox"/>	If yes, is bond/mortgage holders consent attached	
Any existing unauthorized buildings and/or land use on the subject property(ies)?	<input checked="" type="checkbox"/>	If yes, is this application to legalise the building / land use?	
<b>NOTE: A contravention penalty may be imposed</b>			
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	<input checked="" type="checkbox"/>	Are there any land claim(s) registered on the subject property(ies)?	<input checked="" type="checkbox"/>

Applicant's Initials: S.S

**PART E: DETAILS OF THE APPLICATION**

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

REMOVAL OF RESTRICTIVE CONDITIONS FOUND IN CERTIFICATE OF CONSOLIDATED TITLE PERTAINING TO ERF 9627 PORT ALFRED, REZONING OF ERF 9627 PORT ALFRED FROM RESIDENTIAL ZONE 1 TO RESIDENTIAL ZONE 3 AND PERMANENT DEPARTURE FOR THE RELAXATION OF BUILDING LINES AND COMMON OPEN SPACE REQUIREMENTS

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 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:

N/A

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) from ...4... m to ...15,1... m; and / or
- ii. Rear building line from ...4... m to ...2... m; and / or
- iii. Street building line from ...8... m to ...1,5... 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) OPEN SPACE PROVISION FROM 20% TO 16,75%

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 1.B AND 11.B(1) FOUND IN CERTIFICATE  
OF CONSOLIDATED TITLE  
PERTAINING TO ERF 9627 PORT ALFRED

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:

N/A

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:

N/A

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:

N/A

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?	X		NDLAMBE SPATIAL DEVELOPMENT FRAMEWORK
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)]	X		CONDITION ARE NOT IN FAVOUR OF A THIRD PARTY
Any other Municipal by-law that may be relevant to application? (If yes, specify)	X		NDLAMBE SPECIMA BYLAW
Does the proposal fall within the provisions/parameters of the land use scheme?	X		NDLAMBE LAND USE SCHEME
Are additional applications required to deviate from the land use scheme? (if yes, specify)	X		-RELAXATION OF Building Lines -DEPART FROM OPEN SPACE REQUIREMENTS.

**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?		X	
Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)?		X	
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)		X	
Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)?		X	
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.		X	

Will the proposal require authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)?		X	
Will the proposal trigger a listed activity in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?		X	
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)		X	
Will the proposal have an impact on any National or Provincial roads?		X	
Will the proposal have an impact on any National or Provincial roads?		X	
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		X	
Will the proposal affect any land owned by any State-Owned Entity (Telkom, ESKOM, Transnet etc.) and/or servitudes?		X	
Is the property subject to any existing mineral rights?		X	

**PART H: SERVICE REQUIREMENTS**

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

**NOTE: Provide more detailed information in the motivation report.**

Applicant's Initials: JI

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

Please indicate if the following Annexures are attached

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

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

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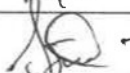
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Applicant's Initials: ST

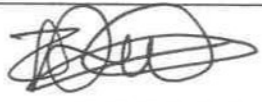

**PART J: DECLARATION BY THE APPLICANT**

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)	Sally JAMES		
Professional Capacity & Registration Number	N/A		
Statutory Body	N/A	Are you In Good Standing with the Statutory Body?	N/A
Applicant's Signature		Date	31/10/2025

Applicant's Initials:   SJ

<b>PART K: FOR OFFICE USE ONLY</b>	
<b>APPLICATION RECEIVED AND VERIFIED BY:</b>	
Full Name(s)	ZAMAGCINA DANTIVE
Title/Capacity	ASSISTANT TOWN PLANNER
Signature	
Municipal Stamp	

## POWER OF ATTORNEY

I, LIZO PATRICK MBIKO, the owner of Erven 6431 and 6432 Port Alfred (consolidated to Erf 9627 Port Alfred) hereby appoint the company, WADS Projects (PTY) LTD, to prepare and submit an application to the Ndlambe Local Municipality for the following:

- Rezoning of Erf 9627 Port Alfred to Residential Zone 3 in order to permit a guest house.
- Permanent Departure for the relaxation of building lines.
- Permanent Departure from the common space requirements.
- Any land development matters in connection therewith.
- To sign all documents that may be necessary in connection therewith.

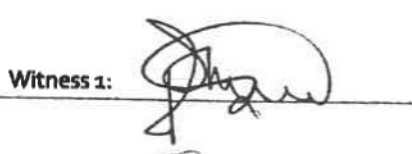
Signed in Port Alfred on 19 June 2025

Signature:

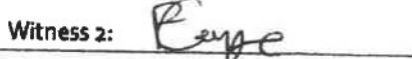
L.P. MBIKO



Witness 1:



Witness 2:



133  
VANDERSPUY

Fee Endorsement		
	Amount	Office Fee
Purchase Price/Value	R.....	R.....
Mortgage Capital Amt.	R.....	R.....
ALL OTHER REGISTRATIONS		R. 474,00
Reason For Exemption	Category Exemption.....	Exempt I.L.o Sect/Reg..... Act/Prov.....

Prepared by me

CONVEYANCER  
MONIQUE VAN DER  
MERWE (17129)

T

**CERTIFICATE OF CONSOLIDATED TITLE**  
ISSUED UNDER THE PROVISIONS OF SECTION 40 OF THE DEEDS REGISTRIES ACT 47 OF 1937

WHEREAS

**LIZO PATRICK MBIKO**  
Identity Number

has applied for the issue to him of a Certificate of Consolidated Title under the provisions of Section 40 of the Deeds Registries Act, 1937; and

WHEREAS he is the registered owner of

- ERF 6431 PORT ALFRED**  
**NDLAMBE LOCAL MUNICIPALITY**  
**DIVISION OF BATHURST**  
**EASTERN CAPE PROVINCE**

Held by Deed of Transfer Number

5

**2. ERF 6432 PORT ALFRED  
NDLAMBE LOCAL MUNICIPALITY  
DIVISION OF BATHURST  
EASTERN CAPE PROVINCE**

**Held by Deed of Transfer Number**

which have been consolidated into the land hereinafter described.

NOW THEREFORE, in pursuance of the provisions of the said Act, I, the REGISTRAR OF DEEDS: EASTERN CAPE at QONCE do hereby certify that the said

**LIZO PATRICK MBIKO**  
Identity Number

His heirs, executors, administrators, or assigns, is the registered owner of

**ERF 9627 PORT ALFRED  
NDLAMBE LOCAL MUNICIPALITY  
DIVISION OF BATHURST  
EASTERN CAPE PROVINCE**

**IN EXTENT 1569 (ONE THOUSAND FIVE HUNDRED AND SIXTY-NINE) Square metres  
AS WILL MORE FULLY APPEAR FROM ANNEXED DIAGRAM S.G. NO. 161/2025**

- I. AS INDICATED BY THE FIGURE A B g f on Diagram SG Number 161/2025:
- A. SUBJECT to such conditions referred to in Deed of Transfer Number T 6760/1922 CTN, save insofar as these may have since lapsed or been cancelled.
  - B. SUBJECT FURTHER to the following conditions contained in Deed of Transfer Number T 87396/2007 CTN and imposed by the Seller as Transferor in his favour as owner of the Remainder Erf 3143 Port Alfred.  
  
No dwelling shall be erected of a size less than 150 square metres (which excluded outbuildings).
- II. AS INDICATED BY THE FIGURE C D E f g on Diagram SG Number 161/2025:
- A. SUBJECT to the conditions referred to in Deed of Transfer Number T 6760/1922 CTN, save in so far as these may have since lapsed or been cancelled.
  - B. SUBECT FURTHER to the following conditions imposed by THOMAS JAMES COOMBS as Transferor in his favour as owner of the Remainder Erf 3143 Port Alfred and contained in Deed of Transfer Number T 6890/2008 CTN:

L

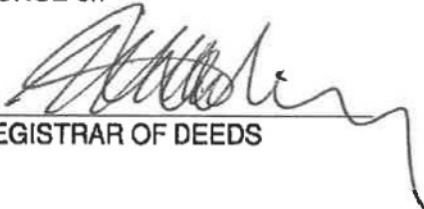


(1) No dwelling shall be erected of a size less than 150 square metres (which excludes outbuildings).

And that by virtue of these presents the said LIZO PATRICK MBIKO, his heirs, executors, administrators, or assigns, now are and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

In witness whereof I, the said Registrar, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the Office of the REGISTRAR OF DEEDS: EASTERN CAPE at QONCE on ~~2025~~.

  
REGISTRAR OF DEEDS

2025-09-03

1

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**WADS**

**PROJECTS**

Town and Regional Planners

Reg: 2017/450338/07

E: wadsprojects@gmail.com

F2E: 086 212 6309

15 ST JAMES ROAD, BELGRAVIA 5200

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**PROPOSED REMOVAL OF RESTRICTIVE CONDITIONS, REZONING, AND  
PERMANENT DEPARTURES FOR ERF 9627 PORT ALFRED**

**Submitted to:**

***Ndlambe Local Municipality***

**October 2025**

**REVISION 00**

**Prepared for:**

**Lizo Patrick Mbiko**

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Map 1: Locality and Site Plans

Map 2: Land Use Plan

Map 3: Zoning Plan

Map 4: Site Development Plan

## **LIST OF ANNEXURES**

Annexure A: Power of Attorney

Annexure B: Certificate of Consolidated Title and SG diagram

Annexure C: Zoning Certificates

Annexure D: Elevation Plans

Annexure E: Consent Letters

Annexure F: SPLUMA Application Form

## 1. INTRODUCTION

### 1.1 The Applicant

WADS Projects has been appointed by **Lizo Patrick Mbiko** (hereinafter referred to as the 'client') to submit an application to the Ndlambe Local Municipality for council approval on their behalf (*see Annexure A: Power of Attorney*).

### 1.2 The Application

The purpose of this report is to motivate the application in terms of Section 69, 68 & 76 of the Ndlambe Municipality Bylaw pertaining to the Spatial Planning and Land Use Management Act 16 of 2013 read with the Ndlambe Municipality Land Use Scheme for the:

- Removal of restrictive conditions found in Certificate of Consolidated Title
- Rezoning of Erf 9627 Port Alfred from Residential Zone 1 to Residential Zone 3 in order to obtain land use rights for a general residential building for guest house purposes.
- Permanent departure for the relaxation of the street, lateral and rear building lines.
- Permanent departure for the relaxation of common open space from 25% to 16.75% of the Erf.

### 1.3 The Advert / Public Participation

The subject application will be advertised in the prescribed manner in the Local Newspaper to allow for 30 day objection period for interested and affected parties. The below affected neighbours have been notified (*see Annexure E: Consent Letters*)

Erf No	Owner	Date Sought	Reminder	Comment
6387		18/07/2025	24/08/2025	No response, registered mail sent 09/09/2025
6388				Consent attached
6430		18/07/2025	24/08/2025	No response, registered mail sent 09/09/2025
6433		18/07/2025	24/08/2025	No response, registered mail sent 09/09/2025
6452		18/07/2025	24/08/2025	No response, no address for registered mail.

6451		18/07/2025	24/08/2025	No response, registered mail sent 09/09/2025
8564				Consent attached

## 2. THE PROPERTY

### 2.1 Land ownership

The subject property, Erf 9627 Port Alfred, is registered under the ownership of **Lizo Patrick Mbiko** (see *Annexure B: Certificate of Consolidated Title and SG Diagram*)

PROPERTY DESCRIPTION	TITLE DEED NUMBER	EXTENT
Erf 9627 Port Alfred		1569m <sup>2</sup>

### 2.2 Restrictive Conditions and Servitudes

There are no servitudes contained in the title deed and SG Diagram or registered against the property that would hinder the intended development (see *Annexure B: Certificate of Consolidated Title and SG Diagram*)

There is a Restrictive Title Deed Condition that is restrictive and should be removed in terms of Section 69 of the Ndlambe Municipality Bylaw. The condition are **I.B and II.B(1)** found in **Certificate of Consolidated Title** reading:

**No dwelling shall be erected of a size less than 150 square metres (which excludes outbuilding)**

### 2.3 Bondholder's Consent

There is no bond registered against the properties. A bondholders consent is not required.

## 3. CURRENT SITUATION

### 3.1 Locality

The subject development area is located at 35-37 Sea Breeze Drive in the jurisdiction of Ndlambe Local Municipality within Bathurst Administrative District, Province of the Eastern Cape.

**See Map 1: Locality and Site Map**

### 3.2 Land Use and Surrounding Land Uses

The subject property, Erf 9627 Port Alfred is used for residential purposes. The character and nature of the neighborhood in which the property is located is predominantly residential in nature with the following land uses in close proximity:

- Residential
- Open Space
- Vacant

**The proposed development will not be out of character from the surrounding land uses**

***See Map 2 – Land Use Map***

The below images indicate the existing structure on the property currently being used for residential purposes.



### 3.3 Zoning

Erf 9627 Port Alfred is zoned for Residential Zone 1 purposes by virtue of consolidation of Erven 6431 and 6432 Port Alfred. (*see Annexure C: Zoning Certificates*). The properties within the area and the immediate surroundings are zoned for:

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• Residential Zone 1</li><li>• Residential Zone 3</li></ul> | <ul style="list-style-type: none"><li>• Open Space Zone 1</li><li>• Open Space Zone 2</li></ul> |
|---|---|

**The proposed Residential Zone 3 zoning will not be out of character from the surrounding land uses.**

***See Map 3 – Zoning Map***

### 3.4 Level of Infrastructure

The development area is within an established urban area, therefore there would be no problems with bulk engineering services (water, sewer, electricity, solid waste disposal and roads).

## 4. DEVELOPMENT PROPOSAL

The owner has seen and realized the increasing need for safe and secure guest houses within the Port Alfred area as the future of private dwellings is not guaranteed in the face of current urban growth. It is the client's intention to put the property to its full potential by undertaking the following:

- Removal of restrictive conditions I.B and II.B(1) found in Certificate of Consolidated Title pertaining to Erf 9627 Port Alfred.
- Rezoning of Erf 9627 Port Alfred from Residential Zone 1 to Residential Zone 3 in order to obtain land use rights for a General Residential building for Guest House purposes.
- Permanent departure for the relaxation of the below building lines:
  - Street building line from 8m to 1.5m to accommodate the proposed structures;
  - Lateral building lines from 4m to 1.5m (adjacent to Erf 6430) and 1m (adjacent to Erf 6433) to accommodate the existing and proposed structures, respectively; and
  - Rear building line from 4m to 2m to accommodate the existing and proposed structures;
- Permanent departure for the relaxation of common open space from 25% to 16.75% of the Erf.

### 4.1 Zoning Parameters – Ndlambe Land Use Scheme

#### COVERAGE

The proposed building footprint measures approximately 556m<sup>2</sup> in extent.

The permissible coverage for Residential Zone 3 parameters is 40%. The proposed coverage is 35.41%, the proposed development is well in line with the coverage restrictions.

## BUILDING LINES

The table below shows the permissible building lines under the Ndlambe Land Use Scheme for Residential Zone 3.

BUILDING LINE	PERMITTED	PROVIDED
Street	8m	1.5m
Side/ lateral	4m	1.5m adjacent to Erf 6430 1m adjacent to Erf 6433
Rear	4m	2m

**NB!** The existing and proposed structures infringe on the street, lateral and rear building lines of the proposed Residential Zone 3 and as such a permanent departure for the relaxation of building lines is sought.

## HEIGHT

The existing structure, titled Plan & Elevs of Exist Unit, measures 2.465m from the finished floor level to the wall plate.

The proposed structures, titled Plan & Elevs Type - B, will measure 2.975m from the finished floor level to the wall plate. The elevation and floor plan apply to buildings 1 - 3 and including the managers unit.

The existing structure and proposed structures are single storey buildings not exceeding 5m in height. Therefore the proposed development is well within the height restrictions (*see Annexure D: Elevation Plans*)

### 4.2 Parking

The intended guest house has a total of 10 guestrooms and a total of 7 parking bays is required at 0.7 parking bays per guestroom. 1 parking bay is to be provided for the manager's room.

The intended development has provided 8 parking bays.

### 4.3 Access

Access shall be gained onto the premises via a 5m wide access from Sea Breeze Drive which connects to Broadway Street connecting to the larger Port Alfred area.

### 4.4 Boundary walls

The boundary walls and /or fences will not exceed a maximum height of 1.8m calculated from the natural ground level.

**See Map 4: Site Development Plan**



### Rezoning motivation in terms of Section 68(1) of the Ndlambe Municipality By-law

The land owner intends to establish **luxury short term accommodation** on the consolidated property, being Erf 9627 Port Alfred. In order to realize this development, a rezoning from Residential Zone 1 to Residential Zone 3 in order to obtain land use rights for a general residential building for guest house purposes is required.

In terms of the Ndlambe Land Use Scheme, a **General Residential Building** means:

*"a building for human habitation, together with such outbuildings and support facilities relating to the operation and sustainability of the scheme or building, and includes a boarding house, backpackers facility, residential rooms, **guest house**, children's home, retirement village, hostel, hotel, group housing, dwelling units, flats and a gate house."*

**A Guest House** means:

*"a dwelling unit, managed by a resident owner or a resident agent, which may supply tourist accommodation and meals for resident guests. Provided that:*

- a) not more than 10 individual bedrooms or suites may be utilised or marketed by means of short term renting (being a period of not more than 3 months within one calendar year); and*
- b) the building may, in terms of the Liquor Act, 1989 (Act 27 of 1989), be licensed only for the purposes of on-site consumption and subject to any conditions or restrictions which the Municipality may impose."*

The proposed guest house is to consist of 5 units, with the following schedule of area/use:

1. **Building 1:** 2 guestrooms, 2 bathrooms and an open plan lounge and kitchen.
2. **Building 2:** 2 guestrooms, 2 bathrooms and an open plan lounge and kitchen.
3. **Building 3:** 2 guestrooms, 2 bathrooms and an open plan lounge and kitchen.
4. **Managers unit:** 2 bedrooms, 2 bathrooms and an open plan lounge and kitchen.
5. **Existing unit A1:** 2 guestrooms, 2 bathrooms and an open plan lounge and kitchen.
6. **Existing unit A2:** 2 guestrooms, 2 bathrooms and an open plan lounge and kitchen.

**The proposed development totals to 10 guestrooms and 1 managers unit**

A manager's room / unit has been provided on the property in order to ensure the proper operations of the establishment. The manager is to ensure:

- ✓ **Reservations and guest Management:** Managing bookings, handling inquiries, checking guests in and out, and ensuring accurate records.
- ✓ **Cleanliness and Maintenance:** Maintaining high standards of cleanliness in rooms and common areas, and ensuring prompt maintenance of any issues.
- ✓ **Customer Service:** Providing attentive and personalized service to guests, addressing their needs and concerns.
- ✓ **General Upkeep:** Ensure that there are no disturbances or issues that may negatively affect the character of the area and surrounding owners.

The study area is in Port Alfred which is identified as urban concentration and has been identified as a "District Centre", dominated by short term accommodation and rental trends. The motivation in support of the proposed guest house is based on the principle of promoting sustainable developments. The development achieves the goals of social, economic and environmental sustainability. It is noted that the Emerald Heights area is a fully serviced suburb with variety of residential development densities. As such, the provision of infrastructure is available and will assist with land use efficiency.

The proposal adheres to specific goals that need to be achieved in order to create "a developmental, economically viable and responsive municipality where communities enjoy equitable access to services in a sustainable manner", these include:

- ✓ To provide safe and secure guest house developments,
- ✓ Promote diversity and flexibility in the urban form,
- ✓ To utilise available socio-economic, financial and economic resources to efficiency
- ✓ To limit urban sprawl by densifying and intensifying already built areas,
- ✓ To stimulate the local economic development,
- ✓ To improve/support the integrated economic development initiatives within the municipal area of jurisdiction,
- ✓ Enhance municipal competitiveness of the local municipality,

The rezoning will encourage mixed-use character development and promote efficient use of space without perpetuating urban sprawl.

**d) a discussion on the proposed amendment;**

In addition to the discussion above, the nature of the establishment proposed will comprise of Luxury Self Catering Units and is anticipated to contribute towards:

**Economic growth:** increase tourism revenue, induce job creation, boost local businesses and increase local tax revenue;

**Tourism and Local development:** it will attract tourists, enhance tourism offerings, promote community engagements, and encourage culture exchange and local property value appreciation;

**Other benefits:** it will increase visibility by attracting media attention, potential for business expansion and promoting leisure and support for the neighborhood;

**e) the expected impact on the current, adopted municipal spatial development framework**

The property is situated in an area earmarked in the Municipal Spatial Development Framework as Existing Low Density Residential (Promote Selective Intensification & Densification). Discussed in detail in Section 6.3 of this report, the proposal is in line with the SDF for this area.

**f) the possible impact of the amendment on the environment and probable mitigating elements;**

There will be no undue/negative impact on the biophysical environment.

**g) an indication whether an application must be made for an environmental authorization in terms of the National Environmental Management Act, 1998;**

The development is within an existing urban development and does not trigger any listed activities.

**Permanent departure for the relaxation of building lines motivation in terms of Section 76(1)(a) of the Ndlambe Municipality By-law**

The existing structure (annotated as building 5 on the SDP) is well within the Residential Zone 1 building line restrictions.

The proposed buildings 1 - 3 and managers unit of the development are positioned in a harmonious manner that seeks to accommodate the required common open space area for the proposed Residential Zone 3, as such the proposed development cannot be accommodated without encroaching over the Residential Zone 3 building line restrictions.

It is in this regard that a permanent departure is required for the relaxation of:

- Street building lined abutting Sea Breeze Drive from 8m to 1.5m in order to accommodate the proposed buildings.
- Lateral building lines adjacent to Erven 6430 and 6433 Port Alfred from 4m to 1.5m and 1m in order to accommodate the existing structure and proposed structures, respectively.
- Rear building line from 4m to 2m in order to accommodate the existing structure and to accommodate the proposed structures.

The proposed development cannot be achieved without encroaching over the building lines.

**Permanent departure for the relaxation of common space requirement motivation in terms of Section 76(1)(b) of the Ndlambe Municipality By-law**

Residential Zone 3 properties are required to make provision of a minimum of 25% of the land or Erf set aside as common open space. The size of the property is 1570m<sup>2</sup> and the required 25% is 392.5m<sup>2</sup>.

The owners seek to maximize the development potential of the property and therefore the required 25% of common space cannot be met due to the size of the property and a provision of 16.75% (being 263m<sup>2</sup>) has been made for common open space.

The required provision of common open space is requested to be relaxed as there is a public open space in the immediate vicinity of the property being Erven 6381 and 2803 Port Alfred.

## 6. LEGAL CONTEXT

The development application is in accordance with the following legislative components:

### 6.1 Chapter 2 of the Spatial Planning & Land Use Management Act of 2013

The proposal complies with the Chapter 2 of the Spatial Planning & Land Use Management Act of 2013:

- Promote land development that is within the fiscal, institutional & administrative means of the Republic;
- Uphold consistency of land use measures in accordance with environmental management instruments;
- Promote & stimulate the effective & equitable functioning of land markets;
- Consider all current & future costs to all parties for the provision of infrastructure & social services in land developments;
- Promote land development in locations that are sustainable and limit urban sprawl;
- Optimise the use of existing resources & infrastructure.

### 6.2 Spatial Planning and Land Use Management Act of 2013 - Applicable Principles

- **Spatial Justice:**

(i) past spatial and other development imbalances must be redressed through improved access to and use of land ;

- ✓ This principle ultimately speaks to removal of obsolete restrictive conditions placed on title deeds and land use measures that have not adapted and changed with the socio-political conditions and societal changes.

(ii) spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded.

- ✓ This principle is important in order to ensure that these types of development opportunities which previously disadvantaged people were denied are now provided to them and not restricted arbitrarily as it was in the past.

(iii) spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons;

- ✓ This is also applicable to the current application in that the current landowner is attempting to enhance his socio-political standpoint and enable himself to be open to more possibilities and opportunities by providing this lucrative and necessary accommodation type to the public. Not only does this benefit him/her as an individual, but society at large through employment as well as increasing surrounding property values.
- ✓ The proposed guesthouse is protected in terms of spatial justice.

- **Spatial sustainability**

(i) promote land development that is within the fiscal, institutional and administrative means of the Republic;

- ✓ The intended development is within an existing settlement, there are no additional cost to be incurred pertaining to infrastructure services such as road, water, sewer and electricity. The proposed development will also not cause extensive additional pressures on the available infrastructure as the footprint of the development is inline/within the current provisions.

(ii) ensure that special consideration is given to the protection of prime and unique agricultural land;

- ✓ The application does not pose a threat to prime and unique agricultural land as it is situated in an already built-up area.

(iii) uphold consistency of land use measures in accordance with environmental management instruments;

- ✓ The current application goes in line with the relevant environmental legislation and authorities.

(iv) promote and stimulate the effective and equitable functioning of land markets;

- ✓ The Municipality's approval of this application will play a role in stimulating the proper functioning of land markets and will ultimately improve the quality of the neighbourhood.

(v) consider all current and future costs to all parties for the provision of infrastructure and social services in land developments;

- ✓ The area within which the property is situated does not have any infrastructure capacity constraints and will not experience any pressures on the infrastructure soon. There is also an adequate provision of social services within the area.

(vi) promote land development in locations that are sustainable and limit urban sprawl; and

- ✓ The development aims to utilise land that is already being utilised and therefore maximise the currently used space by increasing density and limiting urban sprawl.

(vii) result in communities that are viable;

- ✓ Viable communities are those communities that exhibit a diversity of compatible land uses and offers a variety of amenities to society at large. It can be assumed then, that the approval of this application will enhance the viability of the community by adding to its character.

- **Efficiency**

(i) land development optimises the use of existing resources and infrastructure;

- ✓ The intended development is within an existing settlement, there are no additional cost to be incurred pertaining to infrastructure services such as road, water, sewer and electricity.

(ii) decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts; and

(iii) development application procedures are efficient and streamlined and timeframes are adhered to by all parties;

- ✓ It is envisioned that this application will be handled within an appropriate timeframe so as to ensure that the landowner is not adversely affected by the delaying of the decision-making process.

- **Spatial Resilience:** whereby flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks; and

- ✓ The proposed development will create employment opportunities, not only during the construction phase, but also during the operation of the establishment. This employment of people will contribute to livelihood security as well as play a role in the unemployment crisis evident in South Africa.

- **Administration**

(i) all spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act;

(ii) all government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks;

(iii) the requirements of any law relating to land development and land use are met timeously;

(iv) the preparation and amendment of spatial plans, policies, land use schemes as

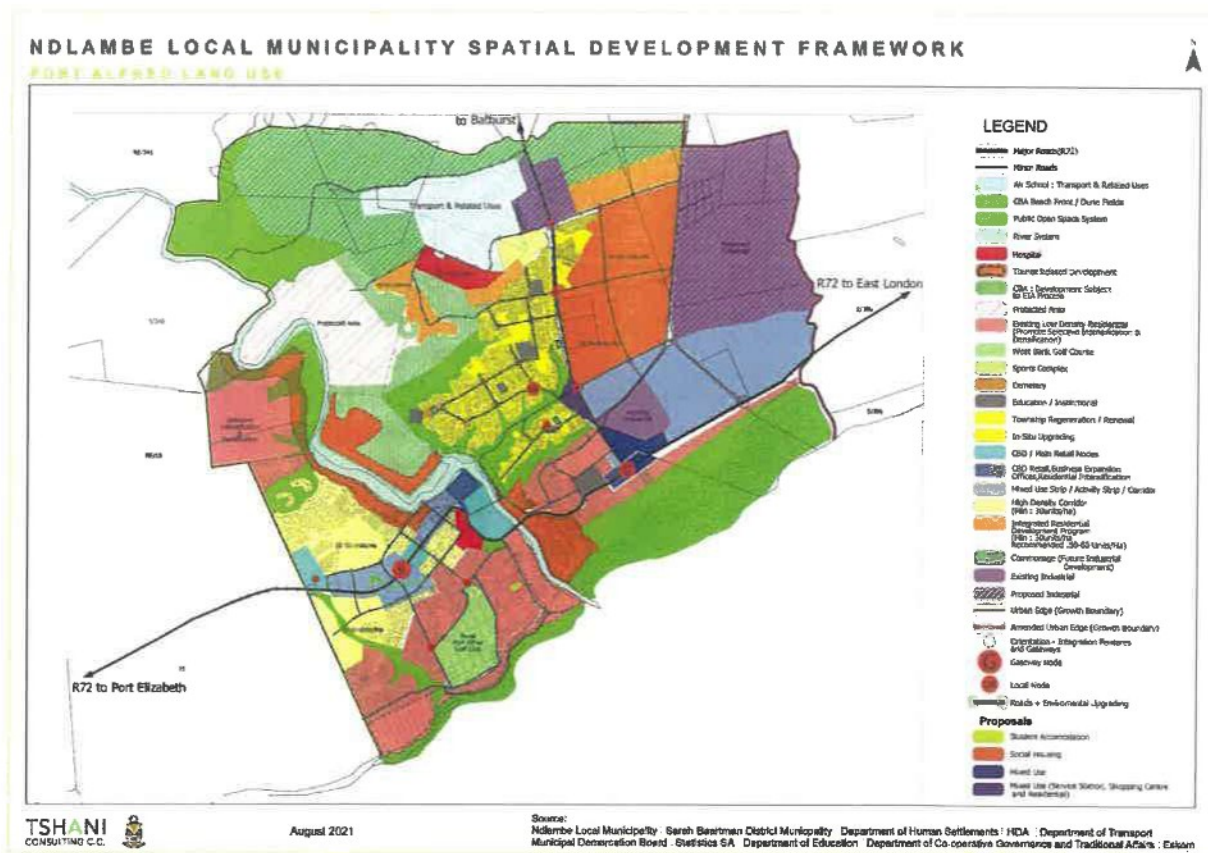
well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them; and policies, legislation and procedures must be clearly set in order to inform and empower members of the public.

- ✓ The Municipality's Bylaw, Zoning Scheme and Spatial Development Framework as well as other legislation ensure a multi-sectoral process that includes the relevant role players in development and also ensure that interested and affected parties are consulted timeously throughout the development application processes.

### 6.3 Framework Plan

The property falls within the Port Alfred Urban Edge. The Urban Edge is intended and encouraged for investment to achieve densification and further diversification of land use typologies and urban renewal.

In terms of the Ndlambe Spatial Development Framework (SDF), Port Alfred is an urban concentration identified as a District Centre. A majority of the major business uses in Port Alfred are concentrated in the Central Business District. It is worth noting that the municipality is part of the Sunshine Coast Tourism route of which tourism in the area is mostly domestic tourism with limited international tourists.



In terms of the SDF, the area in which the subject property located is earmarked as Existing Low Density Residential (Promote Selective Intensification & Densification). The proposed development is in line with the SDF idea of land use intensification and densification, it also intends to promote growth in the hospitality industry which aims is to host visitors for weekend stays. The intensification of the hospitality sector will ensure economic generation of the municipality.

The proposed land development application is in line with the SDF proposals with key priority to encourage mixed-use character and can be considered as a key mechanism to encourage investment from the private sector based on its locality, bringing into play potential for projects aimed at town revitalization. This development will promote efficient use of space without perpetuating urban sprawl.

General principles of land development:-

- The development is in line with the principle that intends to integrate and consolidate existing urban areas by means of in-fill planning of mixed use developments on strategically located parcels of available land in a phased manner which maximises beneficial use of existing engineering services corridors.
- Adheres to idea which seeks to base emphasis on a range of initiatives which could boost levels of economic activity and wealth creation/generation in all sectors within the surrounding areas.
- The proposed development includes and encourages diversification of land use typologies.
- Encourage environmentally sustainable land development practices and processes.

#### 6.4 Desirability

The desirability of the proposed land use can be analyzed according to the following:-

##### Effect on the Surrounding Land Uses

The proposed development will not negatively impact on the surrounding land uses..

##### Compliance with Regulations

All new buildings constructed on the development area will be in terms of the current regulations will have to comply with all the land use restrictions as stipulated above.

##### Views

All new buildings on the property will not impact on the views of the surrounding property owners. Exceeding the prescribed land use restrictions by the client or by any of the surrounding property owners, will require written permission from the Local Authority.

It is recommended that the application be considered for approval for the following reasons:-

- It is noted that the proposed development falls within the parameters of the Ndlambe Land Use Scheme Regulations and is considered desirable from a town planning stand point.
- No negative impacts affecting the environment are anticipated to arise from the development.
- The proposal is considered to be in accordance and aligned with the general planning principles and legislative requirements guiding development of this nature.

## 7. CONCLUSION

Based on the above, it is requested that the Ndlambe Municipal Council considers and approves the removal of restrictive conditions, rezoning and permanent departures for Erf 9627 Port Alfred in terms of the provisions of Section 69, 68 & 76 of the Ndlambe Bylaw pertaining to the Spatial Planning and Land Use Management Act 16 of 2013 read with the Ndlambe Municipality Land Use Scheme, comprising of the following:-

- Removal of restrictive conditions found in Certificate of Consolidated Title pertaining to Erf 9627 Port Alfred.
- Rezoning of Erf 9627 Port Alfred from Residential Zone 1 to Residential Zone 3 in order to obtain land use rights for a general residential building for guest house purposes.
- Permanent departure for the relaxation of the street, lateral and rear building lines.
- Permanent departure for the relaxation of common open space from 25% to 16.75% of the of the Erf.

Accordingly, it is recommended that the proposed application be favorably considered for approval by the Ndlambe Local Municipality.

WADS  
PROJECTS

Town and Regional Planners

Reg: 2017/450338/07

E: wadsprojects@gmail.com

F2E: 086 212 6309

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**MAP 1**

## **Locality and Site Plan**

WADS  
PROJECTS

Reg: 2017/450338/07

Date: June 2025

# LOCALITY PLAN

Plan No: 1\_LP\_Erf 9627 Emerald Heights, Port Alfred

## Erf 9627 Emerald Heights, Port Alfred

Client:

**Mr & Mrs Mbiko**

Local Authority:  
NDLAMBE

Administrative Region:  
BATHURST

Province:  
EASTERN CAPE



1:7500

Project:

**Removal of Conditions  
Rezoning and Departure  
of Erf 9627 Port Alfred**

Prepared by:

**WADS  
Projects**

### Legend



Erf 9627 Emerald Heights, Port Alfred

This product is for informational purposes and may have not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: June 2025

# SITE PLAN

Plan No: 2\_SP\_Erf 9627 Emerald Heights, Port Alfred

Client:

## Erf 9627 Emerald Heights, Port Alfred

Mr & Mrs Mbiko

Local Authority:  
NDLAMBE

Administrative Region:  
BATHURST


Province:  
EASTERN CAPE



Project:

**Removal of Conditions  
Rezoning and Departure  
of Erf 9627 Port Alfred**

**Legend**

 Erf 9627 Emerald Heights, Port Alfred

Prepared by:

**WADS  
Projects**

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**PROJECTS**

Town and Regional Planners

Reg: 2017/450338/07

E: wadsprojects@gmail.com

F2E: 086 212 6309

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**MAP 2**

**Land Use Plan**

Date: June 2025

# LAND USE PLAN

Plan No: 3\_LUP\_Erf 9627 Emerald Heights, Port Alfred

## Erf 9627 Emerald Heights, Port Alfred

Client:

**Mr & Mrs Mbiko**

Local Authority:  
**NDLAMBE**

Administrative Region:  
**BATHURST**

Province:  
**EASTERN CAPE**




Project:

**Removal of Conditions  
Rezoning and Departure  
of Erf 9627 Port Alfred**





Prepared by:

**WADS  
Projects**

**Legend**

 Erf 9627 Emerald Heights, Port Alfred

**LAND USE**

-  Residential
-  Under Construction
-  Open Space
-  Vacant

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**WADS**  
**PROJECTS**

Town and Regional Planners  
Reg: 2017/450338/07  
E: wadsprojects@gmail.com  
F2E: 086 212 6309

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**MAP 3**

**Zoning Plan**

**WADS**  
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Reg: 2017/450338/07

WADS

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Town and Regional Planners

Reg: 2017/450338/07

E: wadsprojects@gmail.com

F2E: 086 212 6309

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MAP 4

## Site Development Plan

WADS

PROJECTS

Reg: 2017/450338/07

**PROJECT:**  
**Removal of Conditions**  
**Rezoning and Departure**  
**of Erf 9627 Port Alfred**

**PROJECT DESCRIPTION:**  
**PROPOSED LAND USE:**  
 - Guest House

**ZONING:**  
 - Residential Zone 3

**LOCATION:**  
 Town: PORT ALFRED  
 Municipality: NDLAMBE  
 District: BATHURST

**LEGEND:**  
 Erf 9627 Port Alfred  
 Building Lines  
 Proposed Building Lines  
 Common Space (±263 m<sup>2</sup>) 16.75%

**FLOOR AREAS**

BUILDING 1 (2 Rooms)	94 m <sup>2</sup>
BUILDING 2 (2 Rooms)	94 m <sup>2</sup>
BUILDING 3 (2 Rooms)	94 m <sup>2</sup>
BUILDING 4 (2 Rooms)	94 m <sup>2</sup>
BUILDING 5 (4 Rooms)	180 m <sup>2</sup>
COMBINED FLOOR AREA	556 m <sup>2</sup>

**CLIENT:**  
 Mr & Mrs Mbiko

**NOTES:**  
 - Building Plans to be supplied by Architect  
 - All parking bays are 2,5m x 5m  
 - Boundary walls/fences to not exceed 1,8m from the natural ground level

**TABLE:**

SITE AREA	BUILDING AREA	GUEST ROOMS
±1570 m <sup>2</sup>	±556 m <sup>2</sup>	ID
HEIGHT	PERMITTED	PROVIDED
11m height	40%	±33,01%
<b>PARKING BAYS</b>		
Permitted	PROVIDED	PROVIDED
4	4	4
<b>BUILDING LINES</b>		
REQUIREMENT	PROVIDED	REQUIREMENT
8m	4m	1m & 1,5m
4m	1m & 1,5m	4m
2m	2m	2m

**PREPARED BY:**  
 WADS Projects

**PLAN NO:** 05  
**REV. NO:** 00

**PLAN NAME:**  
 Site Development Plan

**SCALE:** A4 @ 1:300  
**MAP UNITS:** METRIC  
**DATE:** JUNE 2025



**WADS**  
**PROJECTS**

Town and Regional Planners

Reg: 2017/450338/07

E: wadsprojects@gmail.com

F2E: 086 212 6309

---

## **ANNEXURE E**

## **Consent Forms**



**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 suitability of the property and the proposed development is the responsibility of the applicant. It is the responsibility of the applicant to ensure that the proposed development complies with the applicable zoning and other regulations. The Municipality does not warrant a comment of objection or consent. The Municipality does not assume any liability for the consequences of any development that is not in accordance with the applicable zoning and other regulations.

APPLICATION FOR: REMOVAL OF CONDITIONS, RESIZING & PERMANENT DEPARTURES  
 SITUATED ON ERF 9627, STREET & NO. 35-37 JEN BARRIE ST, TOWNSHIP PORT ALFRED

It is confirmed that I (Name in Full of affected land owner) Pieter EHLERS  
 being the registered owner of Erf 6388 Township PORT ALFRED

have NO OBJECTION to the above proposal being (Delete which is not applicable):

- a) A relaxation of the lateral building line from 4 m to 1.5 m from our common side;
- b) A relaxation of the rear building line from 4 m to 2 m;
- c) A relaxation of the street building line from 8 m to 1.5 m;
- d) A relaxation of building height from — m to — m;
- e) A second dwelling unit not exceeding — m<sup>2</sup>;
- f) A relaxation of the lateral / street boundary wall / fence height restriction from 1 m to 1 m;
- g) Other (Give details) Removal of conditions & Common space Relaxation

shown on plan number US undated JUNE 2025

Additional comments by consenting owner to the above consent:

NO OBSTRUCTION OF ROAD AFTER COMPLETION  
NOISE LEVEL CONTROL AND MANAGEMENT OF  
OF GUESTS BEHAVIOUR.

(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: Peter Ehlers

Date: 27/06/2025  
22/07/2025

Residential Address (Of owner giving consent):

Home Tel: \_\_\_\_\_  
 Work Tel: \_\_\_\_\_

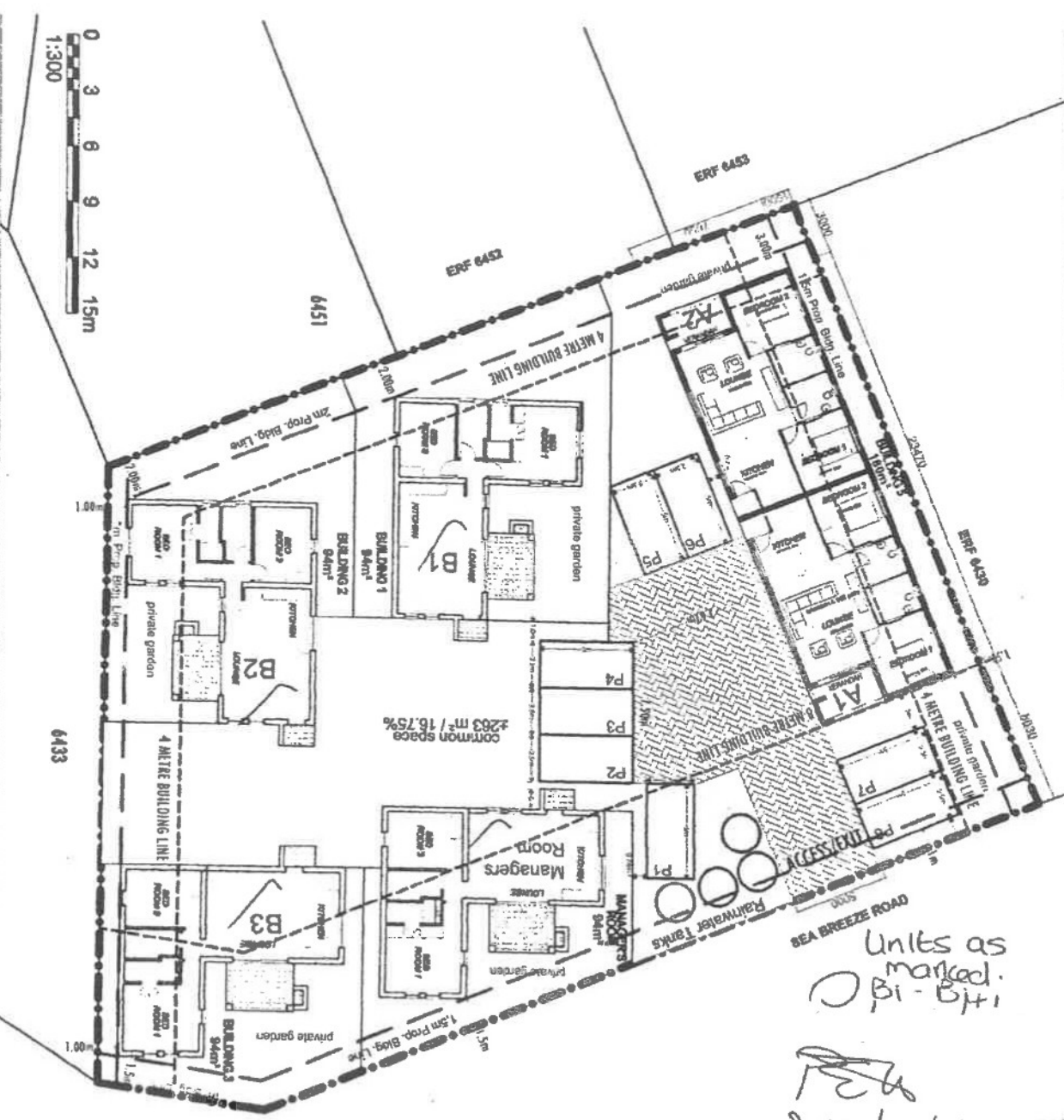
**WITNESSES**

1. \_\_\_\_\_  
 Full Name

Ehlers  
 Signature

2. \_\_\_\_\_  
 Full Name

Abing  
 Signature



Units as  
marked.  
B1-B3  
P1-P6  
2025/06/27  
2025/07/22

**Removal of Conditions  
Rescinding and Departure  
of ERF 6452/ Port Alfred**

PROJECT DESCRIPTION  
Proposed Land Use:  
Guest House  
Zoning:  
Residential Zone 3

APPLICANT:  
Town: PORT ALFRED  
Municipality: NOLUWE  
District: DISTRICT

Address:  
ERF 6452 Port Alfred  
Building Lines  
Proposed Building Lines

FLOOR AREAS	Area
BUILDING 1 (2 Rooms)	94 m²
BUILDING 2 (2 Rooms)	94 m²
BUILDING 3 (2 Rooms)	94 m²
BUILDING 4 (2 Rooms)	94 m²
BUILDING 5 (2 Rooms)	180 m²
COMMONED FLOOR AREA	856 m²

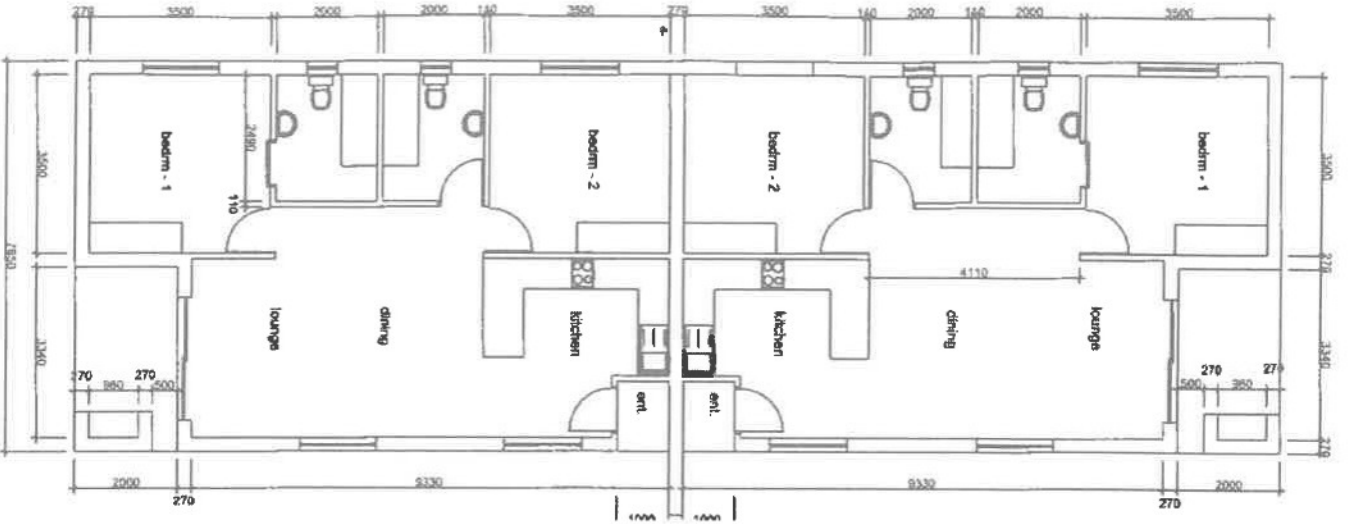
OWNER:  
Mr & Mrs Mthoko

NOTES:  
- All units must be occupied by a resident.  
- All parking spaces must be used.  
- Secondary vehicles must be used within the time the vehicle is used.

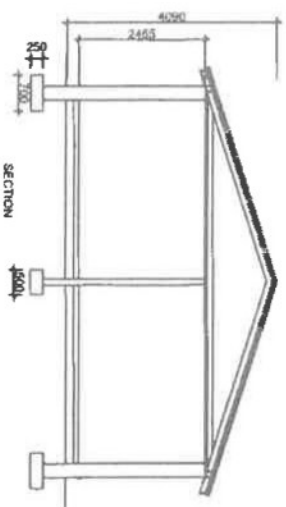
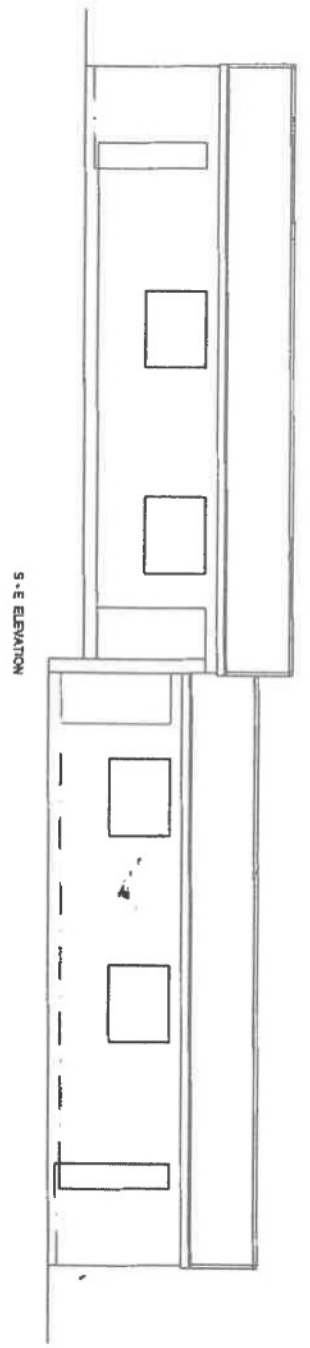
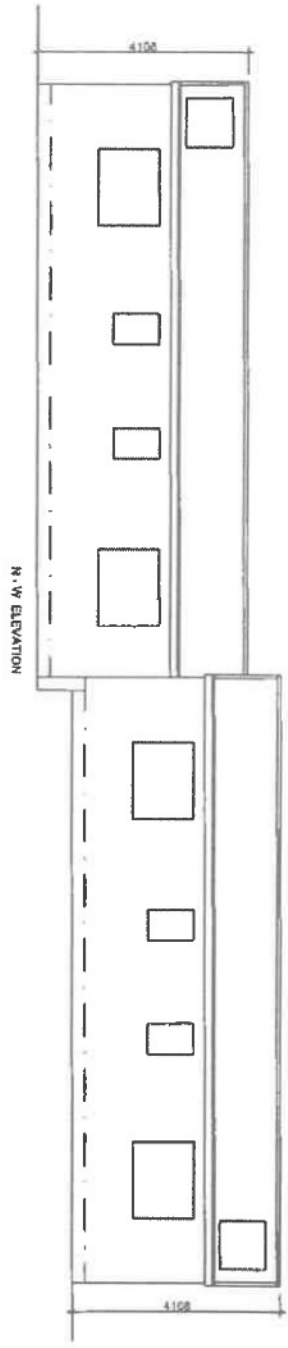
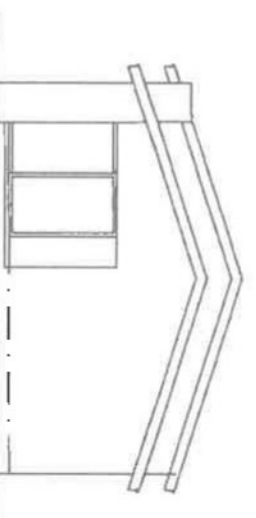
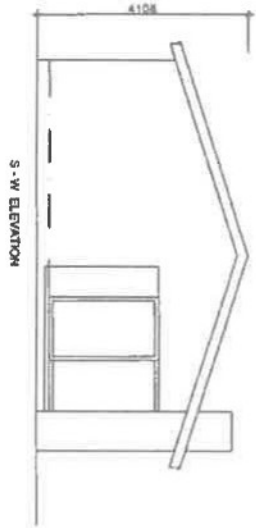
DATE	DESCRIPTION
2025/07/22	Final Approval
2025/06/27	Initial Approval

WADS Projects  
DATE: 05  
REVISED: 00

**Site Development Plan**  
SCALE: A4 @ 1:300  
DATE: 11 NE 2025  
DRAWN: METWIC



*Neighborhood*  
*2/10/12015*



<h1>GRO</h1> <p>ARCHITECTS</p>	<p>PROJECT:          PROPOSED NEW DEVELOPMENT          FOR MESSINA, MIAMI          ON SW 10277 PONT ALFREDO</p>
	<p>OWNER: TITANI</p>
	<p>DATE: 1/10</p>
	<p>SCALE: 1/80</p>
	<p>DATE: JUNE 2003</p>

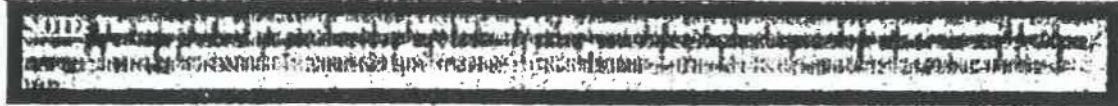




**NDLAMBE MUNICIPALITY**  
 The Manager: Town Planning & Land Estates  
 P.O. Box 13  
 Port Alfred  
 6170

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

## COMMENT (S) TO APPLICATION



APPLICATION FOR: REMOVAL OF CONDITIONS, RESERVING & PERMANENT DEPARTURES  
 SITUATED ON ERF 9622, STREET & NO. 35-37 JEN BREEZE DR, TOWNSHIP PORT ALFRED

It is confirmed that I (Name in Full of affected land owner) LIZO PATRICK MBIKO  
 being the registered owner of Erf 8564 Township EMERALD HEIGHTS PORT ALFRED

have NO OBJECTION to the above proposal being (Delete which is not applicable):

- a) A relaxation of the lateral building line from 4 m to 1.5 m from our common side;
- b) A relaxation of the rear building line from 4 m to 2 m;
- c) A relaxation of the street building line from 8 m to 1.5 m;
- d) A relaxation of building height from ..... m to ..... m;
- e) A second dwelling unit not exceeding ..... m<sup>2</sup>;
- f) A relaxation of the lateral / street boundary wall / fence height restriction from ..... m to ..... m;
- g) Other (Give details) Removal of conditions & Common space Relaxation

shown on plan number 05 undated JUNE 2025


Additional comments by consenting owner to the above consent:

.....

.....

(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:   
 Date: 21/07/2025

Residential Address (Of owner giving consent):

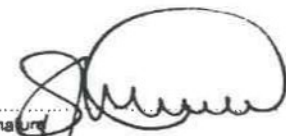
.....

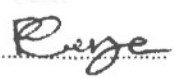
Home Tel: .....

Work Tel: .....

**WITNESSES**

Full Name .....

  
 Signature

  
 Signature

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

**DESCRIPTIVE DETAILS FOR ERVEN 9627 PORT ALFRED**

ERF No	Owner	Email Address	Postal address	Track and trace
1.	6387			<p>ORDINARY PARCEL Shipment details: 111 502 www.ssp.co.za PE 904 058 031 Z.A</p> <p>CUSTOMER COPY 301016</p>
2.	6430			<p>ORDINARY PARCEL Shipment details: 111 502 www.ssp.co.za PE 904 058 059 Z.A</p> <p>CUSTOMER COPY 301016</p>
3.	6433			<p>ORDINARY PARCEL Shipment details: 111 502 www.ssp.co.za PE 904 058 045 Z.A</p> <p>CUSTOMER COPY 301016</p>
4.	6451			<p>ORDINARY PARCEL Shipment details: 111 502 www.ssp.co.za PE 904 058 028 Z.A</p> <p>CUSTOMER COPY 301016</p>
5.	6452			

