

## STEPPING UP



The Port Alfred Line Dancers, led by Gail Elliott, got fingers clicking and toes tapping at Damant Lodge last Friday. *Picture: BRYAN SMITH*

## Joint efforts see man in court for meter box vandalism

## TOTT REPORTER

A 36-year-old man was apprehended by Multi Security and handed over to the police on Tuesday February 24, after several electricity meter boxes in Port Alfred's West Bank were vandalised the previous weekend.

The police confirmed that a case of damage to essential infrastructure was being investigated.

Police spokesperson Captain Marius McCarthy said at about 5.22pm last Tuesday, a standby electrician was summoned to the Saltvlei area after a sudden power outage.

On his way there, the electrician saw a man breaking an electricity junction box in Burke Street.

"The police were contacted and a 36-year-old man was

arrested for damage to essential infrastructure and malicious damage to property," he said.

The suspect appeared in the Port Alfred magistrate's court on February 26.

"It is suspected the suspect could possibly be linked to other similar incidents of damage to infrastructure in the area," McCarthy said.

Multi Security noted in a post on its community WhatsApp group that the man's arrest had been the result of the vigilance of the community, CDR [electrical] staff and the swift response of Multi Security. "Malicious damage to essential infrastructure is a serious criminal offence. It affects homes, businesses, and

puts lives at risk. We will not tolerate criminal activity in our town.

"A big thank you to our response officers and to the members of CDR and residents who reported suspicious activity," Multi Security said.

Residents are urged to report anything suspicious on 046-624-2508.



## Big thanks to Palcare Golf Day sponsors

Palcare would like to thank the following sponsors for their support of its golf day:

- Beer Properties
- Bucco
- Buffalo Kloof
- Carara
- Carara Agro
- Charteris & Barnes
- Cool Green Garden services
- Cosi Home
- De Jager & Lordan
- Dupliprint
- Edge Finance
- Eighteen 26 Restaurant
- GBS Mutual Bank
- Global Business Solutions
- Graze by the River
- Harcourts
- Hi-Tec Security Coastal
- Icon
- Just Milk
- Justin Stirk & family
- Kaylajs
- Kelston Port Alfred
- Kowie Build It
- Kowie Toyota
- LPGaz
- Makana Brick
- Masthead Financial Planning
- MEH Sulter & Son
- Midas
- Mooifontein Quarry
- Neave Stotter
- Oasis Water
- PA Padel
- Pam Golding KoS
- Pick n Pay
- Pick n Pay Liquors
- Plaza Products
- Prestons
- R72 Motors
- Rosehill SUPERSPAR
- Sibuya Private Game Reserve
- Sports 'n All
- Spur
- Standerwick Nursery
- Stapleton Brokers
- Supa Quick
- Todd Clothing
- Tops
- Williams & Associates



### NDLAMBE MUNICIPALITY PORT ALFRED

#### APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND REZONING OF ERF 1519, KENTON ON SEA FROM RESIDENTIAL ZONE 1 TO BUSINESS ZONE 1.

Applicant: SETPLAN (PTY) LTD  
Owner: HOWARD FAMILY TRUST  
Property Description: ERF 1519, KENTON ON SEA

Physical Address: 2 CNR RIVER ROAD, KENTON ON SEA, 6191

#### Detailed description of proposal:

The matter for consideration is an Application for The Removal of Restrictive Title Deed Conditions and Rezoning of Erf 1519, Kenton on Sea from Residential Zone 1 to Business Zone 1 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 **06 April 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: 49/2026

ADV. ROLLY DUMEZWENI  
05 March 2026 MUNICIPAL MANAGER



### NDLAMBE MUNICIPALITY PORT ALFRED

#### APPLICATION FOR REZONING OF ERF 1655, KENTON ON SEA FROM RESIDENTIAL ZONE 1 TO BUSINESS ZONE 1, CONSOLIDATION OF THE REZONED ERF (ERF 1655, KENTON ON SEA) WITH ERF 2033, KENTON ON SEA AND ERF 2768, KENTON ON SEA, REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS APPLICABLE TO BOTH ERF 2033, KENTON ON SEA AND ERF 2768, KENTON ON SEA.

Applicant: SETPLAN (PTY) LTD  
Owner: NORWIN PROPERTY PROPRIETARY LIMITED  
Property Description: ERF 1655, KENTON ON SEA

Physical Address: 22 BEAUFORT STREET, KENTON ON SEA, 6191

#### Detailed description of proposal:

The matter for consideration is an Application for the Rezoning of Erf 1655, Kenton on Sea from Residential Zone 1 to Business Zone 1, Consolidation of the Rezoned Erf (Erf 1655, Kenton on Sea) with Erf 2033, Kenton on Sea and Erf 2768, Kenton on Sea, Removal of Restrictive Title Deed Conditions applicable to both Erf 2033, Kenton on Sea and Erf 2768, 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 **06 April 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: 46/2026

ADV. ROLLY DUMEZWENI  
05 March 2026 MUNICIPAL MANAGER



### NDLAMBE MUNICIPALITY PORT ALFRED

#### APPLICATION FOR REZONING OF ERF 4766, PORT ALFRED FROM RESIDENTIAL ZONE 1 TO RESIDENTIAL ZONE 3; PERMANENT DEPARTURE TO RELAX STREET, BOTH LATERAL AND REAR BUILDING LINES; DEPARTURE TO RELAX THE COVERAGE FACTOR FROM 40% TO 50% AND DEPARTURE TO RELAX THE REQUIREMENT FOR PROVISION OF COMMON OPEN SPACE.

Applicant: MIRINDA DE BEER TOWN AND REGIONAL PLANNER  
Owner: COLIN WILLIAM CHURCH AND CHALINE TAMRIN CHURCH  
Property Description: ERF 4766, PORT ALFRED

Physical Address: 7 BEACH ROAD, PORT ALFRED, 6170

#### Detailed description of proposal:

The matter for consideration is an Application for the Rezoning of Erf 4766, Port Alfred from Residential Zone 1 to Residential Zone 3; Permanent Departure to Relax Street, Both Lateral and Rear Building Lines; Departure to Relax the Coverage Factor from 40% to 50% and Departure to Relax the Requirement for Provision of Common Open Space 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 **06 April 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: 48/2026

ADV. ROLLY DUMEZWENI  
05 March 2026 MUNICIPAL MANAGER

**NDLAMBE MUNICIPALITY** Ndlambe Municipality  
Corporate Services



04 DEC 2025

**RECEIVED**

**LAND USE APPLICATION FORM**

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

TICK	APPLICATION TYPE	FEE AS PER FEE LIST
<input checked="" type="checkbox"/>	Rezoning	R 10 729,68
<input type="checkbox"/>	Consolidation	R
<input type="checkbox"/>	Requirements for amendment, suspension or removal of restrictive conditions or obsolete Condition, servitude or reservation registered against title of land	R
<input checked="" type="checkbox"/>	Departure Application: Permanent or Temporary Departure (for Land Use Change)	R 8 583,74
<input checked="" type="checkbox"/>	Departure Relaxation Building Line	R 5 110,89
<input type="checkbox"/>	Departure for Relaxation of Development Parameters (Height and/or Coverage)	R
<input type="checkbox"/>	Consent use in terms of the Land Use Scheme	R
<input type="checkbox"/>	Extension for validity of an approval	R
<input type="checkbox"/>	Subdivision	R
<input type="checkbox"/>	Road closure or Closure of Public Open Space	R
<input type="checkbox"/>	Approval of Architectural Design Manual, Homeowners Constitution, Site Development Plan	R
<input type="checkbox"/>	Amendment of Conditions of Approval	R
<input type="checkbox"/>	Cancellation/Amendment of General Plan	R
<input type="checkbox"/>	Other	R
<b>TOTAL ON FEES PAYABLE</b>		<b>R 24 424,31</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: 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:
 

<p><b>The Municipal Manager Ndlambe Municipality P O Box 13 Port Alfred 6170</b></p>	<p><b>Town Planning Office Ndlambe Municipality Causeway Road, Civic Centre Port Alfred 6170</b></p>
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- 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 and Regional Planners
Street or Postal Address	117 Cape Road, Mill Park, Port Elizabeth, 6001
Email Address	mirinda@mbdtownplanner.co.za
Contact Number	082 896 2686

**PART C.2: REGISTERED LANDOWNER(S) DETAILS** *(If different from applicant)*

Registered owner(s) Name	Colin William Church and Chaline Tamrin Church
Street or Postal Address	7 Beach Road, Port Alfred, 6170
E-mail Address	charlinechurch@gmail.com
Contact Number	+44 7747 613321

**PART D: PROPERTY DETAILS**

<b>NOTE: Property details must be in accordance with title deed</b>			
Erf No	4766	Suburb/Town/Area	Port Alfred
Farm No	N/A	Portion (if applicable)	N/A
Physical or Street Address	7 Beach Road, Port Alfred, 6170		
Current Zoning	Residential Zone 1		
Proposed Zoning	Residential Zone 3		
Additional Rights or Consent Uses Approved	N/A		
Current activities	Dwelling, garages and cottage.		
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?	Dwelling, garages and cottage are all in good condition and well maintained.		
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)	895m <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"/>	<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"/>	<input checked="" type="checkbox"/>	If yes, list the party(ies) in motivation report.
Is the property owned by Council?	<input checked="" 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 checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	Is the building older than 60 years?
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?
Is the property encumbered with a bond	<input checked="" type="checkbox"/>	<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"/>	<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"/>	<input checked="" type="checkbox"/>	Are there any land claim(s) registered on the subject property(ies)?

Applicant's Initials: MdB

**PART E: DETAILS OF THE APPLICATION**

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

**The owners vision is renovations, alterations, modernisations and expansions to the main house and cottage and the conversion of the existing garages into a dwelling unit. The application for Rezoning from Residential Zone 1 to Residential Zone 3 and for the Departure from the building lines, coverage and provision of common open space will permit the proposed development and residential densification.**

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.**

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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:

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 .....

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 **1,5m** ; and / or
- ii. Rear building line from ...**4**..... m to **0** m; and / or
- iii. Street building line from .....**8**..... m to **0** m; and / or
- iv. Coverage factor from .....**40**... % to **50** %; 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) **General provision of 25% Common Open Space to 23% Common Open Space.**

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? **No.**

If so, furnish details:

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.....  
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5.2 Is there any portion of the land unit subject to tidal flow or situated under the high water mark? **Yes, the property is located along the Kowie River.**

If so, furnish details:

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.....  
.....

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? **To be determined. The existing structures are historical uses along the Kowie River.**

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.**

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.....  
.....

**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	
Any other Municipal by-law that may be relevant to application? (If yes, specify)			To be determined.
Does the proposal fall within the provisions/parameters of the land use scheme?		X	
Are additional applications required to deviate from the land use scheme? (if yes, specify)	X		Departure from building lines, coverage and the provision of common open space.

**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 / 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		The Environmental Authorization is attached as Annexure D.

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		<b>The Eastern Cape Provincial Heritage Resource Authority Permit is attached as Annexure E.</b>
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 INFRASTRUCTURE / SERVICES?	YES	NO	COMMENT
Electricity supply		X	
Water supply		X	
Sewerage and wastewater		X	
Storm water		X	
Road network		X	
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
<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: ..... ..... ..... .....			


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)	<b>Mirinda de Beer</b>		
Professional Capacity & Registration Number	<b>Professional Town and RegionaI Planner (A/1037/1998)</b>		
Statutory Body	<b>SACPLAN</b>	Are you In Good Standing with the Staturory Body?	<b>Yes</b>
Applicant's Signature		Date	<b>12/01/2025</b>

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

We, Colin William Church, of identity number [redacted] and Chaline Tamrin Church, of identity number [redacted] the undersigned, hereby nominate, constitute and appoint-

Mirinda de Beer, identity number [redacted] of Mirinda de Beer Town and Regional Planners, with power of substitution to be my/our name, place and stead to apply for-

Consent Uses and Departures for Erf 4766, Port Alfred at Nalambé Municipality, 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 act in the matter; and I hereby ratify, allow and confirm, promise and agree to ratify, allow and confirm everything and anything my agent may do or may permit to be done legally in terms of this power of attorney.

SIGNED AT PORT ALFRED ON THIS 24 DAY OF MARCH 2025.

In the presence of the undersigned witnesses:

**AS WITNESSES:**

1.

[Signature]

2.

[Signature]

Registered owner(s)

[Signature]

Signature

MR C.W. CHURCH

Name

[Signature]

Signature

CHALINE CHURCH

Name



And the appearer declared that his/her said principal had, on **25 September 2023**, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

1. **COLIN WILLIAM CHURCH**  
Identity Number
  
2. **CHALINE TAMRIN CHURCH**  
Identity Number

their Heirs, Executors, Administrators or Assigns, in full and free property

**ERF 4766 PORT ALFRED  
NDLAMBE LOCAL MUNICIPALITY  
DIVISION OF BATHURST  
PROVINCE OF THE EASTERN CAPE**

**IN EXTENT 895 (EIGHT HUNDRED AND NINETY FIVE) Square metres**

**FIRST REGISTERED** by Certificate of Consolidated Title Number T30593/1995CTN with Diagram SG Number 5624/1993 relating thereto and held by Deed of Transfer Number T104177/2002CTN

(1) As regards the figures **A B F** on the said Diagram Number 5624/1993:

- A. **SUBJECT** to the conditions referred to in Deed of Transfer Number T3861/1916CTN, save insofar as these may have since lapsed or been cancelled.
  
- B. **SUBJECT** to the following special condition contain in Deed of Transfer Number T6995/1931CTN, and imposed by Theodor Brandt for his benefit, as owner of the "Grand Hotel Property" and of the remainder of Lot 2, Block "D", held by him by paragraphs 1 and 2 of Deed of Transfer Number T7610/1930CTN, and his successors in title thereto:

"That within the area comprised in the figure lettered **B C E F** on the Diagram of the land hereby transferred, no building shall be erected to a height higher than 45,72 centimetres below the floor level of the existing Grand Hotel Lounge, which floor level is at a height of 30,67 metres above sea level (high water)."

- C. **SUBJECT** to the following special conditions contained in Deed of Partition Transfer Number T6304/1983CTN, imposed by the Administrator of the Province of the Cape of Good Hope in terms of Ordinance 33 of 1934, when approving of the subdivision of Erf 3150 PORT ALFRED, namely:

3

- (a) The owner of this erf shall, without compensation, be obliged to allow electricity cables, and/or wires and main and/or other waterpipes and the sewage and drainage, including storm water of any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local or any other statutory authority and in such mann and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
- (b) The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.

**D. ENTITLED** to the benefit of a Servitude as contained in Deed of Partition Transfer Number T6304/1983CTN, over :

ERF 3587 PORT ALFRED, in the Area of the Port Alfred Transitional Local Council, Division of Bathurst, Province of the Eastern Cape

MEASURING 1812 (One Thousand Eight Hundred and Twelve) square metres

HELD by Richard King Baker, by Deed of Partition Transfer Number T6303/1983CTN;

To discharge water and sewage disposal into a conservancy tank constructed within the servitude area marked h g k j on Diagram SG Number 4064/1982 annexed to Deed of Partition Transfer Number T6303/1983CTN

- (2) As regards the figures **B C D g F** on the annexed Diagram Number 5624/1993, subject to the conditions referred to in Deed of Transfer Number T3861/1916CTN, save insofar as these may have since lapsed or been cancelled.
- (3) As regards the figures **g D E** on the annexed Diagram Number 5624/1993, subject to the conditions referred to in Deed of Transfer Number T10882/1917CTN, save insofar as these may have since lapsed or been cancelled.

R

\_\_\_\_\_

Q

f

**WHEREFORE** the said Appearer, renouncing all rights and title which the said

heretofore had to the premises, did in consequence also acknowledge him to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

1. **COLIN WILLIAM CHURCH,**
2. **CHALINE TAMRIN CHURCH,**

their Heirs, Executors, Administrators or Assigns, now are and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of **R3 750 000,00 (THREE MILLION SEVEN HUNDRED AND FIFTY THOUSAND RAND)**.

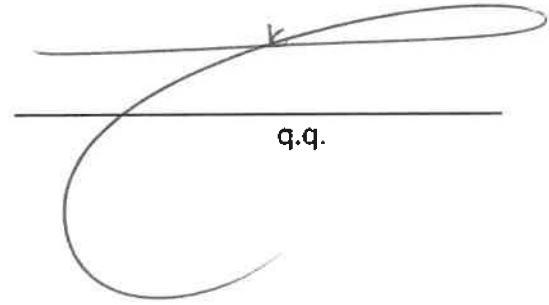
**IN WITNESS WHEREOF**, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

**THUS DONE and EXECUTED** at the Office of the REGISTRAR OF DEEDS at KING WILLIAM'S TOWN on **2024-01-25**

\_\_\_\_\_

\_\_\_\_\_

q.q.



In my presence



\_\_\_\_\_  
REGISTRAR OF DEEDS

Q

A

## MOTIVATIONAL REPORT

# ERF 4766, PORT ALFRED

### *Application for:*

- Rezoning of Erf 4766, Port Alfred from Residential Zone 1 to Residential Zone 3.
- Permanent Departure from the 8m street building line to a 0m street building line.
- Permanent Departure from the 4m rear building line to a 0m rear building line.
- Permanent Departure from the 4m southern lateral building line to a 1,5m southern lateral building line.
- Permanent Departure from 40% coverage to 50% coverage.
- Permanent Departure from the general provisions of 25 % Common Open Space to 23% Common Open Space.

### *Compiled by:*



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

### *Contact Details:*

Email: [mirinda@mdbtownplanner.co.za](mailto:mirinda@mdbtownplanner.co.za)

Cell: 082 896 2686

117 Cape Road, Mill Park

Port Elizabeth, 6001

[www.mdbtownplanner.co.za](http://www.mdbtownplanner.co.za)

APRIL 2025


# EXECUTIVE SUMMARY

Erf 4766, Port Alfred is situated along the Kowie river, at 7 Beach Road in Port Alfred. The subject property is currently zoned for Residential 1 purposes. The Ndlambe Municipality approved the building plans for all the existing structures (dwelling, garages and cottage) on the property, including a 0m street building line, 0m rear building line and a ceiling height of Old Mill Main House of 8,65m.

The owners' vision is renovations, alterations, modernisations and expansions to the main house and cottage and the conversion of the existing garages into a dwelling unit.

The proposed developments will enable the owners to permanently reside in the Old Mill Main House and lease out the other dwelling units on a temporary basis and/or for tourist accommodation.

**Summary :**

<b>Existing Zoning</b>	Residential Zone 1
<b>Area</b>	895m <sup>2</sup>
<b>Title Deed</b>	
<b>Owners</b>	Colin William Church and Chaline Tamrin Church
<b>Address</b>	7 Beach Road, Port Alfred
<b>Bond</b>	There is no bond registered on the property
<b>Applications required</b>	<p>Application for:</p> <ul style="list-style-type: none"> <li>• Rezoning of Erf 4766, Port Alfred from Residential Zone 1 to Residential Zone 3, in terms of Section 68 of the Ndlambe Municipality SPLUM By-Laws (2016).</li> <li>• Permanent Departure from the 8m street building line to a 0m street building line, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).</li> <li>• Permanent Departure from the 4m rear building line to a 0m rear building line, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).</li> <li>• Permanent Departure from the 4m southern lateral building line to a 1,5m southern lateral building line, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).</li> <li>• Permanent Departure from 40% coverage to 50% coverage, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).</li> <li>• Permanent Departure from the general provision of 25% common open space to 23% common open space, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).</li> </ul>



**Development Proposal for Erf 4766, Port Alfred**

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# ANNEXURES

## **A. MAPS**

1. Locality
2. Aerial View
3. Site Plan
4. Existing Zonings and Land Uses
5. Site Development Plan
6. Architectural drawings & Elevations

## **B. APPLICATION FORM**

## **C. PROPERTY DETAILS**

1. Power of Attorney
2. Title Deed
3. Cadastral Diagram
4. Conveyancer Certificate
5. Approved Building Plans (1987 & 1995)
6. Beacon Certificate
7. Height Certificate

## **D. ENVIRONMENTAL AUTHORISATION**

## **E. EASTERN CAPE PROVINCIAL HERITAGE RESOURCES AUTHORITY PERMIT**

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**1. The Applicant**

Mirinda de Beer Town and Regional Planners (MDB) is appointed by the owners of Erf 4766, Port Alfred, Colin William Church and Chaline Tamrin Church, to prepare and submit an application to the Ndlambe Municipality to obtain the necessary approvals for the rezoning and any departures from development parameters for the proposed development on the subject site.

The Power of Attorney is attached as **Annexure C.1**.

**2. The Site****▶ Cadastral information:**

The subject property is described as Erf 4766, Port Alfred, situated in the Ndlambe Municipal jurisdiction. The cadastral diagram (S.G. No. 5624-93) is attached as **Annexure C.3**.

**▶ Ownership:**

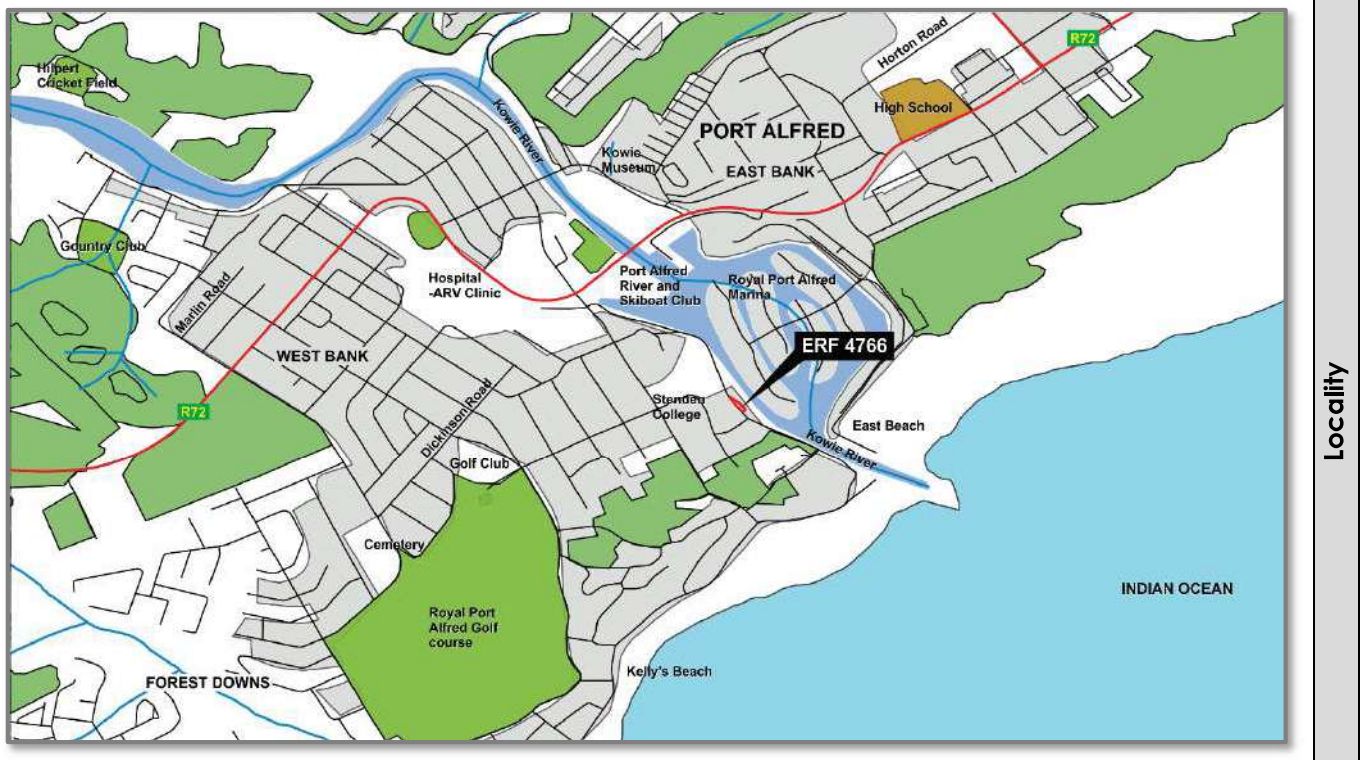
Colin William Church and Chaline Tamrin Church.

**▶ Property size:**

895m<sup>2</sup>

**3. Locality**

The property is located along the Kowie River between the Royal Port Alfred Marina in the north and the Royal Port Alfred Golf Course in the south-west, situated at 7 Beach Road.



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

#### 4. Existing Zoning & Land Use

The property is currently zoned for Residential 1 purposes. A dwelling unit (The Old Mill), cottage (Miller's Cottage) and four (4) garages are situated on the property, as illustrated below. Beach Road borders the property in the west and the Kowie River borders the property in the east.



Site Plan



Existing Land Use

Map 3 illustrates the **Site Plan** of the subject site.

## 5. Approved Building Plans

The Ndlambe Municipality approved the building plans for all the existing structures (dwelling, garages and cottage) on the property, including a 0m street building line, 0m rear building line, 1,5m lateral building lines and a ceiling height of Old Mill Main House of 8,65m.

Approved building plans dated 1987 and 1995 are attached as **Annexure C.5**

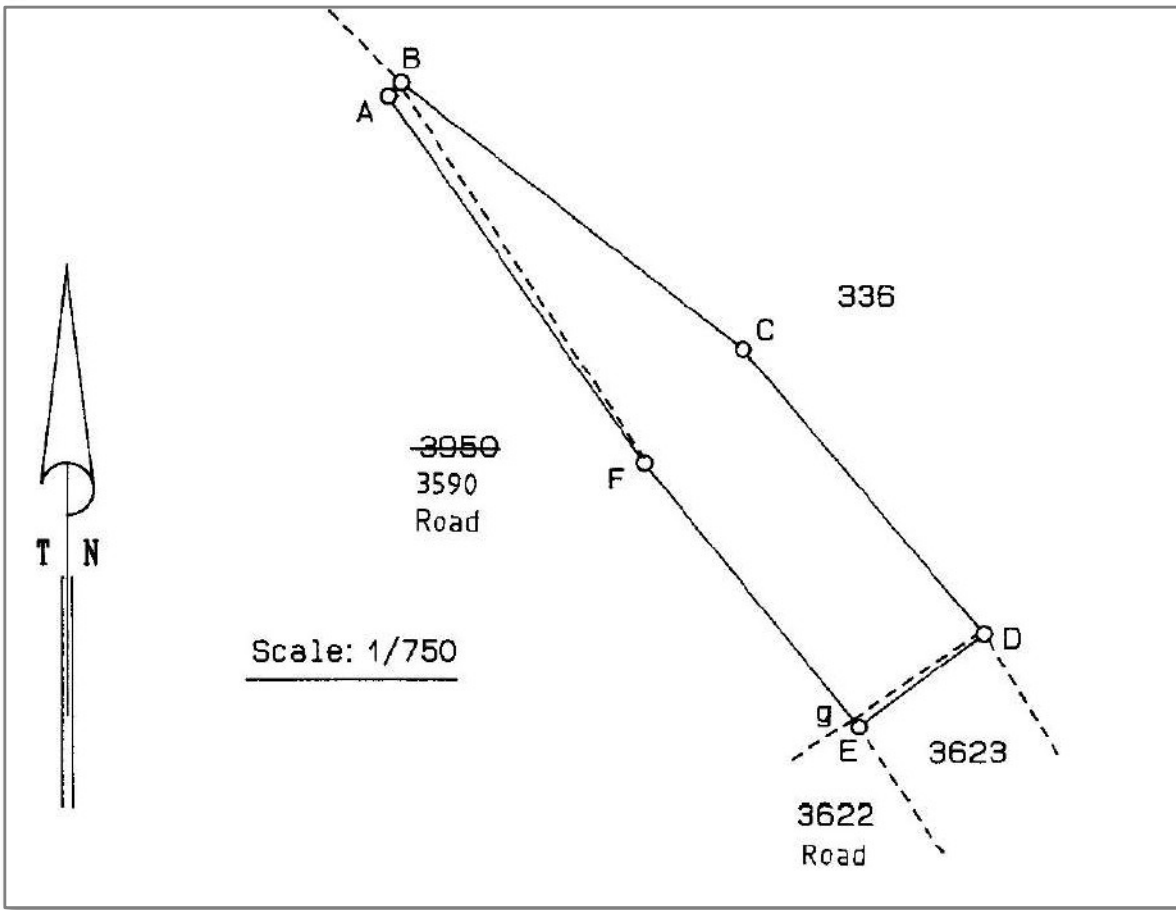


## 6. Title Deed, Servitudes and Bond Holder

Title Deed [redacted] is relevant to the subject site. A copy of the Title Deed is attached as **Annexure C.2**.

The Conveyancer Certificate confirmed that there are no conditions in Title Deed that prohibit the existing and future development on the property.

A copy of the Conveyancer Certificate is attached as **Annexure C.4**.



There are no servitudes registered on the property. A copy of the **Cadastral Diagram (S.G. No. 5624-93)** is attached as **Annexure C.3**.

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 Erf 4766, Port Alfred:**

1. **Rezoning** Erf 4766, Port Alfred from Residential Zone 1 to Residential Zone 3, in terms of Section 68 of the Ndlambe Municipality SPLUM By-Laws (2016).
2. **Permanent Departure** from the 8m street building line to a 0m street building line, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).
3. **Permanent Departure** from the 4m rear building line to a 0m rear building line, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).
4. **Permanent Departure** from the 4m southern lateral building line to a 1,5m southern lateral building line, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).
5. **Permanent Departure** from 40% coverage to 50% coverage, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).
6. **Permanent Departure** from the general provision for 25% common open space to 23% common open space, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).

**Development parameters** on Erf 4766, Port Alfred:

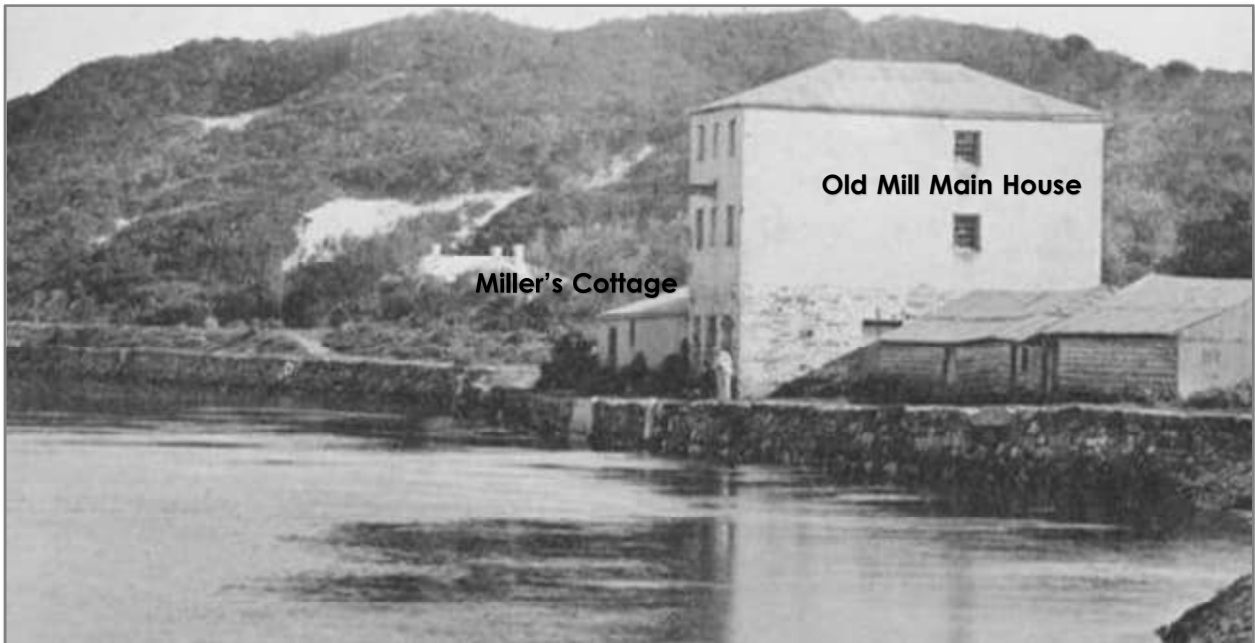
Zoning	Residential Zone 3
Primary Land Use	General Residential Buildings
Street Building Line	0m
Lateral Building Lines	1,5m
Rear Building Line	0m
Height	11m
Coverage	50%
Parking	1 space / dwelling unit
Common Open Space	23%

Refer to Site Development Plans and Architectural Drawings.



## 1. Background

- ▶ The Old Mill Main House and Miller's Cottage, situated on Erf 4766, Port Alfred, have been historical uses since the 1880's and have undergone several renovations over the years. Refer to the images below.
- ▶ The approved building plans, dated 1995, illustrate four (4) garages, main dwelling and cottage located on a 0m street building line, 0m rear building line, 1,5m lateral building lines and a ceiling height of 8,65m. The building plans are attached as Annexure C.5.
- ▶ The Old Mill Main House and Miller's Cottage have been marketed and rented as tourist accommodation for years.



Old Mill Main House & Miller's Cottage



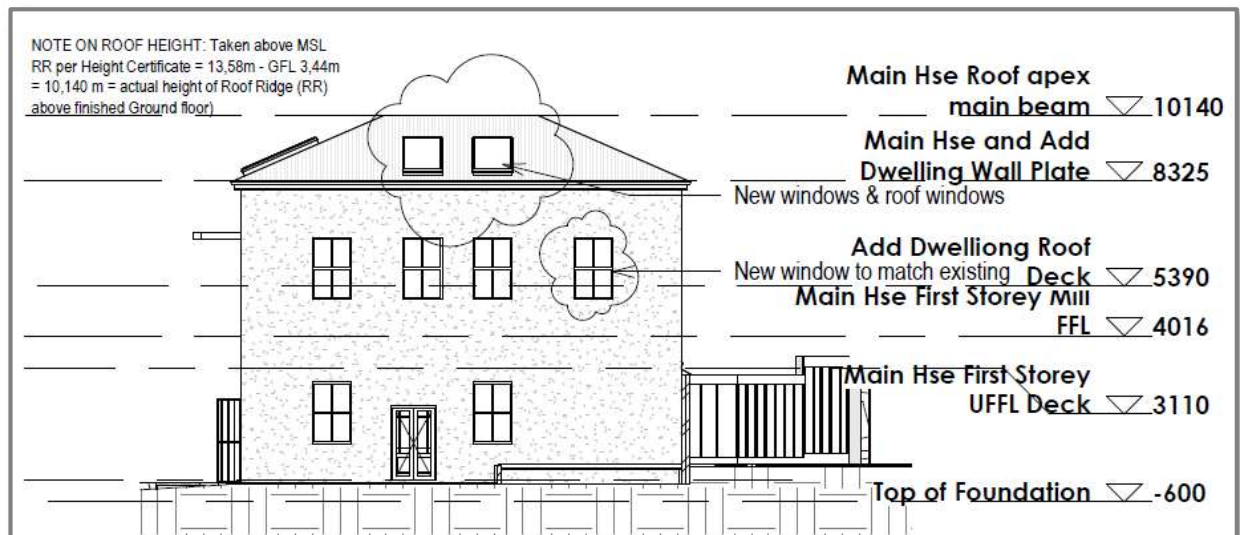
Old Mill Main House & Miller's Cottage today

## 2. Development Proposal

- ▶ The owners' vision includes renovations, alterations, modernisations and expansions to the main house and cottage and the conversion of a portion of the existing garages into an additional dwelling unit.
- ▶ The application for Rezoning the property from Residential Zone 1 to Residential Zone 3 and for the Departure from the building lines and general provision of common open space will formalize the existing land uses and enable the conversion of a portion of the four (4) garages into a dwelling unit, as depicted on the Site Development Plans and Architectural Drawings.

### 2.1 Amendments to Old Mill: Dwelling Unit (1)

- Alterations and additions to the Main Dwelling entail new roof windows, new family room on ground storey, new braai and open deck on first storey, new windows, new doors, new loft storage and the removing of drywalls to create new living spaces and bathrooms.
- M.E.H Sulter & Son Inc. Professional Land Surveyors surveyed the slope of the subject site and the height of the existing Main House. The height of the existing building is measured as 10,14m (Roof right height – Ground floor level). The **Height Certificate** is attached as **Annexure C.7**.
- The Ndlambe Integrated Land Use Scheme (2023) stipulates a 11m height restriction for Residential Zone 3 properties.
- Subsequently the amendments to the Old Mill will be in accordance with the development parameters applicable to Residential Zone 3.



## 2.2 Amendment to Miller's Cottage: Dwelling Unit (2)

---

- ▶ It is the intention of the owners to enlarge the existing cottage in a north-easterly direction, creating a sunroom on ground floor level, a gym on the first storey and a roof garden onto the first storey, as illustrated below. A light-weight spiral access stair to the roof garden is proposed along the northern boundary of the cottage.
- ▶ Although the cottage is a historical use, an application for the Rezoning the property to Residential Zone 3 will formalize the existing land use. The dwelling unit (no. 2) can be leased out on a long-term basis or as tourist accommodation, providing a residential opportunity along the Kowie River.

## 2.3 Conversion of a portion of the garage into a Dwelling Unit (3)

---

- ▶ A building consisting of four (4) garages is situated on the eastern corner of the property. It is the intention of the owners to convert the western portion of the garage building into a Dwelling Unit (no. 3).
- ▶ The dwelling unit will comprise of the following:
  - Open plan kitchen and lounge on the ground floor, including bathroom facilities
  - Two bedrooms, bathroom, study and open deck on first floor.
- ▶ The double garage (eastern part of the building) will remain and serve as parking spaces for the Old Mill main dwelling (no. 1) and for dwelling unit no. 3.

## 2.4 Parking and Access

---

- ▶ The following are the direct access points to Beach Road and the parking spaces currently available on the property:
  - The garage: provides 4 parking spaces on the property, with 4 direct access points to Beach Road.
  - The parking area is directly adjacent to the garages: located in the north-eastern corner of the property and obtains direct access from Beach Road.
- ▶ The garage will be converted into a dwelling unit (no. 2) with a double garage to provide two (2) parking spaces. One (1) parking bay in the double garage will be allocated to dwelling unit (1) and dwelling unit (3).
- ▶ The parking area in the north-eastern corner of the property is secured by a motor gate and one (1) parking space on this portion will be allocated to dwelling unit no. 3.
- ▶ One parking space will be provided in the southern corner of the property for the additional dwelling unit no. 2.
- ▶ The number of direct access points from the property to Beach Road will be reduced from 5 access points to 4 access points.
- ▶ It is clear from the above that sufficient parking spaces will be provided in accordance with the Integrated Land Use Scheme Regulations (2019) for the following land uses :

Land Uses	Parking Requirements	Required Spaces
Dwelling unit	1 space per dwelling unit	1
Dwelling unit	1 space per dwelling unit	1
Dwelling unit	1 space per dwelling unit	1



### 3. Permanent Departure from Building Lines

- ▶ The Ndlambe Municipality Integrated Land Use Scheme (2019) stipulates the following building lines for Residential Zone 3 properties:
  - Street building line: 8m
  - Rear building line: 4m
  - Lateral building line: 4m
- ▶ In 1995 the Ndlambe Municipality approved building plans for Erf 4766, Port Alfred with the following building lines:
  - Street building line: 0m
  - Rear building line: 0m
  - Lateral building line: 1,5m
- ▶ Although all the existing structures on the property have approved building plans, this application includes the permanent departure from the 8m street building line to a 0m street building line, from the 4m rear building line to a 0m rear building line and from 4m lateral building lines to 1,5m lateral building lines for the existing and proposed development footprint.
- ▶ Erf 4766, Port Alfred is located between Beach Road, with steep slopes and natural vegetation in the west and the Kowie Rivier in the east. Subsequently the formalization and proposed 0m street building line, 0m rear building line and 1,5m southern lateral building line will have no effect on adjacent neighbors or the community.

### 4. Permanent Departure from Common Open Space

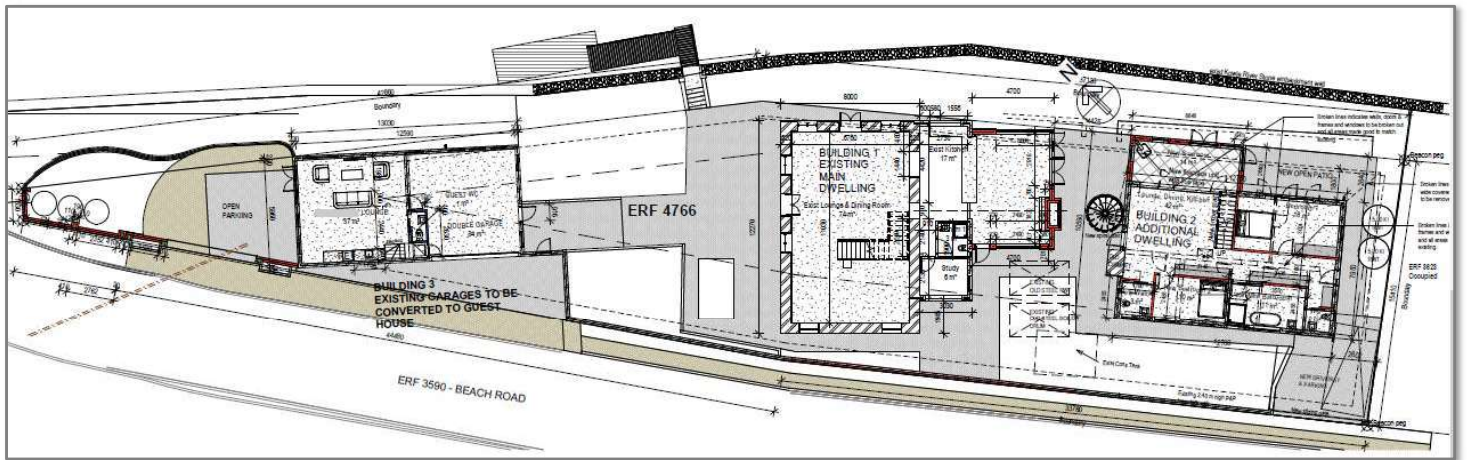
- ▶ The Ndlambe Municipality Land Use Scheme (2019) stipulates the following requirements for the provision of common opens space: a minimum of 25% of the land or erf shall be set aside as common open space, excluding roads, service yards, private outdoor spaces and undevelopable land steeper than 1:5 and/or below the 1:50 years flood line of a river or a stream. The required provision of common open space may be relaxed if public open space is provided in the immediate vicinity.
- ▶ The property size of 895m<sup>2</sup> requires a common open space of 224m<sup>2</sup>. As illustrated on the Site Development Plan, common open space areas between the three dwelling units will result in a total of 207m<sup>2</sup>.

- ▶ This application includes Departure from the 25% of the land for common open space to 23% of land for common open space.
- ▶ The open space between the northern boundary of the property and the Kowie River will provide additional common open space areas. Subsequently the shortfall of 17m<sup>2</sup> common space area on the property will not have a negative impact on the site.

## **5. Permanent Departure from Coverage**

- ▶ The Ndlambe Municipality Land Use Scheme (2019) stipulates 40% coverage for a property with a Residential 3 zoning.
- ▶ The proposed additions and extensions of the Old Mill Main Dwelling and Miller's Cottage will increase the coverage of the property to 50%.
- ▶ Increased coverage of residential development will not have a negative impact on the property but will permit efficient land utilization.

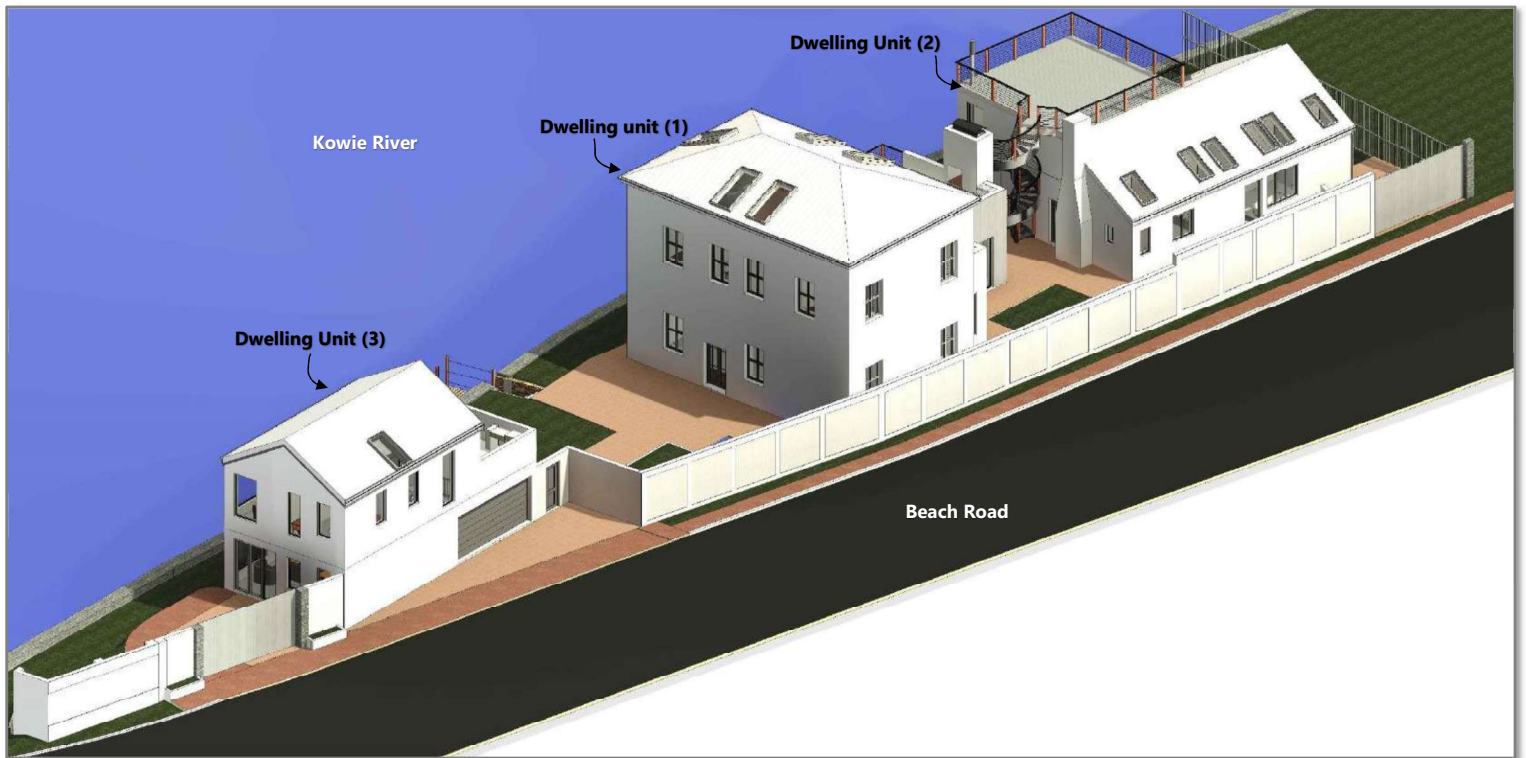
Site Development Plan : Ground storey all buildings



Site Development Plan : First floor all buildings



View of Site Development Plan from the west



View of Site Development Plan from the east



View of Site Development Plan from the north



### 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 proposed 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 along the Kowie River in Port Alfred. The location of this 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 landowners to develop the property to its 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 residential land uses on the subject property or contradict the proposals of the Port Alfred.
	The development is within the urban edge of the Port Alfred 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.
	Upgrading, renovating and modernization of older buildings will enhance the character of the surrounding area. The proposed guest house will strengthen the tourism sector in Port Alfred.
	The location of the additional dwelling units that can be rented out for tourist accommodation with excellent views will support the economy of Port Alfred. The additional dwelling units can also provide residential opportunities in Port Alfred, strengthen the housing sector and support the coastal lifestyle.
	The 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 Port Alfred 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 :  (i) land development optimises the use of existing resources and infrastructure. (ii) Decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts.	The proposal will promote the optimal utilization of the subject property and existing infrastructure. The proposed intensification will maximise the use of the existing infrastructure.
	The Old Mill Main House and Miller's Cottage have been used as tourist facilities for many years. The Rezoning of the property to Residential Zone 3 will formalize the existing land uses and will provide an additional residential opportunity along the Kowie River.
	The location of the property is in close proximity to the beach and Kowie River and accessibility from major routes enhances the residential densification of the property.
	The proposal will not have a negative impact regarding financial, social, economic or environmental considerations for the relevant authority. The Department of Economic Development, Environmental Affairs & Tourism granted Environmental Authorisation for the proposed developments.
	In terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016) the Municipality may grant permanent departure from the provisions of the Integrated Land Use Scheme.

### 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 (Act 16 of 2013) 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 input on matters affecting them.

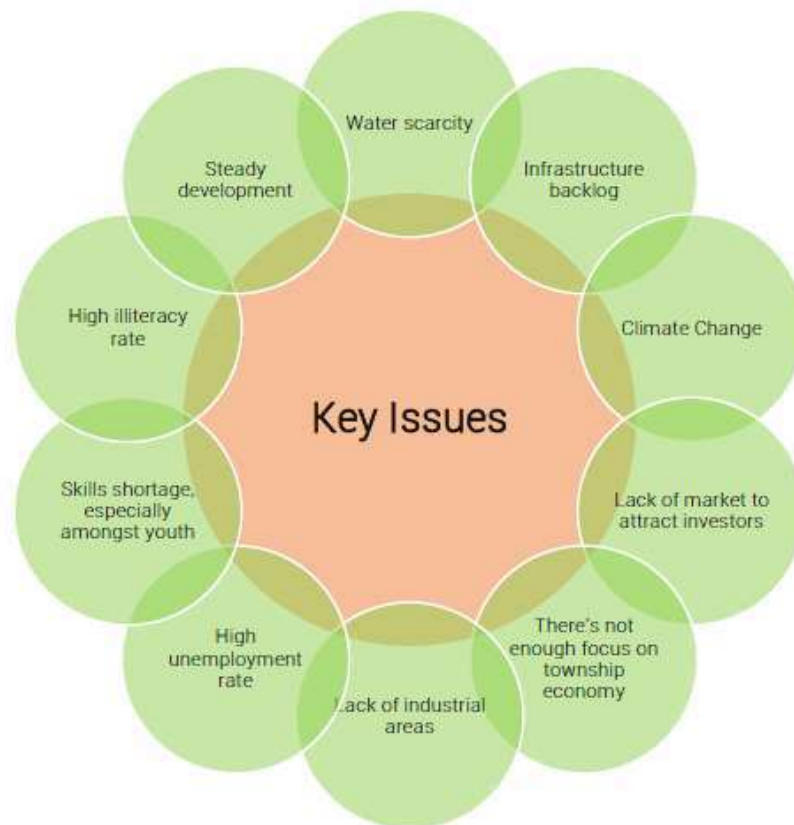
## 2. Ndlambe Municipal Spatial Development Framework (SDF) (2023)

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

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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**

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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**

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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 (applicable to this application) :

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

**Nodes**

Nodes are generally described as areas of mixed-use development, usually having a higher intensity of activities involving retail, transportation, office, industry, and residential land uses. These are the places where most interaction takes place between people and organisations, enabling the most efficient transactions and exchange of goods and services. Nodes are usually located at interchanges to provide maximum access and usually act as catalysts for new growth and development.

According to the Eastern Cape Provincial Spatial Development Framework, **Port Alfred** has been classified as a **District Centre**, as illustrated below.



Nodal Plan

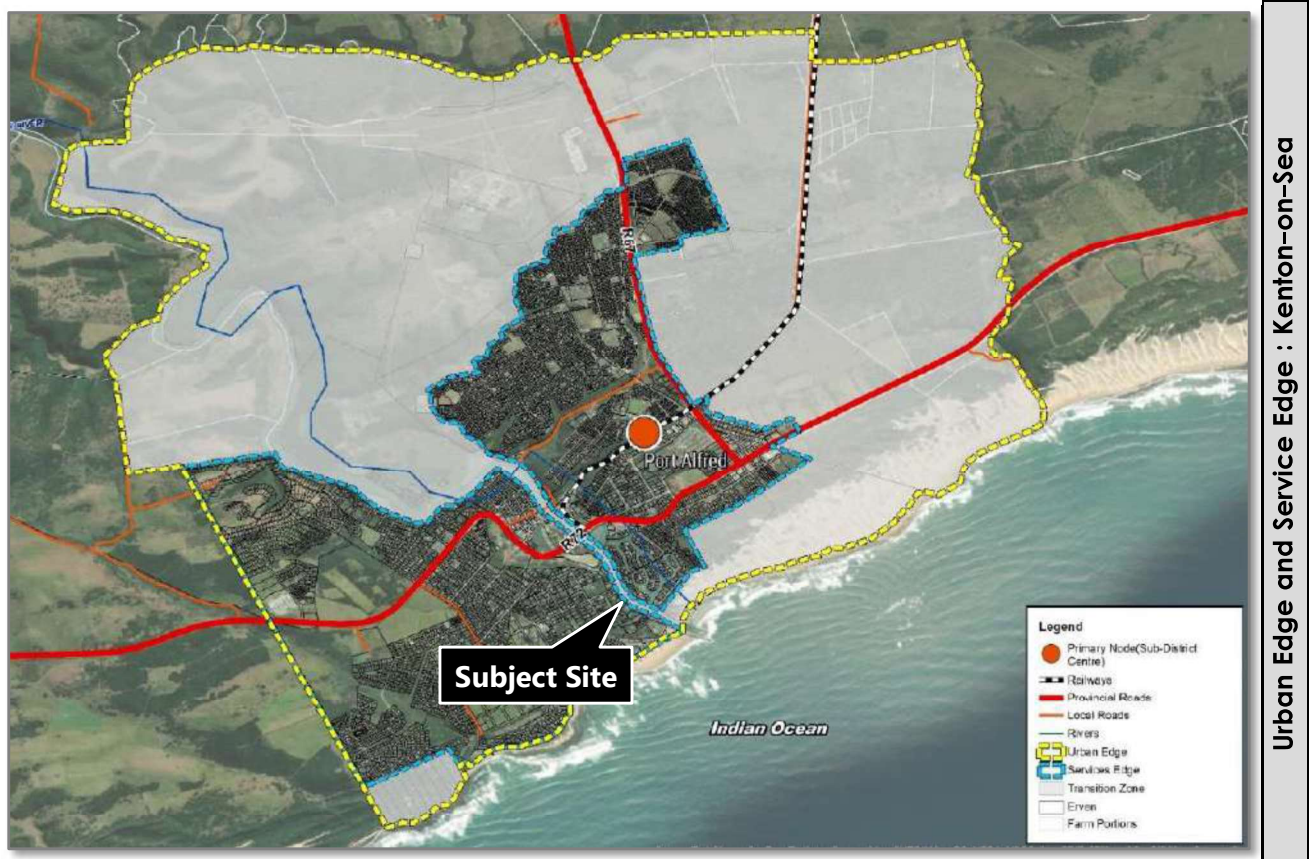
The functions of a District Centre and associated land uses :

- District lever administration centre
- Major district service centre for commercial goods and services
- Centre of educational excellence
- Residential development (high and low income)

## Urban Edge and Service Edge

The function of an **Urban Edge** is : A purpose drawn and defensible line used as a means of restructuring the urban area and integrating the currently segregated social groups and urban uses. Development first takes place within the existing urban edge before the Ndlambe LM can review to expand the urban 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 : Port Alfred

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.

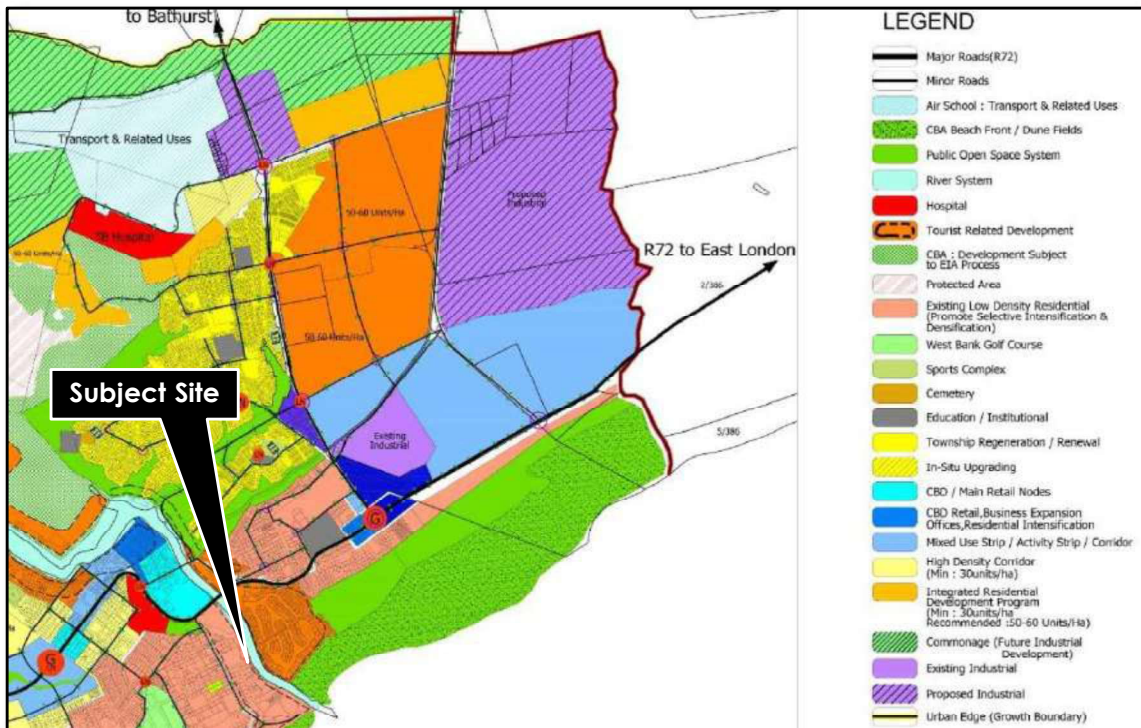
The “Port Alfred” urban concentration has been identified as a “District Centre”, owing to its location along the R72 (Tourism Route) and large number of tourism activities situated in town where tourists from all over the country visits.

### Residential :

Residential use is the dominate land use in Port Alfred. There are a variety of residential developments. South of the CBD and Kowie River consists mainly of low-density single story detached houses in large erven. Potential also exists to promote higher density development in areas with larger residential erven through infill, subdivision and approval of second/ third dwellings to create a sustainable compact town.

Erf 4766, Port Alfred is earmarked for Low Density Residential (Promote Selective Intensification & Densification).

The Old Mill Main House and Miller's Cottage have been marketed and rented for tourist accommodation for several years.



Ndlambe SDF : Port Alfred

### Consistency with the Ndlambe SDF : Port Alfred

- ▶ Erf 4766, Port Alfred is situated within the urban edge and service edge of Port Alfred within walking distance of the CBD and retail outlets, residential areas, recreational and tourist destinations and surrounding community facilities.
- ▶ The proposed development will promote densification within the service edge of Port Alfred.
- ▶ The Rezoning and Permanent Departure from the building lines and general provision of common open space will not change the residential land use or character of the surrounding area.
- ▶ This application supports the intensification and densification of larger properties in the south-west of Port Alfred and the development proposal will provide employment opportunities and economic stability.
- ▶ The residential densification on Erf 4766, Port Alfred will strengthen and support the District Centre of Port Alfred, creating a sustainable compact town.
- ▶ The utilization of the additional dwelling units (unit no. 2 and unit no. 3) for tourist accommodation will support the tourism industry, job creation and economic growth.
- ▶ Therefore, the application is considered not to be in conflict with the vision of the Ndlambe SDF for Port Alfred but rather supports and promotes the principles of the existing planning vision and proposals applicable to the area.

The Spatial Planning and Land Use Management By-Laws of the Ndlambe Municipality as promulgated by G.N 3613 dated 4 March 2016 states in Section 53 the general criteria necessary for considering an application by the Municipality. It must be noted that the application has not undergone the notice phase of the application process and that the information below is the necessary information required by the Municipality to process the application.

Section 53(4) states that desirability is the degree of acceptability of the proposed utilisation of land and matters which impact on the desirability which may be considered by the Municipal Planning Tribunal or Authorised Official are, amongst others :

- (a) the land's suitability for proposed utilisation of land in terms of location, accessibility and physical characteristics;
- (b) conformity with the Municipal Spatial Development Framework or the Local Spatial Development Framework, if applicable;
- (c) the compatibility of the proposed utilisation of land with the character and the existing spatial structure of the surrounding area;
- (d) the accessibility of the land regarding existing development and infrastructure;
- (e) the cost and availability of required services and infrastructure;
- (f) the external visual impact of the proposed utilisation of the land;
- (g) any potential disruption of or damage to the environment or public nuisance as a result of the proposed utilisation of land and proposed mitigation measures;
- (h) the potential impact on immediate neighbours and existing rights as well as the surrounding community;
- (i) the proposed layout, including street pattern, density and open space and community facility provision;
- (j) traffic impact and access arrangements.

### 1. Physical Characteristics

- ▶ The subject property is 895m<sup>2</sup> in size. The Old Mill Main House and Miller's cottage are situated on the property, facing the Kowie River with a view down to the river mouth. A garage (providing 4 parking spaces) is situated on the north-eastern corner of the site.



Erf 4766, Port Alfred

- ▶ The property is bounded by Beach Road in the west and the Kowie River in the east, with a gently slope towards the Kowie River. The topography of the property does not impose any constraint on the development proposal.
- ▶ Previously, Miller's Cottage and the Old Mill Main House were rented out to tourists. However, until building is finished and the required land use rights for the guest house are acquired, this operation has been closed.
- ▶ The proposed renovations, internal alterations, and expansions of the existing buildings on the property will enable the owners to permanently reside in the Old Mill Main House and lease out the dwelling units (no. 2 and no. 3) on a long-term basis or on a short-term basis for tourist accommodation.
- ▶ Tourist accommodation has been available on the property for several years. The provision of residential opportunities along the Kowie Rivier (additional dwelling units) will supply in the variety of residential typologies and support densification.

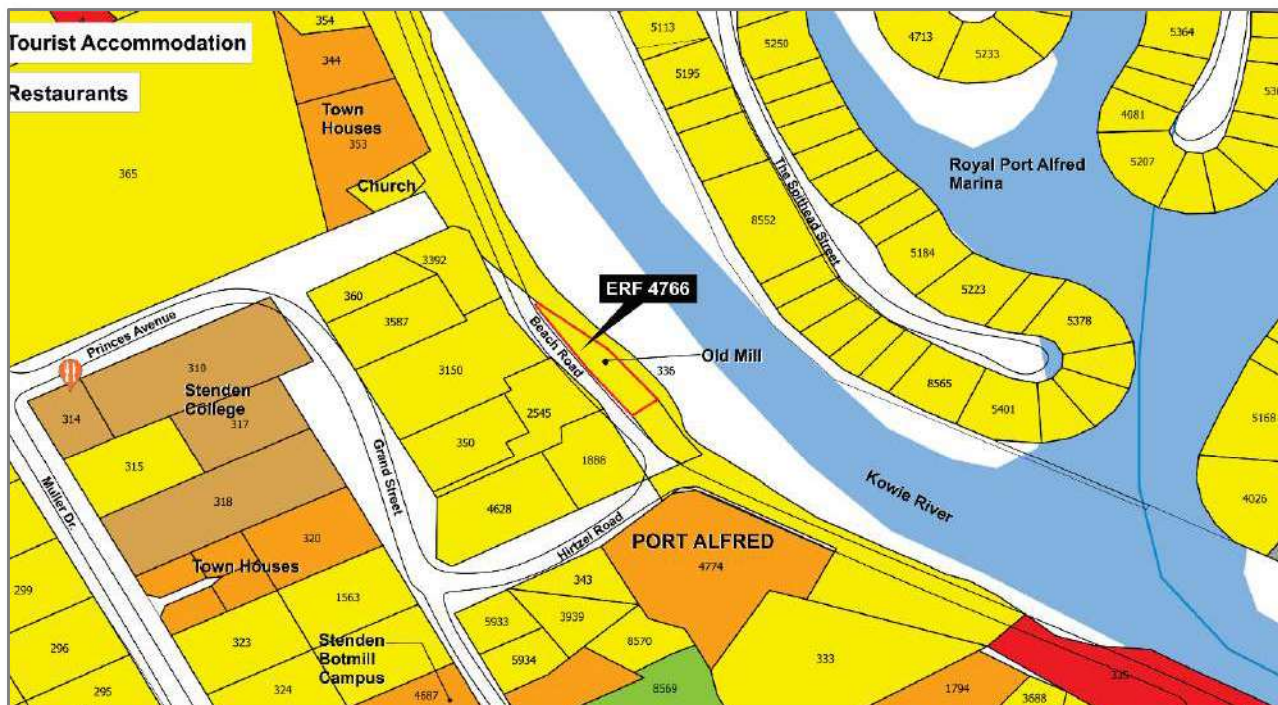


Erf 4766, Port Alfred

- ▶ Building plans have been approved for the existing development footprints with a 0m street building line and a 0m rear building line. A copy of the **Approved Building Plans** is attached as **Annexure C.5**. The relaxation of the 8m street building line, 4m rear building line and 4m lateral building lines will enable the proposed additions to be a natural extension of the existing buildings.
- ▶ It is hereby concluded that the proposal will not have any material and undue impact on the physical characteristics of the subject property.

## 2. Compatibility with surrounding area

- ▶ The property is situated in an area characterized by large single dwellings, tourist attractions, tourist accommodation, town houses, apartments, restaurants, and recreational facilities.
- ▶ **Map 2** illustrates the Aerial View of the surrounding area and **Map 4** illustrates the existing zonings and land uses.



- ▶ The proposed additional dwelling units will support the residential densification and tourism sector in the area.
- ▶ The proposed development will not change the character of the area and have no detrimental impact on the surrounding properties. The existing buildings on the proposed 0m building lines and

main house have existed for more than 30 years. Subsequently, the streetscape will not be altered substantially.

- ▶ 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 neighbours.

### 3. Locality & Accessibility

- ▶ Port Alfred forms part of the Sunshine Coast and is a major tourism and recreational destination in the province.
- ▶ The subject property is situated between the Royal Alfred Marina in the north and the Royal Port Alfred Golf Course in the south-west, along the Kowie River and Beach Road. Beach Road connects the R72 (Tourism Corridor) with the beach front.
- ▶ The locality and accessibility of the property along Beach Road and the Kowie River, situated within walking distance of the beach front, river mouth and retail outlets enhance the utilization of the property for densification and tourist accommodation along the Kowie River.
- ▶ Given the surrounding facilities and existing road network of the area, the property is located within a well-developed context that is easily accessible.

### 4. Environmental Impact

- ▶ The Department of Economic Development, Environmental Affairs & Tourism granted **Environmental Authorisation** for the following (attached as **Annexure D**) :
  - Proposed additions and alterations to the Main House and Additional Dwelling, conversion of the Garage into a Guest House and the provision of paved parking areas.
  - A combination of materials, including brick, mortar, glass, steel, aluminum, tiles, pavers, wood and coastal green sheeting.
  - A small plunge pool within the existing paved courtyard.
  - A curved concrete block retainer wall at the rear boundary of the gated parking to hold the existing ground level from sliding into the river.
  - Bulk electrical and water supply will be by means of Municipal supply, with augmentation from rainwater harvesting. Effluent will be treated by tying into the existing Municipal waterborne line where practicable.
- ▶ The property is located at the foot of a hill, on the bank of the Kowie estuary, with a gradual slope in a south-westerly direction. Although the property falls within an area classified as Aquatic CBA 1, it should be noted that the development proposal relates to residential additions and alterations, which are not anticipated to have any impact on the adjacent Kowie estuary. A specialist submitted an Aquatic Biodiversity Compliance Statement as part of the Environmental Basic Assessment process, assessing the potential impact of the development on the aquatic environment.
- ▶ Landscaped garden areas form the majority of the property's vegetation. It is not anticipated that any vegetation will be removed during construction period or thereafter.
- ▶ No fatal flaws were discovered during the Environmental Impact Assessment Process and from an environmental perspective there is nothing that would stop an authorisation being issued.

## 5. Visual Impact

- ▶ The new proposed additions and alterations aim to incorporate the architectural style of the existing structure, in order to blend the new additions and alterations, with what is already existing on-site.
- ▶ The overall visual impact of the structure is lessened because the land has already undergone significant transformation and is surrounded by other residential developments.
- ▶ The proposed development further seeks to incorporate modern sustainable design finishes to further enhance the visual appeal of the development.
- ▶ Indigenous and endemic planting can be used to help create soft buffers and blend the structures into the existing landscape. Materials and colours will be used that are consistent with the existing structures to ensure the addition looks cohesive.

## 6. Engineering Services

- ▶ The property is situated within an area of adequate existing service infrastructure and capacity with regards to roads, sewer, electricity, and storm-water reticulation.
- ▶ Bulk water supply will be from Municipal supply with additional augmentation from rainwater harvesting from roof areas for collection in on-site tanks.
- ▶ General domestic waste will be recycled and/or collected and disposed of making use of the local Municipal refuse removal program.
- ▶ The existing garage to be linked to the new Municipality mains sewer access line will reduce the need for additional sewage to go into the existing conservancy tanks. The proposed retainer wall will aid with securing the existing slope from the road down the existing driveway to the river through the use of interlocking porous concrete blocks which could be partially buried and vegetated with permeable paving to stabilize the slope and reduce the potential for soil to slide into the estuary.
- ▶ There should be no negative impact on external engineering services. The application will be circulated to relevant service branches for comments.
- ▶ Better efficiency : Renovations generally include more energy-efficient upgrades such as better insulation, new windows, or solar panels. These improvements can reduce energy costs and make the home more environmentally friendly.

## 7. Socio-Economic Impact

- ▶ The provision of tourist accommodation opportunities will strengthen and support the tourism sector in Port Alfred. Tourism serves as a source of job creation in the Ndlambe Municipality.
- ▶ The development proposal doesn't only serve as improvements to existing infrastructure on-site, but will contribute positively towards the local economy, where the proposed activity will provide job opportunities for members of the local community, support local suppliers by sourcing materials locally and make use of local services providers.
- ▶ During the construction phase it is expected to create approximately 10-15 temporary employment opportunities, as well as up to 1-2 permanent positions during the operational phase. The employees will be sourced from the local community with the emphasis on employment on lower income groups. In addition, the development could indirectly benefit wider local communities in terms of supplies being purchased from local suppliers as well as support being given to local businesses.
- ▶ The proposed additions and alterations will not only increase the value of the subject property but could also increase the value of property in the surrounding areas, which hold the potential to benefit existing homeowners and attracting new residents.
- ▶ Local businesses will be supported for maintenance services like plumbing and garden maintenance.

This report has provided background, a statement of the current situation and motivation which supports the development proposal on Erf 4766, Port Alfred.

Considering this motivation and the information contained in the foregoing report, it is clear that the application for Erf 4766, Port Alfred:

- ▶ **Rezoning** Erf 4766, Port Alfred from Residential Zone 1 to Residential Zone 3, in terms of Section 68 of the Ndlambe Municipality SPLUM By-Laws (2016).
- ▶ **Permanent Departure** from the 8m street building line to a 0m street building line, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016),
- ▶ **Permanent Departure** from the 4m rear building line to a 0m rear building line, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016),
- ▶ **Permanent Departure** from the 4m lateral building lines to 1,5m lateral building lines, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).
- ▶ **Permanent Departure** from 40% coverage to 50% coverage, in terms of Section 76 of the Ndlambe Municipality SPLUM By-Laws (2016).
- ▶ **Permanent Departure** from the general provision for 25% common open space to 23% common open space, in terms of Section 76 of the 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 owners' vision is renovations, alterations, modernisations and expansions to the main house and cottage, and the conversion of the existing garages into a dwelling unit (3).
- ▶ The application for Rezoning the property from Residential Zone 1 to Residential Zone 3 and for the Departure from the building lines and general provision of common open space will formalize the existing land uses and enable the conversion of a portion of the four (4) garages into a dwelling unit.
- ▶ The proposed development will not change the character of the area and have no detrimental impact on the surrounding properties.
- ▶ The locality and accessibility of the property along Beach Road and the Kowie River, situated within walking distance of the beach front, river mouth and retail outlets, enhance the utilization of the property for tourist accommodation and the provision of residential opportunity along the Kowie River.
- ▶ The provision of tourist accommodation opportunities will strengthen and support the tourism sector in Port Alfred. Tourism serves as a source of job creation in the Ndlambe Municipality.
- ▶ The residential densification on Erf 4766, Port Alfred will strengthen and support the District Centre of Port Alfred, creating a sustainable compact town.
- ▶ The Department of Economic Development, Environmental Affairs & Tourism granted Environmental Authorisation for the proposed development.
- ▶ The proposal is not in conflict with the SPLUMA principles and Ndlambe Municipality SDF for the Port Alfred Precinct and will promote optimal use of existing resources and infrastructure. There are no significant negative impacts that are envisaged from the proposed application.

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

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## MAPS

- 1. Locality**
- 2. Site Plan**
- 3. Aerial View**
- 4. Existing Zonings and Land Uses**
- 5. Site Development Plan**
- 6. Architectural Drawings**



ERF 4766, PORT ALFRED



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*Mirinda de Beer*  
TOWN & REGIONAL PLANNERS  
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ERF 4766, PORT ALFRED



Notes:

- R - Restaurants
- A - Tourist Accommodation

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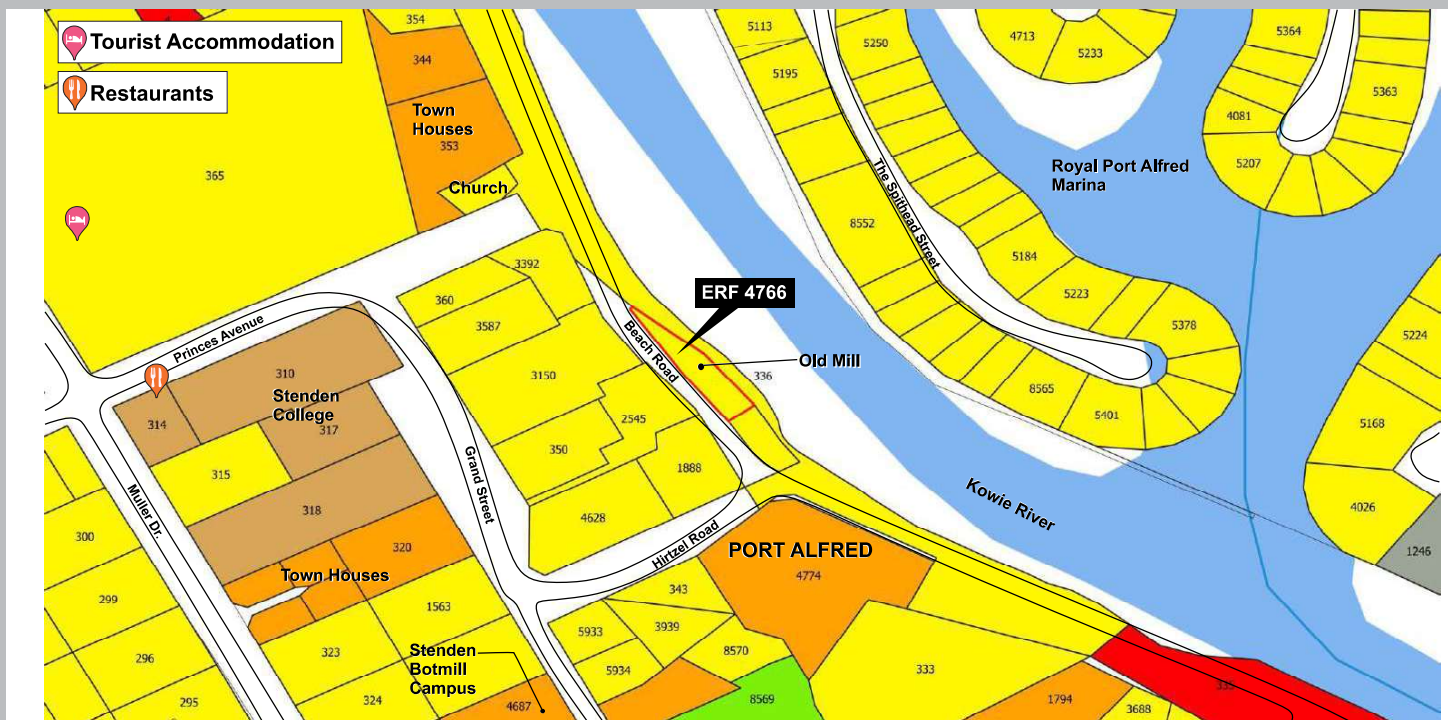
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# EXISTING ZONINGS & LAND USES

# MAP 4



## ERF 4766, PORT ALFRED



### ZONINGS

- Authority Zone
- Community Zone 3
- Open Space Zone 1
- Residential Zone 1
- Residential Zone 3
- Undetermined Zone

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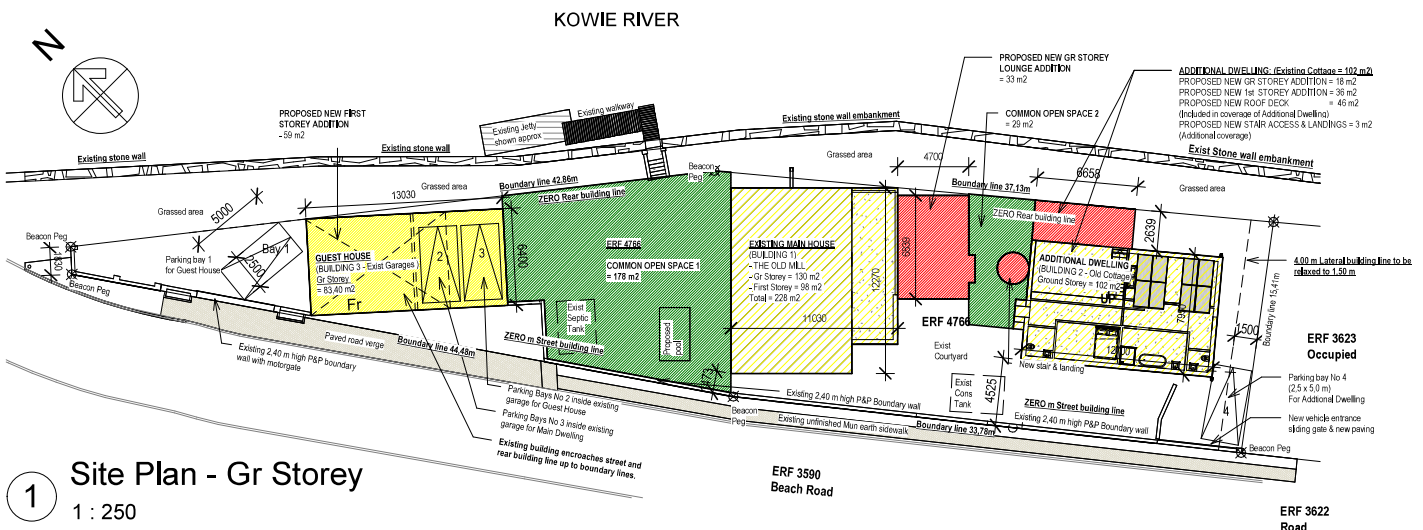
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DEVELOPMENT PARAMETERS	
ZONING	RESIDENTIAL ZONE 3
PRIMARY LAND USE	General Residential Building
STREET BUILDING LINE	0 m
LATERAL BUILDING LINE	1,5 m
REAR BUILDING LINE	0 m
HEIGHT	11 m
COVERAGE	50%
PARKING	1 Parking bay per dwelling unit



1 Site Plan - Gr Storey  
1 : 250

<b>HFA</b> H Frankenfeld Architect <small>ALL RIGHTS RESERVED HFAcc          NO REPRODUCTION UNLESS WRITTEN CONSENT GIVEN</small>	<small>SHOP 70 d, SOUTHWELL ROAD,          PO BOX 2276, FORT ALFRED, 6170          Contact: Hendri - +27 82 9241 382          eMail: hendri@hfac.co.za          Website: www.hfac.co.za</small>	No.	Rev.	AMENDMENT	DATE	PROPOSED ADDITIONS AND ALTERATIONS ON ERF 4766, PORT ALFRED for MR & MRS C CHURCH, THE OLD MILL	JOB / DRAWING No. <b>1827/MD01/001</b>	REVISION
				Updated SDP: 13 Feb'25		SITE DEVELOPMENT PLAN - GROUND STOREY		
						SCALE: 1 : 250		
						DRAWN: HF		



# ANNEXURE D

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## **Environmental Authorisation**

 Nokulunga Ludidi  
 041 508 5806  
 060 311 8881  
 Nokulunga.Ludidi@dedea.gov.za

**Ref:** EC05/C/LN1&3/M/41-2024



1 Kingston Place,  
Port Alfred  
6170

**Attention: Mrs Chaline Church**

E-mail: [chalinechurch@gmail.com](mailto:chalinechurch@gmail.com)

**APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE A LISTED ACTIVITY AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, AS AMENDED: THE PROPOSED ADDITIONS AND ALTERATIONS TO EXISTING RESIDENTIAL DWELLING ON ERF 4766, 7 BEACH ROAD, PORT ALFRED, NDLAMBE LOCAL MUNICIPALITY IN THE EASTERN CAPE**

1. With reference to the above-mentioned application (Reference number **EC05/C/LN1&3/M/41-2024**), please be advised that the Department has decided to grant authorisation as set out in the attached Environmental Authorisation. The Authorisation Notice and reasons for the decision are attached herewith.
2. In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 as amended, you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) days of the date of this letter, of the Department's decision in respect of your application.
3. The written notification referred to above must -
  - 3.1. Specify the date on which the Environmental Authorisation was issued;
  - 3.2. Inform interested and affected parties of the appeal procedure provided for in the Appeal Regulations published in GN R993 of 8 December 2014 as amended in terms of Section 44 read together with Section 43 of the National Environmental Management Act, Act 107 of 1998 as amended; and
  - 3.3. Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
4. Any appeal against the decision contained in this Authorisation must be addressed in writing, to the MEC for Economic Development, Environmental Affairs & Tourism (hereinafter referred to as "the MEC") in terms of Regulation 4(1) of the NEMA Appeal Regulations 2014 and within 20 (twenty) days after the appellant has been notified in terms of paragraphs 2 and 3 of the decision.
5. In the event that an appeal is lodged, copies of such appeal must be served on the applicant (if not the appellant), all registered interested and affected parties as well as juristic state departments (organ of state with interest in the matter) within 20 days of having been notified in accordance with the requirements stipulated in paragraphs 2 and 3 of the decision.

**ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM**

CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

*Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.*

6. An Appeal Submission must be made on a form obtainable from the Departmental Appeal Administrator and/or the Departmental website on [www.dedea.gov.za](http://www.dedea.gov.za) or relevant Regional Office.
7. The Appellant must also serve a copy of the appeal to the regional office that processed the application.
8. The address to which the **originals** of such appeal and any other documents pertaining to the appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or by courier.

Department	Economic Development, Environmental Affairs & Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, <b>BHISHO</b> , 5605
Hand delivery	Old Safety and Liaison Building (Global Life Complex) opposite Engen Garage, Bhisho
In order to facilitate efficient administration of appeals <b>copies</b> of any appeal and supporting documentation must also be submitted via email as follows:	
Appeal Administrator: Mr S. Gqalangile	<a href="mailto:Siyabonga.Gqalangile@dedea.gov.za">Siyabonga.Gqalangile@dedea.gov.za</a>
Administrative assistant: Ms P. Gxala	<a href="mailto:Phumeza.Gxala@dedea.gov.za">Phumeza.Gxala@dedea.gov.za</a>

9. In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence, whichever event is the latter.



**DAYALAN GOVENDER**  
**DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS**  
**SARAH BAARTMAN/NMB REGION**

**DATE:** 04 March 2025

## Environmental Authorisation

<b>AUTHORISATION NOTICE REGISTER NUMBER</b>	Provincial: EC05/C/LN1&3/M/41-2024 NEAS: ECP/EIA/0001614/2024
<b>LAST AMENDED</b>	Not applicable
<b>HOLDER OF AUTHORISATION</b>	Mrs Chaline Church.
<b>LOCATION OF ACTIVITY</b>	Erf 4766, (7 Beach Road), Port Alfred, Ndlambe Local Municipality in the Eastern Cape

### DEFINITIONS:

The following definitions are applicable to this Environmental Authorisation:

“Audit” - as used in the context of this Environmental Authorisation refers to an audit of compliance with conditions contained in this Environmental Authorisation and the requirements/stipulations of a Construction and/or Operational Environmental Management Programme and not to an Environmental Audit undertaken in terms of an accredited environmental management system by a certified environmental management systems auditor.

“Commencement” – Any physical activity on site that can be viewed as associated with the proposed additions and alterations on Erf 4766 inclusive of any site preparation as described in Section 2 of this Environmental Authorisation.

“EAP” – refers to the appointed Environmental Assessment Practitioner represented by Mark Everton from Coastal Green (Pty) Ltd.

“ECO” – Environmental Control Officer.

“EIA regulations” – These are the 2014 Environmental Impact Assessment Regulations as amended and published in Government Notice R326 of 07 April 2017 in terms of Chapter 5 of the National Environmental Management Act, Act 107 of 1998 as amended.

“EMPr” – refers to the Environmental Management Programme titled “Environmental Management Programme (EMPr FINAL The proposed residential additions and alterations on Erf 4766, 7 Beach Road, Port Alfred, Ndlambe Local Municipality in the Eastern Cape” dated 29 October 2024 as attached to the FBAR as Appendix F.

“FBAR” - Final Basic Assessment Report titled “Final Basic Assessment Report (BAR) The proposed residential additions and alterations on Erf 4766, 7 Beach Road, Port Alfred, Ndlambe Local Municipality in The Eastern Cape” dated 29 October 2024 as prepared by Mr Mark Everton from Coastal Green Environmental Consulting.

**“Innovation for Sustainable Development”**



“The Department” – The Department of Economic Development, Environmental Affairs, and Tourism, Eastern Cape Province,

**1. Decision**


The Department is satisfied, based on information available to it, and subject to compliance with the conditions of this Environmental Authorisation that the applicant should be allowed to undertake the activity specified below. Details regarding the basis on which the Department reached this decision are set out in Section 4 of this Environmental Authorisation.

**2. Activities and regulations for which authorisation has been granted**

By virtue of the powers conferred on it by the National Environmental Management Act, Act 107 of 1998, and the Environmental Impact Assessment Regulations, 2014 as amended the Department hereby authorises **Mrs. Chaline Church**. to be the legal or natural person who has applied for this authorization, with the following contact details:

<b>Name</b>	<b>Mrs Chaline Church</b>		
<b>Address</b>	<b>1 Kingston Place, Port Alfred, 6170</b>		
<b>Telephone</b>	<b>+44 7747 613321</b>	<b>Email</b>	<a href="mailto:chalinechurch@gmail.com"><b>chalinechurch@gmail.com</b></a>
<b>Contact Person:</b>	<b>Mrs Chaline Church</b>		

To undertake the following activities (hereafter referred to as “the activity”), in terms of the scheduled activities listed in the table below:


<b>Detailed description of activity</b>
<p>The proposed activity includes additions and alterations to the existing 3 buildings (B1 - Main House), (B2 - Additional Dwelling), (B3 - Garages to become Guest House). The estimated total floor area of the existing structures is 458m2 (B1:228m2, B3:83m2, B2:147m2 which includes B2's existing brick-pave veranda 45m2 roof cover). The the new total proposed additional enclosed ground floor footprint for this erf is estimated to be 54m2 (i.e. B1 proposed additional 33m2 Ground floor lounge with flat roof deck, plus B2 reduction from existing 45m2 pitched roof veranda to become an enclosed 18m2 sunroom, and 3m2 spiral stair to roof deck of B2). Parking paving to be an additional estimated total of 44m2 to satisfy SPLUMA requirements (bays 1-7) all on existing cleared/paved area.</p> <p>The activity includes:</p> <p>B1: an extension to the existing Mill kitchen of an estimated 33m2 over existing paved courtyard, with flat roof deck above of 33m2 to join existing flat roof of kitchen;</p> <p>B2: removal of the Cottage's 45m2 pitched roof veranda and replacing this with 18m2 flat roof enclosed sunroom, and 1st floor, 36m2 gym mezzanine with flat roof deck 46m2 at the existing roof's apex height with 3m2 exterior spiral staircase to the flat roof; and</p> <p>B3: removal of garage pitched roof of 83m2 and creating 1st floor pitched extension of 59m2 with the remaining roof to be a flat roof open deck of 24m2;</p> 

Other: A small plunge pool is proposed within the existing paved area courtyard. A curved concrete block retainer wall is proposed toward rear boundary of the gated double parking (bay 1 & 2) to hold the existing and level ground from sliding into the river, blocks proposed to be buried and vegetated where possible to a ground floor finish.

The new additions and alterations will comprise of a combination of materials including brick, mortar, glass, steel, aluminium, tiles, pavers, wood and coastal grade sheeting. Bulk electrical and water supply will be by means of municipal supply, with augmentation from rainwater harvesting. Effluent will be treated by tying into the existing municipal waterborne line where practicable. The proposed activity will further adhere to all National Building regulations and local municipal By-laws.

**Listed Activities in terms of the amended NEMA EIA Regulations 2014 as contained in the application form:**

<p>GNR. 327 Listing Notice 1: Activity 19A:</p>	<p>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.</p>
<p>GNR. 327 Listing Notice 1: Activity 54:</p>	<p>The expansion of facilities (v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater; in respect of (c) embankments; (d) rock revetments or stabilising structures including stabilising walls; or (e) infrastructure or structures where the development footprint is expanded by 50 square metres or more.</p>
<p>GN R. 324 Listing Notice 3: Activity 14:</p>	<p>The development of— (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs— (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; a. Eastern Cape ii. Inside urban areas: (aa) Areas zoned for use as public open space.</p>



At the locality defined in the Table below, and hereafter referred to as “the property”:

<b>District</b>	Sarah Baartmaan					
<b>Municipal Area</b>	Ndlambe Municipality					
<b>Farm Name</b>	N/A					
<b>Farm Number and Portion</b>	N/A					
<b>Erf Number and Township Extension or Suburb</b>	Erf 4766 – 7 Beach Road – Port Alfred					
<b>Co-ordinates of the corner of the study area</b>	Latitude (S) (DDMMSS)			Longitude (E) (DDMMSS)		
	<b>33°</b>	<b>35'</b>	<b>59.98"</b>	<b>26°</b>	<b>53'</b>	<b>39.83"</b>
<b>Physical address</b>	7 Beach Road, Port Alfred.					

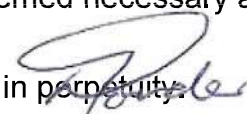
**This Environmental Authorisation is granted subject to the conditions set out below.**

**3. Conditions**

*The Department of Economic Development, Environmental Affairs and Tourism may from time to time review this Environmental Authorisation and on good grounds and after written notice to the holder thereof, suspend or amend such Environmental Authorisation.*

**3.1. Duration of authorisation**

- 3.1.1. The activities as authorised as described in Section 2 of this Environmental Authorisation must commence within a period of 24 months from the date of issue of this Authorisation. If the commencement of the activity does not occur within this period, this Environmental Authorisation lapses, and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
- 3.1.2. Construction of all components inclusive of service infrastructure to be completed within 18 months from date of commencement.
- 3.1.3. Amendment of the Environmental Authorisation to extend the validity thereof may be applied for in writing provided that the Environmental Authorisation is still valid at the time of submission of such application. If no request for amendment is received prior to the date of expiry of this Environmental Authorisation, the Environmental Authorisation will be deemed to have lapsed.
- 3.1.4. On receipt of any such application for extension, the Department reserves the right to request such information as it may deem necessary to consider the application for extension which may include but not limited to:
  - 3.1.4.1. An updated EMP; and
  - 3.1.4.2. Such public participation process as may be deemed necessary at the time of the application for extension.
- 3.1.5. Conditions relating to the operation of the project are valid in perpetuity.



**3.2. Standard conditions and declarations**

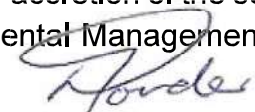
- 3.2.1. Authorisation is subject to the conditions contained in this Environmental Authorisation which conditions form part of the Environmental Authorisation and are binding on the holder thereof.
- 3.2.2. This Environmental Authorisation applies only to the activities and property described therein.
- 3.2.3. This Environmental Authorisation does not negate the holder thereof of his/her responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity. In this regard specific mention must be made of:
- 3.2.3.1. The National Environmental Management: Integrated Coastal Management Act, Act 24 of 2008;
- 3.2.3.2. The Spatial Planning and Land Use Management Act (No. 16 of 2013);
- 3.2.3.3. The Municipal By-laws and
- 3.2.3.4. The National Environmental Management: Biodiversity Act, Act 10 of 2004;
- 3.2.4. Further to Condition 3.2.3.1 the holder of this Environmental Authorisation is to remain cognisant of Sections 14 and 15 of the ICMA namely:

**Section 14 – Position of the high-water mark**

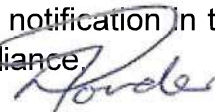
- (1) No person may replace the high-water mark curvilinear boundary with a straight-line boundary in terms of section 34 of the Land Survey Act.
- (2) If the high-water mark is landward of a straight line boundary of a coastal land unit when this Act took effect, or the high-water mark moves landward of a straight line boundary of a coastal land unit due to the erosion of the coast, sea-level rise or other causes, the owner of that coastal land unit—
- (a) loses ownership of any portion of that coastal land unit that is situated below the high-water mark to the extent that such land unit becomes coastal public property; and
- (b) is not entitled to compensation from the State for that loss of ownership, unless the movement of the high-water mark was caused by an intentional or negligent act or omission by an organ of state and was a reasonably foreseeable consequence of that act or omission.

**Section 15 - Measures affecting erosion and accretion**

- (1) No person, owner or occupier of land adjacent to the seashore or other coastal public property capable of erosion or accretion may require any organ of state or any other person to take measures to prevent the erosion or accretion of the seashore or such other coastal public property, or of land adjacent to coastal public property, unless the erosion is caused by an intentional act or omission of that organ of state or other person
- (2) No person may construct, maintain or extend any structure, or take other measures on coastal public property to prevent or promote erosion or accretion of the seashore except as provided for in this Act, the National Environmental Management Act or any other specific environmental management Act



- 3.2.5. The holder of this Environmental Authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of this Environmental Authorisation.
- 3.2.6. Should any environmental damage be detected, that in the opinion of this Department, is the result of the development, then the applicant shall be required to make good that damage to the satisfaction of the said authority at his/her own expense.
- 3.2.7. In the event of any dispute as to what constitutes environmental damage, this Department's opinion will prevail.
- 3.2.8. This Authorisation. Should the applicant wish to amend any component or aspect of the project hereby authorised, then approval will be required from this Department. The Department will advise what information is required as well as the process that must be followed in order to apply for an amendment to this Environmental Authorisation or, if needed, for authorisation in terms of the applicable EIA Regulations promulgated in terms of the National Environmental Management Act, Act 107 of 1998.
- 3.2.9. This authorisation applies strictly to the project description as outlined in Section 2 of this Authorisation. Should the applicant wish to amend any component or aspect of the project hereby authorized, then approval will be required from this Department. The Department will advise what information is required as well as the process that must be followed in order to apply for an amendment to this Environmental Authorisation or, if needed, for authorisation in terms of the applicable EIA Regulations promulgated in terms of the National Environmental Management Act, Act 107 of 1998.
- 3.2.10. This Environmental Authorisation is issued to the applicant described above. Should the applicant wish to transfer this Environmental Authorisation to another person (whether legal or natural), such transfer is to be affected by means of an amendment to the Environmental Authorisation. Such amendment to be applied for in terms of the relevant provisions contained in the EIA Regulations that may be applicable at the time.
- 3.2.11. This Environmental Authorisation must be made available to any interested and affected party who has registered their interest in the proposed development.
- 3.2.12. The applicant is responsible for ensuring that a copy of this Environmental Authorisation is given to any such interested and affected party within 7 (seven) days of receiving this Environmental Authorisation.
- 3.2.13. This Environmental Authorisation or a certified copy thereof must be kept at the property where the activity will be undertaken. The Authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the site.
- 3.2.14. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant. In all cases, the holder of the Environmental Authorisation must notify the Department, in writing, within 30 days if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.



- 3.2.15. Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act 107 of 1998 and the regulations.
- 3.2.16. **Mrs Chaline Church** will be held liable in the event of non-compliance by any contractor and/or subcontractor involved in this activity.

### 3.3. Project-specific Conditions

- 3.3.1. Fourteen days' written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which the activity is anticipated to commence.
- 3.3.2. The fourteen days' notice contemplated in Condition 3.3.1 may only be submitted once all pre-construction conditions have been complied with and proof of such compliance to be submitted with the fourteen days' notice.
- 3.3.3. The applicant to provide written confirmation that in the event of severe erosion taking place and the dwelling coming under threat from slumping or the river or that accretion of sand takes place as a result of the proximity of the littoral active zone that Sections 14 and 15 of the ICMA will apply. Such written confirmation to furthermore include that the applicant would not have any undue expectation that the Department or any other organ of state inclusive of the local municipality must implement or authorise / approve any activities to safeguard the property in the event of any damage resulting from erosion or accretion of sand.
- 3.3.4. The final layout of the facility is to be based on the drawings contained in Appendix C of the FBAR and is hereby approved by the Department.
- 3.3.5. The EMPr is hereby approved and must be implemented for the duration of the construction phase.
- 3.3.6. General environmental management principles/measures to be implemented during project implementation if not already contained in the EMPr to include amongst others:
- 3.3.8.1 A general code of conduct for any contractor that may be carrying out any work on the relevant development site;
  - 3.3.8.2 A clear description of the construction activities to be carried out on the site;
  - 3.3.8.3 Details regarding storage of construction material on site.
  - 3.3.8.4 A framework for all contracts associated with the construction phase of the development and the Environmental Method Statement that will be associated with such contracts.
  - 3.3.8.5 No cement/concrete mixing to take place on the soil surface. Cement mixers to be placed on large trays to prevent accidental spills from coming into contact with the soil surface.
  - 3.3.8.6 Generators and fuel supply needed during construction must be placed on trays, which rest on clean sand. Once construction has been completed, this sand must be removed from site and disposed of at a registered waste disposal site;

- 3.3.8.7 Any substrate contaminated by the spillage of hydrocarbons or other pollutants to be removed from the site and disposed of at a registered waste disposal site;
  - 3.3.8.8 No servicing of vehicles and other machinery to take place on-site and no fuel or other hazardous material to be stored on-site.
  - 3.3.8.9 All excess construction material and any waste generated during construction must be removed from the site on an ongoing basis and disposed of at a registered waste disposal site;
  - 3.3.8.10 Adequate waste disposal and sanitation facilities to be provided and the applicant must ensure that these facilities are properly used and maintained; and
  - 3.3.8.11 Clear stipulations as to who is responsible and accountable for what actions.
- 3.3.7. An Environmental Control Officer (ECO) is to be appointed for the duration of construction activities to oversee the implementation of the EMPr as well as adherence to the conditions contained within this Authorisation. Details of the appointed ECO are to be submitted to the Department together with the 14 day notice as per Condition 3.3.1.
- 3.3.8. The ECO is amongst others responsible for the following;
- 3.3.8.1. To keep a record of all activities on site, problems identified, transgressions noted as well as a schedule of tasks undertaken by the ECO;
  - 3.3.8.2. Compliance/non-compliance records must be kept and shall be made available on request from the authorities.
  - 3.3.8.3. To keep and maintain a detailed incident and complaints register (inclusive of any spillages of hazardous substances and other materials) indicating how these issues were addressed (including any rehabilitation measures implemented) and preventative measures implemented to avoid the re-occurrence of such incidents;
  - 3.3.8.4. To keep copies of all reports submitted to the Department on-site; and
  - 3.3.8.5. To obtain and keep a record of all documentation, permits, licenses, and authorisations relevant to the project on-site;
  - 3.3.8.6. The construction phase is to be audited on an ongoing basis by the ECO. The findings of such audits are to be consolidated and submitted to this Department on a quarterly basis. A final post-construction and rehabilitation audit is to be conducted and submitted to this Department within three months of the completion of construction.
- 3.3.9. The construction site and any laydown areas must be clearly demarcated and all construction activities to be confined to the demarcated area inclusive of storage of any construction material.
- 3.3.10. Further to Condition 3.3.9, appropriate measures to be implemented to protect the bank of the estuary from any construction related impacts such as cordoning it off with board.
- 3.3.11. The South African Heritage Resources Agency (SAHRA) and the Eastern Cape Provincial Heritage Resources Agency (ECPHRA) must be contacted immediately should any archaeological findings be discovered during the course of the development.
- 3.3.12. All construction activities are to be restricted to normal working hours being 07:00 to 17:00 on weekdays. No construction to take place on weekends and public holidays.

- 3.3.13. All sand, gravel, stone or other building material to be used are to be obtained from a bona fide source and the building contractor is not allowed to source any such material from the surrounding environment.
- 3.3.14. Any future upgrading of the structure, including enlargement or expansion, but excluding routine maintenance, would be subject to authorisation by the Department in terms of the EIA regulations.
- 3.3.15. All areas disturbed as a result of the construction/ installation of infrastructure must be rehabilitated on completion in accordance with the requirements of the EMPr and relevant conditions contained within this Environmental Authorisation.
- 3.3.16. Notwithstanding the provisions of any of these conditions, all recommendations, guidelines, and standard conditions contained in the FBAR must be adhered to.

## **4. Reasons for Decision**

### **4.1 Information considered in making the decision**

In reaching its decision, the Department took, *inter alia*, the following into consideration:

- 4.1.1 The information contained in the following documents:
- The application form dated 12 August 2024 as submitted on 06 September 2024.
  - The DBAR submitted on was received on 27 September 2024.
  - The FBAR submitted on 30 October 2024.
- 4.1.2 Observations made during a site by Ms Nokulunga Ludidi from the Department in the presence of Mr Mark Everton of Coastal Green (Pty) Ltd on 23 October 2024.
- 4.1.3 The EIA Regulations of 2014 as amended and the objectives and requirements of relevant legislation, policies, and guidelines, including Section 2 of the National Environmental Management Act, Act 107 of 1998 accommodated in terms of the Transitional Arrangements provided for in terms of Chapter 8 of GN R. 982 (Section 53) of the EIA Regulations of 2014.

### **4.2 Key factors considered in making the decision**

- 4.2.1 The property is already developed and is the location of the old Mill House in Port Alfred. This Environmental Authorisation authorises proposed additions and alterations to the existing buildings on site as described in Section 2 of this Environmental Authorisation. As the property is already fully transformed, little natural vegetation or habitat remain. Any natural vegetation / species that occur on the property is associated with the garden.
- 4.2.2 The bank of the Kowie Estuary represents the only sensitive area. This however falls outside the area of influence of the proposed additions and alterations. Conditions have been included in this Environmental Authorisation to address protection of the river bank during construction activities.
- 4.2.3 All services will link to existing service infrastructure in the area and to municipal bulk services which are available as stated in the report. In addition, rain water harvesting and alternative energy sources will be utilized to relieve pressure on municipal services.

- 4.2.4 The project has been advertised and has been subjected to Public Participation as per the EIA Regulations. The Department is satisfied that this process met the minimum requirements for public participation as contained in the EIA Regulations as well as with the manner in which comments / concerns were responded to by the EAP.
- 4.2.5 Impacts during site establishment and construction will be managed through the implementation of a comprehensive Environmental Management Programme as required in terms of Condition 3.3.5. Implementation of and adherence to this EMP as well as compliance to the conditions of this Environmental Authorisation are to be overseen by a dedicated Environmental Control Officer as stipulated in Condition 3.3.7.
- 4.2.6 No fatal flaws were discovered during the Environmental Impact Assessment Process and from an environmental perspective there is nothing that would preclude an authorisation being issued. In addition, several other measures are stipulated in the conditions contained in Section 3 of this Environmental Authorisation that are intended to ensure that potential impacts associated with the development are kept within limits that are compatible with the environmental character of the site. It is further believed that this development does not present any impact that could not be successfully mitigated.
- 4.2.7 The conditions set out in this Environmental Authorisation have been designed to ensure that the negative impacts and risks associated with the project are identified, addressed and/or managed effectively.
- 4.2.8 In conclusion, this Department is satisfied that the benefits associated with the proposed project outweigh the environmental costs and are consistent with sustainable development principles.
- 4.2.9 In general, the environmental process followed is deemed to be satisfactory. It is the opinion of the Department that the information at hand is sufficient and adequate to make an informed decision. In this regard the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the proposed activity will not conflict with the general objectives of Integrated Environmental Management laid down in Chapter 5 of the National Environmental Management Act, Act 107 of 1998, and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels.

## **5 Appeal of authorisation**

- 5.1. In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) calendar days of the date of this letter, of the Department's decision in respect of your application.
- 5.2. The written notification referred to in Condition 5.1 above must:
- 5.2.1. Specify the date on which the Authorisation was issued;
- 5.2.2. Inform interested and affected parties of the appeal procedure provided for in the Ael Regulations published in GN R993 of 8 December 2014 in terms of Section 44 read together with Section 43 of the National Environmental Management Act, Act 107 of 1998 as amended; and

5.2.3. Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.

5.3 Any appeal against the decision contained in this Authorisation must be addressed in writing, to the MEC for Economic Development, Environmental Affairs & Tourism (hereinafter referred to as “the MEC”) in terms of Regulation 4(1) of the NEMA Appeal Regulations 2014 and within 20 (twenty) days after the appellant has been notified in terms of paragraphs 5.1 and 5.2 of the decision.

5.4 In the event that an appeal is lodged, copies of such appeal must be served on the applicant (if not the appellant), all registered interested and affected parties as well as juristic state departments (organ of state with interest in the matter) within 20 days of having been notified in accordance with the requirements stipulated in paragraphs 5.1 and 5.2 of the decision.

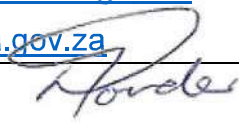
*Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.*

5.5 An Appeal Submission must be made on a form obtainable from the Department Appeal Administrator and/or the Departmental website on [www.dedea.gov.za](http://www.dedea.gov.za) or relevant Regional Office.

5.6 The Appellant must also serve a copy of the appeal to the regional office that processed the application.

5.7 The address to which the original of any appeal and any other documents pertaining to the appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Economic Development, Environmental Affairs & Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, <b>BHISHO</b> , 5605
Hand delivery	Old Safety and Liaison Building (Global Life Complex) opposite Engen Garage, Bhisho
In order to facilitate efficient administration of appeals <b>copies</b> of any appeal and supporting documentation must also be submitted via email as follows:	
Appeal Administrator: Mr S. Gqalangile	<a href="mailto:Siyabonga.Gqalangile@dedea.gov.za">Siyabonga.Gqalangile@dedea.gov.za</a>
Administrative assistant: Ms P. Gxala	<a href="mailto:Phumeza.Gxala@dedea.gov.za">Phumeza.Gxala@dedea.gov.za</a>



- 5.8 In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence, whichever event is the latter



**NOKULUNGA LUDIDI**  
**ENVIRONMENTAL OFFICER: EIM**  
**SARAH BAARTMAN/NMB REGION**

**DATE:** 04 March 2025



**DAYALAN GOVENDER**  
**DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS**  
**SARAH BAARTMAN/NMB REGION**

**DATE:** 04 March 2025

# ANNEXURE E

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## **Eastern Cape Provincial Heritage Resources Authority Permit**



EASTERN CAPE  
PROVINCIAL HERITAGE  
RESOURCES AUTHORITY

SOUTH AFRICA

2<sup>nd</sup> Floor. Old Elco Building  
16 Commissioner Street  
East London, 5201  
Telephone: 043 492 1941  
E-mail: [sinazom@ecphra.org.za](mailto:sinazom@ecphra.org.za)



Our Ref: 00/30/30/04/2025

[sinazom@ecphra.org.za](mailto:sinazom@ecphra.org.za)

Date: 30/04/2025

**PERMIT NO: 30**

**PERMIT Issued in Terms of Section 34 (1) of the National Heritage Resources Act (Act No. 25 of 1999)**

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**PERMISSION IS HEREBY GIVEN:**

**TO : MRS CHALINE CHURCH & MR COLIN CHURCH  
7 BEACH ROAD  
PORT ALFRED  
6170**

**FOR : ALTERATIONS, RESTORATION, PARTIAL DEMOLITION & EXCAVATION**

**LOCATION : ERF 4766. 7 BEACH ROAD. PORT ALFRED**

**THE PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That this permit is not transferable. If the permit holder is not to be always present on the site, then the ECPHRA must be provided with the names and qualifications of the authorised representatives.
2. That no deviation will be permitted without the prior written approval by ECPHRA. In the event of a proposed deviation, a written motivation must be submitted to ECPHRA for consideration.
3. A report on the work conducted must be submitted to ECPHRA not later than six months from the date of expiration of this permit.
4. It is the responsibility of the permit holder to ensure that neighbours and key stakeholders are informed of the intent of the permit before its implementation
5. ECPHRA shall not be liable for any losses, damages or injuries to persons or properties because of any activities in connection with this permit.
6. That ECPHRA reserves the right to inspect the sites at any time and to cancel this permit upon notice to the permit holder.
7. This permit is subject to a general appeal and may be suspended should an appeal against the decisions be received by ECPHRA within 30 days from the date of the permit.
8. ECPHRA may not be held responsible for any costs or losses incurred in the event of the suspension or retraction of this permit.

**The issuing of this permit does not exempt the applicant from compliance with any other law, where applicable.**

The permit is valid from 30/04/2025 to 30/04/2026.

A handwritten signature in black ink, appearing to be 'M. Khan' or similar, written in a cursive style.

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**Manager:**  
**EC Provincial Heritage Resources Authority**

# ANNEXURE F

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## **Consents and Comments from Neighbours**



**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 may submit a letter of objection or comment to the Manager: Town Planning giving reasons against the application if they so wish.

**APPLICATION FOR:** REZONING, DEPARTURE FROM BUILDING LINES, DEPARTURE FROM COVERAGE AND COMMON OPEN SPACE  
**SITUATED ON ERF** 4766....., **STREET & NO.** 7 BEACH ROAD....., **TOWNSHIP** PORT ALFRED.....

It is confirmed that I (Name in Full of affected land owner)..... **IAN LLOYD TRUST**.....  
 being the registered owner of Erf ..3623..... 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 ...0... m;
- c) A relaxation of the street building line from ...8... m to ...0... 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) ..PERMANENT DEPARTURE FROM 40% COVERAGE TO 50% COVERAGE

shown on plan number ..1827/MD01/001.. undated ..11 OCTOBER 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).

Residential Address (Of owner giving consent):

Signed:

Date: 20/10/2025

Home Tel:

Work Tel:

**WITNESSES**

1. Full Name

Signature

2. Full Name

Signature



**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 may submit a letter of objection or comment to the Manager: Town Planning giving reasons against the application if they so wish.

**APPLICATION FOR:** REZONING, DEPARTURE FROM BUILDING LINES, DEPARTURE FROM COVERAGE AND COMMON OPEN SPACE

**SITUATED ON ERF** .4766, **STREET & NO.** 7 BEACH ROAD, **TOWNSHIP** PORT ALFRED

It is confirmed that I (Name in Full of affected land owner), PRICE GAMBLE TRUST  
 being the registered owner of Erf .1888 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 0 m;
- c) A relaxation of the street building line from 8 m to 0 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) PERMANENT DEPARTURE FROM 40% COVERAGE TO 50% COVERAGE

shown on plan number 1827/MD01/001 undated 11 OCTOBER 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:

Residential Address (Of owner giving consent):

Date: 06/11/2025

Home Tel:

Work Tel:

**WITNESSES**

1. Full Name ..... Signature .....

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