

CLASSIFIED ADVERTISEMENTS

Contact: Bryan Smith: 046 624 4356
Email: smithb@talkofthetown.co.za

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SPCA Ndlambe
Tel: 046 624 1919
081 280 3178
Emergency Contact:
082 676 8605
Facebook:
Port Alfred & Ndlambe
District SPCA
**Primary Health Care,
Boarding, Adoptions
available at your SPCA**

5550 Misc. Wanted



PALCARE
Palliative and Hospice Care
Caring for Grahamstown and
Sundown Coast Communities
GHT CHARITY SHOP
15 Milner Street
Mon - Fri: 09:00 - 16:30
Sat: 09:00 - 12:00 noon.
PA CHARITY SHOP
20 Southwell Road
Mon-Fri: 09:00 - 12:00noon.
We are constantly open to
donations & volunteers assisting
at the shops, should anyone
be able to assist with this.

5570 Removals & Storage



DIGS TO DIGS
REMOVALS
Furniture Removals, Local & National
081 436 9750
E: digstodigs@gmail.com
**HOUSEHOLD
FURNITURE REMOVALS;
AND BUSINESS
RELOCATIONS:**
Local, National & SADC
call or whatsapp
Digs to Digs Removals
on 081 436 9750 to
book and get your home or
business moved safely.
Insurance cover
R324 000+/-
Grahamstown | East London |
Port Alfred | Port Elizabeth |
Kenton On Sea | Durban |
Johannesburg | Cape Town

5451 For Sale

FOR SALE
Household Appliances
and many other items.
Furniture, Garden and
Mechanical Tools,
Bedroom Suite, Dining
Room Suite, Generator,
Chainsaw, Paintings,
Plants and Other
Household Items.
Contact 064 818 0223
for viewing. Port Alfred

6 EMPLOYMENT



Retreat 2 Eden
E: info@retreat2eden.co.za
C: 072 966 7692 (Johann)
072 388 9054 (Lynne)
Facebook:
Retreat 2 Eden
We are a non-profit
who assist in the healing
of abused and hurting
animals and people.
We are based on a small
farm outside Port Alfred.
ANGELINE is a Zimbabwean
lady, looking for domestic
work. Available
Tuesdays, Wednesdays,
and Fridays. Port Alfred
and Surrounds. References
available. She has a work
permit. **078 926 4181.**
NOXY is looking for
housekeeping work. Full
time or part time.
References available.
078 791 6844.

6150 Employment Wtd.

FIONA is a 40 year old
Zimbabwean lady seeking
employment. She has
bookkeeping experience,
and as a receptionist, data
capturing, and admin
related experience. Also
available as a baker and
ECD teacher. References
available. Situated in Port
Alfred. **CALL: 087 861
0443 OR WHATSAPP:
+263 719 019 622**

GLADYS is looking for
domestic work. She is
available on Mondays,
Wednesdays and Thurs-
days. References available.
Port Alfred and surrounds.
088 7080 514.

JOYCE is looking for
domestic work. She is
available on Tuesdays and
Thursdays, as well as on
weekends. References
available. Port Alfred and
surrounds. **CONTACT
073 441 8118.**

PATRICK is looking for
work in home security,
gardening, painting.
References are available
and he is a hard worker.
Experienced over 15 years.
Port Alfred. **CONTACT
083 341 2502.**

SINOTHANDO is a profes-
sional caregiver, providing
this personalized support
and assistance with daily
living tasks with strong
commitment to deliver
exceptional care in a com-
fortable and nurturing
environment. **CONTACT
064 060 3219.**

VIMBAI is looking for
domestic work full time
and is also available for live
in. References available.
Port Alfred and surrounds.
078 765 7925.

ZOLEKA is looking for
general employment and/or
domestic work. Available
full time or part time
in Port Alfred,
Bathurst, and Kenton on
Sea. References available.
075 243 0967.

6170 Estate Agents



CHARLES KANTOR
Real Estate Agent
083 3939 200
kantorcharles@gmail.com
For a 'Sold Out' Experience

7 ACCOMMODATION

Accomm. Off / Wtd

**PORT ELIZABETH -
STONECHAT**
SELF-CATERING/B&B
Private fully equipped, air-cond
units, a stone's throw from
Greenacres. DSTV/ Secure
parking/Reasonable rates. PIs
contact: **Carole 064 555 3905,
stonechat@mweb.co.za
stonechatguesthouse.co.za**

Talk Town
OF THE
**Classified
deadline
is 9am
on the
Monday
before the
Thursday
publication**

IN THE ESTATE OF THE LATE **MICHAEL
FREDERICK LEGG**, WIDOWER Identity
Number 3410305024083 of RUFANES
FARM PORT ALFRED, who died on
5TH FEBRUARY 2026

ESTATE NUMBER: 840/2026

Creditors and Debtors of the above
deceased are hereby requested to lodge
their claims and pay their debts to the
undersigned within 30 days from the
17th April 2026.

NOËL STÖTTER
Executor
37 CAMPBELL STREET
PORT ALFRED
6170
Email: noelstotter31@gmail.com
Cell: 083 461 3479



NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE TO RELAX THE STREET BUILDING LINE AND PERMANENT DEPARTURE TO RELAX THE HEIGHT RESTRICTION FROM 8.5M TO 11.47M ON ERF 1187, BOESMANSRIVIERMOND.

Applicant: MIRINDA DE BEER
TOWN AND REGIONAL
PLANNERS

Owner: PIETER ADRIEN DE
WAAAL

**Property
Description:** ERF 1187,
BOESMANSRIVIERMOND

**Physical
Address:** 44 – 46 5TH AVENUE,
BOESMANSRIVIERMOND,
6190

Detailed description of proposal:
The matter for consideration is an
Application for the Removal of Restrictive
Title Deed Conditions, Departure to Relax
the Street Building Line and Permanent
Departure to Relax the Height Restriction
from 8.5m to 11.47m on Erf 1187,
Boesmansriviermond 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/](https://www.ndlambe.gov.za/town-planning-portal/)) under Public
Participation. Any written comments may
be addressed in terms of Section 98 of
the said Bylaw to The MUNICIPAL
MANAGER, Causeway, Port Alfred, 6170 or
emailed to townplanning@ndlambe.gov.za
on or before **18 May 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: 87/2026
ADV. ROLLY DUMEZWENI
16 April 2026 MUNICIPAL MANAGER

NDLAMBE MUNICIPALITY PORT ALFRED



NOTICE OF MUNICIPAL PLANNING TRIBUNAL MEETING

In accordance with the Spatial Planning
& Land Use Management Act, 2013
(Act No.16 of 2013) (SPLUMA) and the
Ndlambe Spatial Planning and Land Use
Management Bylaw (2016), notice is
hereby given that the Municipal Planning
Tribunal is scheduled to take place on
Wednesday, 29 April 2026 at 11H00am
at the Council Chambers, 37 Campbell
Street, Port Alfred.

NOTICE NUMBER: 82/2026
ADV R DUMEZWENI
16 April 2026 MUNICIPAL MANAGER



NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR DEPARTURE TO RELAX THE PARKING REQUIREMENTS ON ERF 1740, KENTON ON SEA.

Applicant: MIRINDA DE BEER
TOWN AND REGIONAL
PLANNERS

Owner: ADAM PETER
LINDSLEY BUNKELL

Property Description: ERF 1740,
KENTON ON SEA

Physical Address: 47-49 KENTON ROAD,
KENTON ON SEA,
6191

Detailed description of proposal:
The matter for consideration is an
Application for the Departure to Relax
the Parking Requirements on Erf 1740,
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/](https://www.ndlambe.gov.za/town-planning-portal/)) under Public
Participation. Any written comments may
be addressed in terms of Section 98 of
the said Bylaw to The MUNICIPAL
MANAGER, Causeway, Port Alfred, 6170 or
emailed to townplanning@ndlambe.gov.za
on or before **18 May 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: 88/2026
ADV. ROLLY DUMEZWENI
16 April 2026 MUNICIPAL MANAGER

2 PERSONAL
2240 Personal Services

ALCOHOLICS ANONYMOUS
Sunshine Life Centre, Port Alfred
7pm - 8 pm. Every Monday.
First Monday of the month is open.
**Has your life become
unmanageable as a
result of alcohol?**
Call Alcoholics Anonymous.
Marissa: 083 333 6746

FAMSA (Families SA)
Non-profit Organization
011-164NPO
- Relationship counselling
for indiv, couples, families
- Trauma debriefing
- Pre-marital counselling
**FOR INFO ON SERVICES/
TRAINING:**
(046) 508 0027
famsa@imagineit.co.za

5 SERVICES & SALES GUIDE
5120 Building Services

ARCHITECTURAL PLANS
GET IN TOUCH
for personalised, professional,
affordable building plans.
082 939 81 31
kathy@yourplans.co.za
www.yourplans.co

5510 Kennels and Pets

Retreat 2 Eden
E: info@retreat2eden.co.za
C: 072 966 7692 (Johann)
072 388 9054 (Lynne)
Facebook:
Retreat 2 Eden
We are a non-profit
who assist in the healing
of abused and hurting
animals and people.
We are based on a small
farm outside Port Alfred.

Ndlambe Municipality
Corporate Services

23 JAN 2026

RECEIVED

NDLAMBE MUNICIPALITY



LAND USE APPLICATION FORM

PART A: TYPE(S) OF APPLICATION

TICK	APPLICATION TYPE	FEE AS PER FEE LIST
	Rezoning	R
	Consolidation	R
✓	Requirements for amendment, suspension or removal of restrictive conditions or obsolete Condition, servitude or reservation registered against title of land	R10 729,68
	Departure Application: Permanent or Temporary Departure (for Land Use Change)	R
✓	Departure Relaxation Building Line	R5 110,89
✓	Departure for Relaxation of Development Parameters (Height and/or Coverage)	R8 583,74
	Consent use in terms of the Land Use Scheme	R
	Extension for validity of an approval	R
	Subdivision	R
	Road closure or Closure of Public Open Space	R
	Approval of Architectural Design Manual, Homeowners Constitution, Site Development Plan	R
	Amendment of Conditions of Approval	R
	Cancellation/Amendment of General Plan	R
	Other	R
TOTAL ON FEES PAYABLE		R 24 424,31

INSTRUCTIONS:

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

Applicant's Initials: MdB

PART B: GENERAL INSTRUCTIONS

(These instructions should be read before completing the form)

1. GENERAL REMARKS

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

2. PRIOR LIAISON WITH OTHER INTERESTED PARTIES

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

3. SUBMISSION OF APPLICATION

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

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

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

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

3.3.1. Details in respect of the application

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

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

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

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

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

3.3.4. Motivation

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

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

3.3.5. Supporting information and documentation

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

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

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

PART C: INFORMATION TO BE COMPLETED BY THE APPLICANT

NOTE: Complete this form using BLOCK letters and ticking the appropriate boxes	
PART C.1: APPLICANT DETAILS	
First name(s)	Mirinda
Surname	De Beer
Company name <i>(If applicable)</i>	Mirinda de Beer Town & Regional Planners
Street or Postal Address	117 Cape Road Port Elizabeth 6000
Email Address	mirinda@mdbtownplanner.co.za
Contact Number	082 8962 686
PART C.2: REGISTERED LANDOWNER(S) DETAILS <i>(If different from applicant)</i>	
Registered owner(s) Name	Pieter Adrien de Waal
Street or Postal Address	46 2nd Avenue Lambton 1401
E-mail Address	
Contact Number	

Applicant's Initials: MdB

PART D: PROPERTY DETAILS

NOTE: Property details must be in accordance with title deed				
Erf No	1187	Suburb/Town/Area	Boesmansriviermond	
Farm No	N/A	Portion (if applicable)	N/A	
Physical or Street Address	46 5th Avenue, Bushmans River Mouth			
Current Zoning	Residential Zone 1			
Proposed Zoning	N/A			
Additional Rights or Consent Uses Approved	N/A			
Current activities	Single dwelling and associated outbuildings			
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?	Single dwelling in good condition			
Is the site/property being used in accordance with its present zoning? If not, how is the land being utilised?	Yes			
Property Size/ Extent (m ² / ha - as per Title Deed)	1 500m ²			
Title Deed Number				
Any additional/relevant information in regard to the property	N/A			
Any restrictions ito Conveyance's Certificate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If yes, list condition(s) in motivation report.	
Are the restrictive conditions in favour of a third party?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, list the party(ies) in motivation report.	
Is the property owned by Council?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, <u>attach a power of attorney</u> signed by the Municipal Manager or delegated authority.	
Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, indicate which section are triggered in motivation report and attach relevant permit.	
Is the property or building located within the historical core or contains any heritage significant features?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the building older than 60 years?	<input type="checkbox"/>
Does the property fall inside the urban edge in terms of the SDF?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the property fall within the service edge in terms of SDF?	<input checked="" type="checkbox"/>
Is the property encumbered with a bond	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, is bond/mortgage holders consent attached	<input checked="" type="checkbox"/>
Any existing unauthorized buildings and/or land use on the subject property(ies)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, is this application to legalise the building / land use?	<input type="checkbox"/>
NOTE: A contravention penalty may be imposed.				
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are there any land claim(s) registered on the subject property(ies)?	<input checked="" type="checkbox"/>

PART E: DETAILS OF THE APPLICATION

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

After surveying the property and existing building envelope the Land Surveyors, M.E.H. Sulter and Sons Inc., confirmed that the existing structures encroach the 5m street building line along 5th Avenue and the 8,5m height restriction.

The existing double garage currently encroaches the 5m street building line along 5th Avenue.

The purpose of this application is to regularize the existing encroachments of the development footprint on the property.

This will allow the owners to proceed with the submission of building plans for the proposed extension of the existing dwelling. The purpose of the proposed 4m street building line is to accommodate the roof overhang and stairs.

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

Yes

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

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

N/A

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

- i. Lateral (side) building line(s) from m to m; and / or
- ii. Rear building line from m to m; and / or
- iii. Street building line from 5. m to 4m & 2,5 m; and / or
- iv. Coverage factor from % to %; and / or
- v. Building height restriction from 8,5 m to ... 11,47 m; and / or
- vi. Street boundary wall / fence height restriction from m to m;
- vii. Relaxation of parking requirements from bays to bays
- viii. Other zoning scheme condition(s) (as specified).....

5. RESTRICTING FACTORS

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

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

If so, furnish details:

Removal of Restrictive Title Deed Conditions I. A. (g) (i) & (ii) and II. A. (g) (i) & (ii) from Title Deed

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

If so, furnish details:

N/A

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

If so, furnish details:

N/A

5.4 Are there any physical restrictions (such as steep slopes, unstable soil formations, swamps etc.) which could affect the development? Yes

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

The steep slopes of the property necessitates the departure from the 8,5m height restriction.

Are there any other restrictions of which you are aware, but which were not mentioned above?

No

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

Please answer the following questions and provide comments:

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

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?		✓	
Will the proposal require approval in terms of Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)?		✓	
Is the property/land situated within 100m from the high-water mark of the sea or tidal river? (NOTE: Please check with the Environmental Compliance Officer of the Municipality)		✓	
Will the proposal trigger a listed activity in terms of National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)?		✓	
Have you obtained a determination from DEDEAT, confirming whether the proposal triggers any listed activities in terms of NEMA? If Yes, please attach communication/confirmation from DEDEAT.		✓	

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

PART H: SERVICE REQUIREMENTS

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

NOTE: Provide more detailed information in the motivation report.

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

Please indicate if the following Annexures are attached

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

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

.....

.....

.....


.....

.....



PART J: DECLARATION BY THE APPLICANT

I hereby wish to confirm the following:

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

Full Name(s)	Mirinda de Beer		
Professional Capacity & Registration Number	Professional Town & Regional Planner (A/1037/1998)		
Statutory Body	SACPLAN	Are you In Good Standing with the Statutory Body?	Yes
Applicant's Signature		Date	06/01/2026

Applicant's Initials: MdB

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

POWER OF ATTORNEY FOR LAND USE APPLICATIONS

This Power of Attorney is made on this 25th day of September 2025, by:

Principal:

Pieter Adrien de Waal
46 2nd Avenue
Lambton
1401
ID: _____

Agent 1:

Mirinda de Beer Town & Regional Planners
117 Cape Road
Port Elizabeth
6000
ID: _____

Whereas, the Principal owns certain real property known as Erf 1187, Boesmansriviermond (hereinafter referred to as the "Property");

Whereas, the Principal desires to appoint the Agent as an authorized representative with the authority to submit and inquire about land use applications with the relevant municipality or local authority having jurisdiction over the Property.

1. Appointment of Authority

The Principal hereby appoints the Agent to act as the Principal's dual authority, having the right to both:

- Submit land use applications related to the Property to the Ndlambe Municipality for the Removal of Restrictive Title Deed Conditions from Title Deed _____, and Departure from Building Lines and Height Restriction, in terms of the Ndlambe Municipality SPLUM By-Laws (2016).
- Inquire about, follow up on, and obtain information regarding the status of land use applications submitted for the Property.

2. Powers Granted

The Agent, in their capacity as an authorized representative, shall have the following powers:

- To prepare and submit any necessary documents and applications for permits, zoning variances, or other land use requests on behalf of the Principal;
 - To communicate with municipal officials, department staff, and any other authorities regarding the status or requirements related to land use applications for the Property;
 - To make inquiries, provide additional documentation, and respond to requests for information from the municipality related to land use applications for the Property;
 - To receive copies of all correspondence or decisions related to the land use applications;
 - To take any actions necessary to facilitate or finalize the land use application process.
-

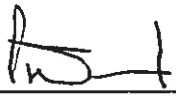


3. Duration

This Power of Attorney shall remain in full force and effect until it is revoked in writing by the Principal. The Principal has the right to revoke this Power of Attorney at any time, provided such revocation is executed in writing and delivered to the Agent and relevant municipal authorities.

4. Execution


IN WITNESS WHEREOF, the Principal has executed this Power of Attorney as of the day and year first written above.

Principal's Signature: 

Date: 26-09-2025

Agent Signature: 

Date: 25 September 2025

Witness Signature: 

Witness Name: Tannith Orylski

Date: 26.09.2025

DRAKE FLEMMER & ORSMOND
2
 TEL: 043 643 3879

De Jager & Lordan
 2 Allen Street
 Grahamstown
 6139

Fee Encumbrance		
	Amount	Office Fee
Purchase Price/Value	R.....	R.....
Mortgage Capital Amt.	R.....	R.....
ALL OTHER REGISTRATIONS		R. 445.00
Reason For Exemption	Category Exemption.....	Exempt i.to Sect/Reg Act/Proc.....

M-S

Prepared by me

[Signature]
CONVEYANCER
 LEO RICARDO VACCARO (97578)

T

CERTIFICATE OF CONSOLIDATED TITLE

Issued under the provisions of Section 40 of the Deeds Registries Act, No 47 of 1937, as amended.

WHEREAS -

PIETER ADRIEN DE WAAL
 Identity Number

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

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WHEREAS PIETER ADRIEN DE WAAL, is the registered owner of:

1. **ERF 617 BOESMANSRIVIERMOND**
NDLAMBE LOCAL MUNICIPALITY
DIVISION OF ALEXANDRIA
PROVINCE OF THE EASTERN CAPE

HELD BY DEED OF TRANSFER NUMBER T29959/2023

2. **ERF 616 BOESMANSRIVIERMOND**
NDLAMBE LOCAL MUNICIPALITY
DIVISION OF ALEXANDRIA
PROVINCE OF THE EASTERN CAPE

HELD BY DEED OF TRANSFER NUMBER T70040/2004CTN

which have been consolidated into the land hereinafter described.

NOW THEREFORE, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at KING WILLIAM'S TOWN, do hereby certify that the said

PIETER ADRIEN DE WAAL
Identity Number :

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

ERF 1187 BOESMANSRIVIERMOND
NDLAMBE LOCAL MUNICIPALITY
DIVISION OF ALEXANDRIA
PROVINCE OF THE EASTERN CAPE

IN EXTENT: 1 500 (ONE THOUSAND FIVE HUNDRED) SQUARE METRES

AS WILL more fully appear from attached Diagram S.G. Number 917/2023.

- I. With regards to the figure f g C D E on diagram S.G. Number 917/2023:
 - A. SUBJECT to the following conditions contained in said Deed of Transfer No.T9465/1990CTN, imposed by the Administrator of the Cape of Good Hope when approving the establishment of BOESMANSRIVIERMOND TOWNSHIP EXTENSION NO.1 in terms of Section 18 (3) of Act 33/1934:
 - (a) Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under Provincial Notice No.623 dated 14th August 1970.

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- (b) In the event of a Town Planning Scheme or any portion thereof applying or being made applicable to this erf, any provisions thereof which are more restrictive than any conditions of title applicable to this erf shall take precedence. Furthermore, nothing in these conditions shall be construed as overriding the provisions of Section 146 of Ordinance No.15 of 1952, as amended.
- (c) No building on this erf shall be used or converted to use for any purpose other than that permitted in terms of these conditions.
- (d) The owner of this erf shall, without compensation, be obliged to allow electricity, telephone and television cables and / wires and main and / or other waterpipes and the sewerage and drainage, including stormwater 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 manner 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.
- (e) 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.
- (f) This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purposes as the Administrator may, from time to time after reference to the Township Board and Local Authority, approve, provided that if the erf is included within the area of a Town Planning Scheme, the Local Authority may permit such other buildings as are permitted by the scheme, subject to the conditions and restrictions stipulated by the scheme.
- (g) No building or structure or any portion thereof except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf, nor within 3 metres of the rear or 1,5 metres of the lateral boundary common to any adjoining erf, provided with the consent of the Local Authority: -
- (i) an outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres in height, measured from the ground floor of the outbuilding to the wall plate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 12 metres shall be measured from the point furthest from the streets abutting the erf.
- (ii) an outbuilding in terms of subparagraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.
- (h) On consolidation of this erf or any portion thereof with any abutting erf which is subject to the same conditions as herein set forth, these conditions shall apply to the consolidated holding as if it were one erf.

WV.

- (i) In the event of this erf being subdivided, each subdivided portion other than any portion deducted for road or similar purposes, shall be subject to the conditions herein set forth as if were the original erf.

II. With regards to the figure A B g f on diagram S.G. Number 917/2023:

A. SUBJECT to the following conditions contained in said Deed of Transfer No.T7263/1992CTN, imposed by the Administrator of the Cape of Good Hope when approving the establishment of BOESMANSRIVIERMOND TOWNSHIP EXTENSION NO.1 in terms of Section 18 (3) of Act 33/1934:

- (a) Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under Provincial Notice No.623 dated 14th August 1970.
- (b) In the event of a Town Planning Scheme or any portion thereof applying or being made applicable to this erf, any provisions thereof which are more restrictive than any conditions of title applicable to this erf shall take precedence. Furthermore, nothing in these conditions shall be construed as overriding the provisions of Section 146 of Ordinance No.15 of 1952, as amended.
- (c) No building on this erf shall be used or converted to use for any purpose other than that permitted in terms of these conditions.
- (d) The owner of this erf shall, without compensation, be obliged to allow electricity, telephone and television cables and / wires and main and / or other waterpipes and the sewerage and drainage, including stormwater 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 manner 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.
- (e) 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.
- (f) This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purposes as the Administrator may, from time to time after reference to the Township Board and Local Authority, approve, provided that if the erf is included within the area of a Town Planning Scheme, the Local Authority may permit such other buildings as are permitted by the scheme, subject to the conditions and restrictions stipulated by the scheme.
- (g) No building or structure or any portion thereof except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf, nor within 3 metres of the rear or 1,5 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the Local Authority:-

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- (i) an outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres in height, measured from the ground floor of the outbuilding to the wall plate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 12 metres shall be measured from the point furthest from the streets abutting the erf.
- (ii) an outbuilding in terms of subparagraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.
- (h) On consolidation of this erf or any portion thereof with any abutting erf which is subject to the same conditions as herein set forth, these conditions shall apply to the consolidated holding as if it were one erf.
- (i) In the event of this erf being subdivided, each subdivided portion other than any portion deducted for road or similar purposes, shall be subject to the conditions herein set forth as if were the original erf.

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AND THAT BY VIRTUE OF THESE PRESENTS, the said

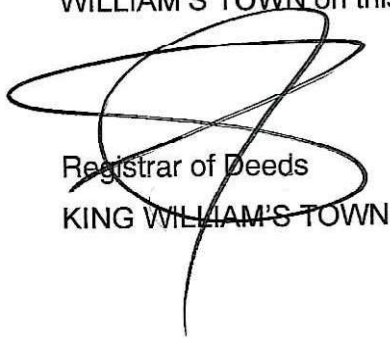
PIETER ADRIEN DE WAAL
Identity Number

His heirs, executors, administrators, or assigns now is and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

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

THUS DONE AND EXECUTED at the office of the Registrar of Deeds at KING WILLIAM'S TOWN on this

2024-04-18



Registrar of Deeds
KING WILLIAM'S TOWN

23

4

CONVEYANCER'S CERTIFICATE

I, the undersigned,

BRIAN HENRY VON DER DECKEN

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

1. **ERF 1187 BOESMANSRIVIERMOND**, Ndlambe Local Municipality, Division of Alexandria, Province of the Eastern Cape, measuring 1 500 (one thousand five hundred) square metres was registered in the name of **PIETER ADRIEN DE WAAL**, Identity number [redacted] on 18 April 2024 under Certificate of Consolidated Title No [redacted]

2. There are no Mortgage Bonds registered over the above property;

3. The following title deed conditions in Certificate of Consolidated Title No [redacted] may affect the use or development of the property or a relaxation of the height restriction and must be removed from the title deed:

"I. With regards to the figure f g C D E on diagram S.G. Number [redacted]

A. SUBJECT to the following conditions contained in said Deed of Transfer No. T9465/1990CTN, imposed by the Administrator of the Cape of Good Hope when approving of the establishment of BOESMANSRIVIERMOND TOWNSHIP EXTENSION NO. 1 in terms of Section 18(3) of Act 33/1934:-

(g) No building or structure or any portion thereof, except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf, nor within 3 metres of the rear or 1,5 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the Local Authority:-

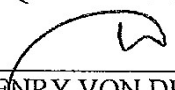
(i) an outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres in height, measured from the ground floor of the outbuilding to the wall plate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 12 metres shall be measured from the point furthest from the streets abutting the erf.

(ii) an outbuilding in terms of subparagraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.



- II. With regards to the figure A B g f on diagram S.G. Number 917/2023:
- A. SUBJECT to the following conditions contained in said Deed of Transfer No. T7263/1992CTN, imposed by the Administrator of the Cape of Good Hope when approving of the establishment of BOESMANSRIVIERMOND TOWNSHIP EXTENSION NO. 1 in terms of Section 18(3) of Act 33/1934:-
- (g) No building or structure or any portion thereof, except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf, nor within 3 metres of the rear or 1,5 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the Local Authority:-
 - (i) an outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres in height, measured from the ground floor of the outbuilding to the wall plate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 12 metres shall be measured from the point furthest from the streets abutting the erf.
 - (ii) an outbuilding in terms of subparagraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.

DATED at QONCE this 6th day of OCTOBER 2025.


BRIAN HENRY VON DER DECKEN
B.Proc.LI.B / LPCM No 80120
Smith Tabata Incorporated
Sutton Square, Queens Road, Qonce

MOTIVATIONAL REPORT

**ERF 1187,
BOESMANSRIVIERMOND**

Application for:

- **Removal of Restrictive Title Deed Conditions I. A. (g) (i) & (ii) and II. A. (g) (i) & (ii) in Title Deed [REDACTED]**
- **Permanent Departure from the 5m street building line to a 2,5m street building line for existing development and 4m street building line for future development.**
- **Permanent Departure from the height restriction of 8,5m to 11,47m as per the Site Development Plan.**

Compiled by:



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

Contact Details:

Email: mirinda@mbdtownplanner.co.za

Cell: 082 896 2686

117 Cape Road, Mill Park

Port Elizabeth, 6001

www.mdbtownplanner.co.za


OCTOBER 2025

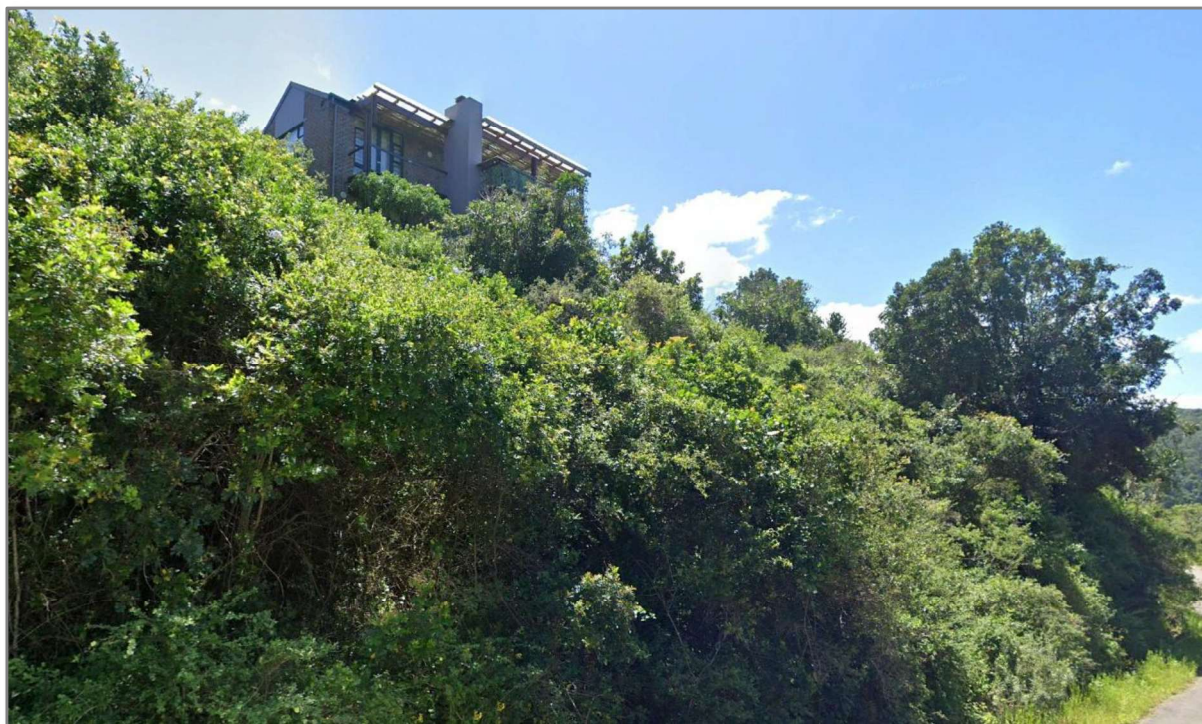
EXECUTIVE SUMMARY

Erf 1187, Boesmansriviermond is located in the northern part of Bushmans River Mouth, situated at 46 5th Avenue. The subject property is zoned for Residential 1 purposes. It is the intention of the owners to regularize the existing encroachments of the development footprint on the property. This will allow the owners to proceed with the submission of building plans for the proposed extension of the existing dwelling.

Conditions in the Title Deed restrict the existing and proposed development on the property and should be removed. The purpose of this application is to obtain the necessary approvals for the development on Erf 1187, Boesmansriviermond.

Summary:

Existing Zoning	Residential Zone 1
Area	1500m ²
Title Deed	
Owner	Pieter Adrien de Waal
Address	46 5 th Avenue, Bushmans River Mouth
Bond	There is no bond registered on the property
Applications required	<p>Application in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), Ndlambe Municipality Spatial Planning and Land Use Management By-Laws (2016) and the Ndlambe Municipality Integrated Land Use Scheme (2019) for:</p> <ul style="list-style-type: none">• Removal of Restrictive Title Deed Conditions I. A. (g) (i) & (ii) and II. A. (g) (i) & (ii) from Title Deed , in terms of Section 69 of the Ndlambe Municipality SPLUMA By-Laws (2016).• Permanent Departure from the 5m street building line to a 2,5m street building line for existing development and a 4m street building line for future development, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).• Permanent Departure from the height restriction of 8,5m to 11,47m, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).



Erf 1187, Boesmansriviermond – 46 5th Avenue

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ANNEXURES

A. MAPS

1. Locality
2. Site Plan
3. Existing Zonings
4. Site Development Plan

B. APPLICATION FORM

C. PROPERTY DETAILS

1. Power of Attorney
2. Title Deed
3. Cadastral Diagram
4. Conveyancer Certificate
5. Height Certificate of Erf 1187, Boesmansriviermond (M.E.H Sulter & Son Inc.)

D. CONSENT LETTERS FROM NEIGHBOURS

1. The Applicant

Mirinda de Beer Town and Regional Planners (MDB) is appointed by the owner of Erf 1187, Boesmansriviermond, to prepare and submit an application to the Ndlambe Municipality for the Removal of Restrictive Title Deed Conditions and Permanent Departure from the street building line along 5th Avenue and the height restriction as per the Site Development Plan.

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

2. The Site

▶ Cadastral information:

Erf 1187, Boesmansriviermond, situated in the Ndlambe Municipal jurisdiction, is a consolidated property of former Erven 616 & 617, Boesmansriviermond. The Cadastral Diagram is attached as **Annexure C.3**.

▶ Ownership:

Pieter Adrien de Waal.

▶ Property size:

1500m²

3. Locality

The property is located in the northern part of Boesmansriviermond, situated at 46 5th Avenue.

Map 1: Locality



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

4. Existing Zonings & Land Uses

A dwelling unit is situated in the northern corner of the property, as illustrated below. 5th Avenue borders the property in the north-west and 4th Avenue borders the property in the south-east. Access is currently obtained from 5th Avenue in the northern corner of the site.

Map 2: Site Plan



Map 2 illustrates the **Site Plan** of the subject property.

In terms of the Ndlambe Municipality Integrated Land Use Scheme (2019) the property is zoned for Residential 1 purposes, with the following development parameters:

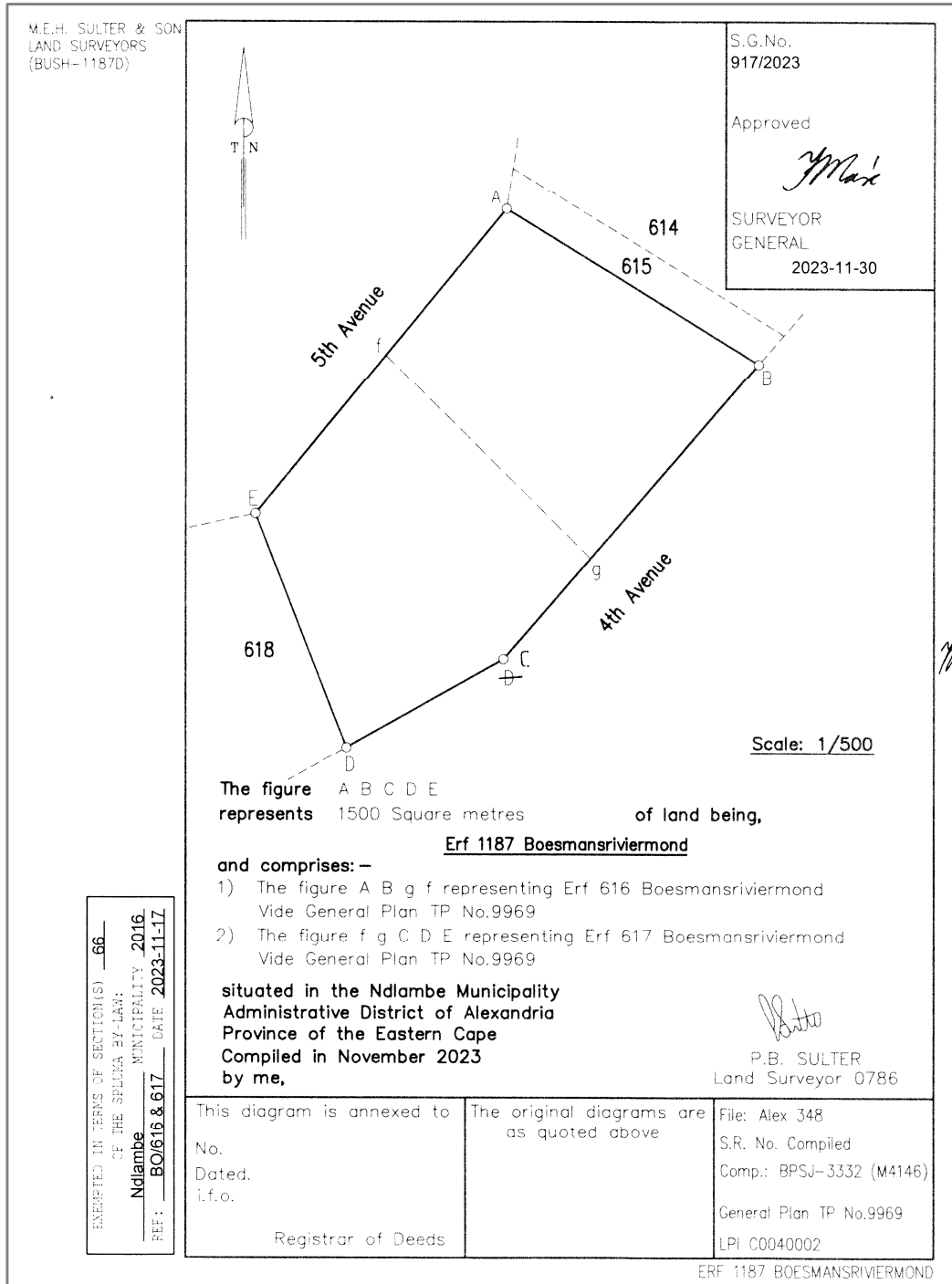
Zoning	Residential Zone 1
Primary Use	Dwelling Unit means a self-contained inter-leading group of rooms with not more than one kitchen used for human habitation and includes such outbuildings as are ordinarily used therewith and permit a home occupation for a single household.
Coverage	50%
Height	8,5m
Road Building Line	5m
Lateral Building Lines	1,5m
Rear Building Lines	3m
Parking	1 space / dwelling unit

5. 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 conditions in the Title Deed prohibit the existing development footprints on the property and should be removed from Title Deed [redacted]. A copy of the Conveyancer Certificate is attached as **Annexure C.4.**

Cadastral Diagram:



There are no servitudes registered on the property. A copy of the **Cadastral Diagram (General Plan)** is attached as **Annexure C.3.**

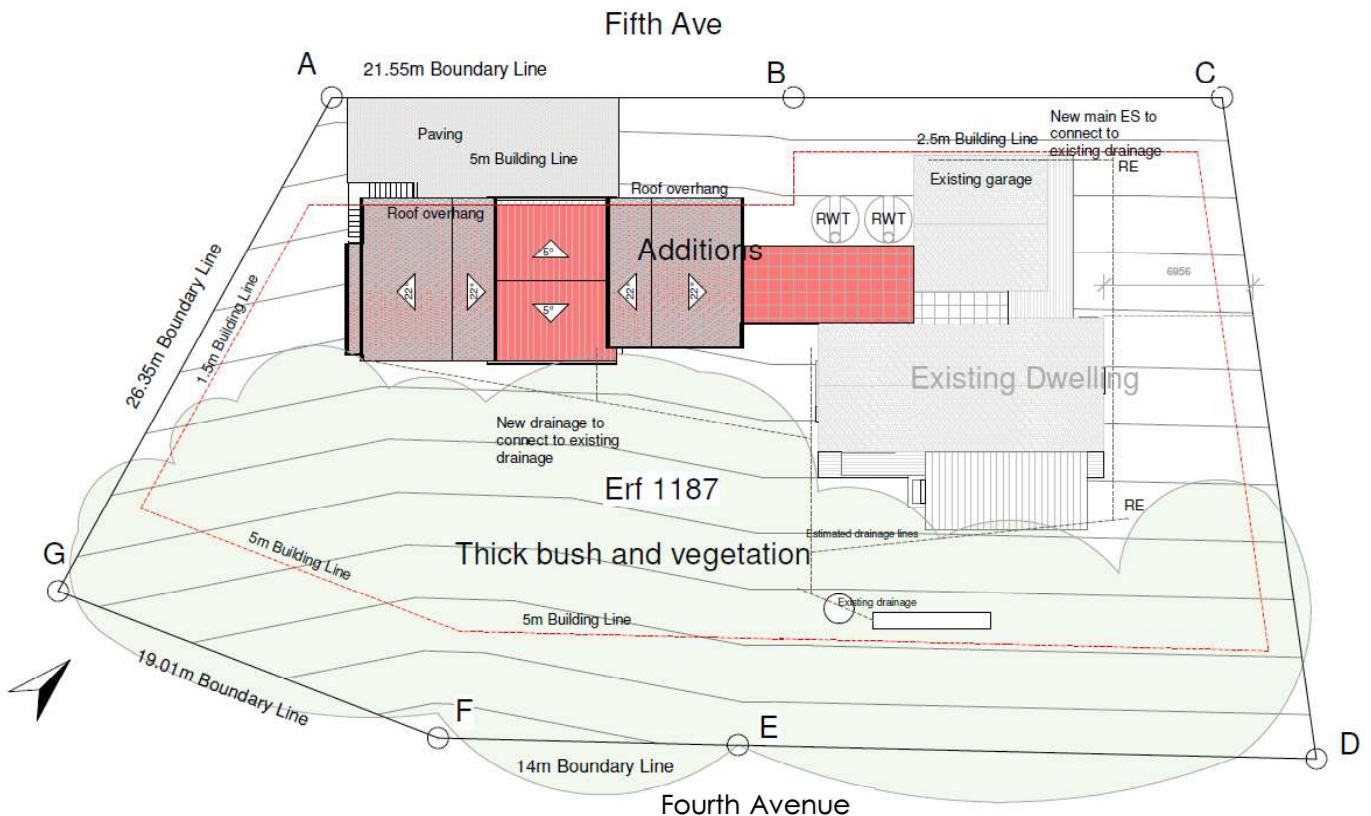
There is no bond registered on the property. Subsequently, consent from a bond holder is not required.

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 1187, Boesmansriviermond:**

- Removal of Restrictive Title Deed Conditions** I. A. (g) (i) & (ii) and II. A. (g) (i) & (ii) from Title Deed [redacted] in terms of Section 69 of the Ndlambe Municipality SPLUMA By-Laws (2016).
- Permanent Departure** from the 5m street building line to a 2,5m street building line along 5th Avenue, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).
- Permanent Departure** from the height restriction of 8,5m to 11,47m, in terms of Sector 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).

Proposed development parameters on Erf 1187, Boesmansriviermond:

Zoning	Residential Zone 1
Primary Land Use	Dwelling Unit
Street Building Line	5 th Avenue: 2,5m for existing development and 4m for future development 4 th Avenue: 5m
Lateral Building Lines	1,5m
Rear Building Line	N/A
Height	11,47m
Floor Factor	1,0
Parking	1 space / dwelling unit



- ▶ The Conveyancer Certificate confirmed that Conditions I. A. (g) (i) & (ii) and II. A. (g) (i) & (ii) from Title Deed [redacted] should be removed:

I. With regards to figure f g C D E on diagram S.G. Number [redacted]

A. - SUBJECT to the following conditions contained in said Deed of Transfer No. T9465/1990CTN, imposed by the Administrator of the Cape of Good Hope when approving of the establishment of BOESMANSRIVIERMOND TOWNSHIP EXTENSION NO. 1 in terms of Section 18(3) of Act 33/1934:-

g. No building or structure or any portion thereof, except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf, not within 3 metres of the rear or 1,5 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the Local Authority -

(i) An outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres in height, measured from the ground floor of the outbuilding to the wall plate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be measured from the rear boundary of the erf, provided that in the case if a corner erf the distance of 12 metres shall be measured from the point furthest from the street abutting the erf;

(ii) An outbuilding in terms of subparagraph (i) may only be erected nearer to a lateral or rear boundary of a site that the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.

II. With regards to figure A B g f on diagram S.G. Number 917/2023

A. - SUBJECT to the following conditions contained in said Deed of Transfer No. T9465/1990CTN, imposed by the Administrator of the Cape of Good Hope when approving of the establishment of BOESMANSRIVIERMOND TOWNSHIP EXTENSION NO. 1 in terms of Section 18(3) of Act 33/1934:-

g. No building or structure or any portion thereof, except boundary walls and fences, shall except with the consent of the Administrator, be erected nearer than 5 metres to the street line which forms a boundary of this erf, not within 3 metres of the rear or 1,5 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the Local Authority -

(i) An outbuilding used solely for the housing of motor vehicles and not exceeding 3 metres in height, measured from the ground floor of the outbuilding to the wall plate thereof, may be erected within such side and rear spaces, and any other outbuilding of the same height may be measured from the rear boundary of the erf, provided that in the case if a corner erf the distance of 12 metres shall be measured from the point furthest from the street abutting the erf;

(ii) An outbuilding in terms of subparagraph (i) may only be erected nearer to a lateral or rear boundary of a site that the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary."

▶ **Removal of Conditions I. A. (g) (i) & (ii) and II. A. (g) (i) & (ii):**

- Title Deed Conditions I. A. (g) (i) & (ii) and II. A. (g) (i) & (ii) stipulates the following building lines:
 - o 5m street building line
 - o 3m rear building line
 - o 1,5m lateral building line
- The Ndlambe Integrated Land Use Scheme (2019) stipulates the following building lines for Residential Zone 1 properties:
 - o 5 metres street building line
 - o 3 metres rear building line
 - o 1,5m metres lateral building line
- The existing garage is encroaching the 5m street building line along 5th Avenue.
- In order to permit the proposed departure and regularise the encroachment, the removal of the above-mentioned Title Deed conditions is required.

▶ The existence of the title deed conditions has the effect of:

- Undermining the Ndlambe Integrated Land Use Scheme (2019), which is the current legal and policy instrument for land use management;
- Delaying development potential that may otherwise be permitted through proper municipal processes;
- Creating legal uncertainty, as it introduces a second layer of regulation no longer aligned with the delegated planning authority structure under SPLUMA (Spatial Planning and Land Use Management Act, 2013).

▶ The removal of the conditions aligns with:

- SPLUMA, which seeks to rationalize and simplify land use controls;
- The Municipal Spatial Development Framework (SDF), which promotes efficient land use and sustainable densification where appropriate;
- The applicable Town Planning Scheme, which provides clear mechanisms (e.g., consent use or rezoning) for changes in land use, subject to public participation and technical assessments.

▶ The restrictive conditions in the Title Deed prohibit the efficient use of property and will not have a detrimental impact on the property and surrounding area.

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

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

▶ In terms of **Section 69 (5) (a)** of the Ndlambe Municipality Spatial Planning and Land Use Management By-Law (2016), when considering the removal, suspension or amendment of a restrictive condition the Municipality must have regard to:

(a) the financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement."

Motivation for Removal of Title Deed Conditions in terms of Section 69 (5) (a):

- The restrictive conditions are obsolete and have been effectively replaced by the provisions of the Ndlambe Integrated Land Use Scheme (2019) and modern building regulations, which are subject to Municipal approval.
 - As such, its removal will eliminate legal uncertainty, align the property's development controls with the Ndlambe Integrated Land Use Scheme (2019), and support more flexible, efficient land use without influencing the rights or values of any third party.
- ▶ In terms of **Section 69 (5) (b)** of the Ndlambe Municipality Spatial Planning and Land Use Management By-Law (2016), the Municipality must also consider:

(b) the personal benefits which accrue to the holder of rights in terms of the restrictive condition.

Motivation for Removal of Title Deed Conditions in terms of Section 69 (5) (b):

- The conditions were imposed generically at the time of township establishment and was not intended to serve the interests of a specific individual or property.
 - The continued existence of the conditions does not enhance or protect any current owner's property rights or enjoyment, nor does its removal result in a loss of personal benefit to any party.
 - Removing these restrictions thus removes the arbitrary and outdated control without infringing on any legitimate personal rights of others.
- ▶ In terms of **Section 69 (5) (c)** of the Ndlambe Municipality Spatial Planning and Land Use Management By-Law (2016), the Municipality must also consider:

(c) the personal benefits which will accrue to the person seeking the removal of the restrictive condition, if it is removed.

Motivation for Removal of Title Deed Conditions in terms of Section 69 (5) (c):

- The removal will allow for more efficient and flexible use of the property in accordance with current Municipal planning regulations, the Ndlambe Integrated Land Use Scheme (2019).
 - This includes the ability to construct additional or more appropriately located buildings, respond to contemporary lifestyle needs, and enhance the market value and functional use of the property.
 - In addition, the removal will eliminate outdated spatial limitations that are no longer aligned with Municipal Zoning provisions, thereby simplifying the legal and planning environment in which the property exists.
- ▶ In terms of **Section 69 (5) (d)** of the Ndlambe Municipality Spatial Planning and Land Use Management By-Law (2016), the Municipality must also consider:

(d) the social benefit of the restrictive condition remaining in place in its existing form.

Motivation for Removal of Title Deed Conditions terms of Section 69 (5) (d):

- The restrictive Title Deed conditions serve only to limit private development on the subject property and does not contribute to the protection of public rights, heritage, environmental resources, or community access.
- Building lines are now appropriately and effectively regulated through the Ndlambe Municipality Integrated Land Use Scheme (2019) and Municipal development processes, which serve the public interest in a more current, flexible, and responsive manner.

- The retention of the existing title deed conditions provides no tangible social benefit to the community, municipality, or surrounding property owners. Instead, their removal would align with current planning and land use policies, enable local economic activity, encourage sustainable development and reduce administrative inefficiency.

- ▶ In terms of **Section 69 (5) (e)** of the Ndlambe Municipality Spatial Planning and Land Use Management By-Law (2016), the Municipality must also consider:

(e) the social benefit of the removal or amendment of the restrictive condition.

Motivation for Title Deed Conditions in terms of Section 69 (5) (e):

- In terms of Section 69(5)(e) of the Ndlambe Municipality Spatial Planning and Land Use Management By-Law (2016), the removal of the restrictive building line condition will yield clear social benefits.
- It will allow for the more efficient use of land within the urban edge, support the development of affordable and inclusive housing typologies, and enable more context-sensitive and sustainable design solutions.
- The removal will also reduce legal uncertainty and streamline development processes, supporting both private investment and the public interest.

- ▶ In terms of **Section 69 (5) (f)** of the Ndlambe Municipality Spatial Planning and Land Use Management By-Law (2016), the Municipality must also consider:

(f) whether the amendment, suspension, or removal of the restrictive condition will remove all rights enjoyed by the beneficiary or only some of those rights.

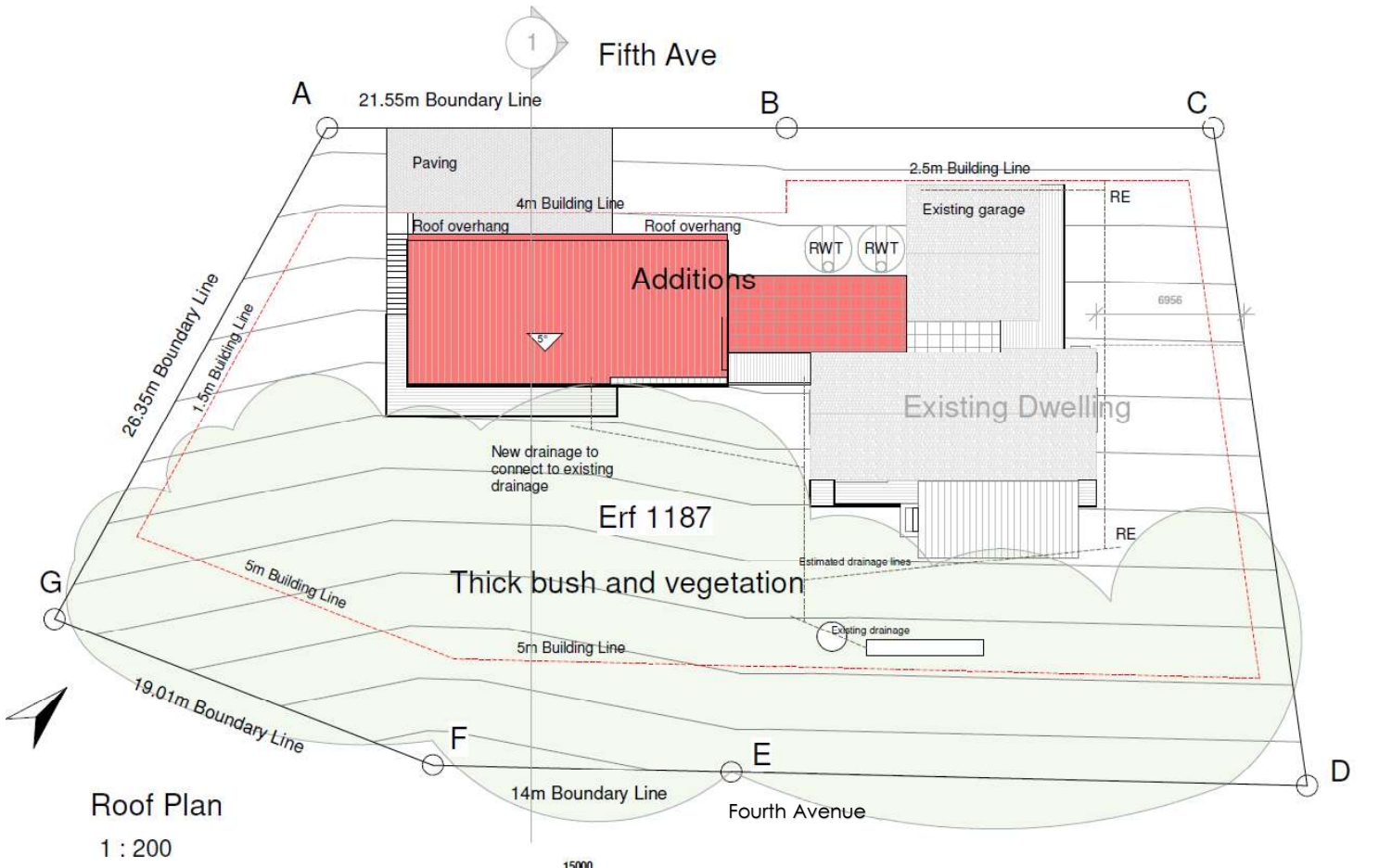
Motivation for Title Deed Conditions in terms of Section 69 (5) (f):

- The removal of the restrictive conditions will not remove any real or currently enjoyed rights by any beneficiary, as no such beneficiary with enforceable rights exists.
- To the extent that historical rights may exist, the removal will affect only some obsolete and unexercised rights, not all rights.
- There is no prejudice or loss to any third party or community interest.
- Therefore, the Municipality can confidently approve the removal of these conditions, knowing that no legitimate rights will be extinguished or unjustly affected.

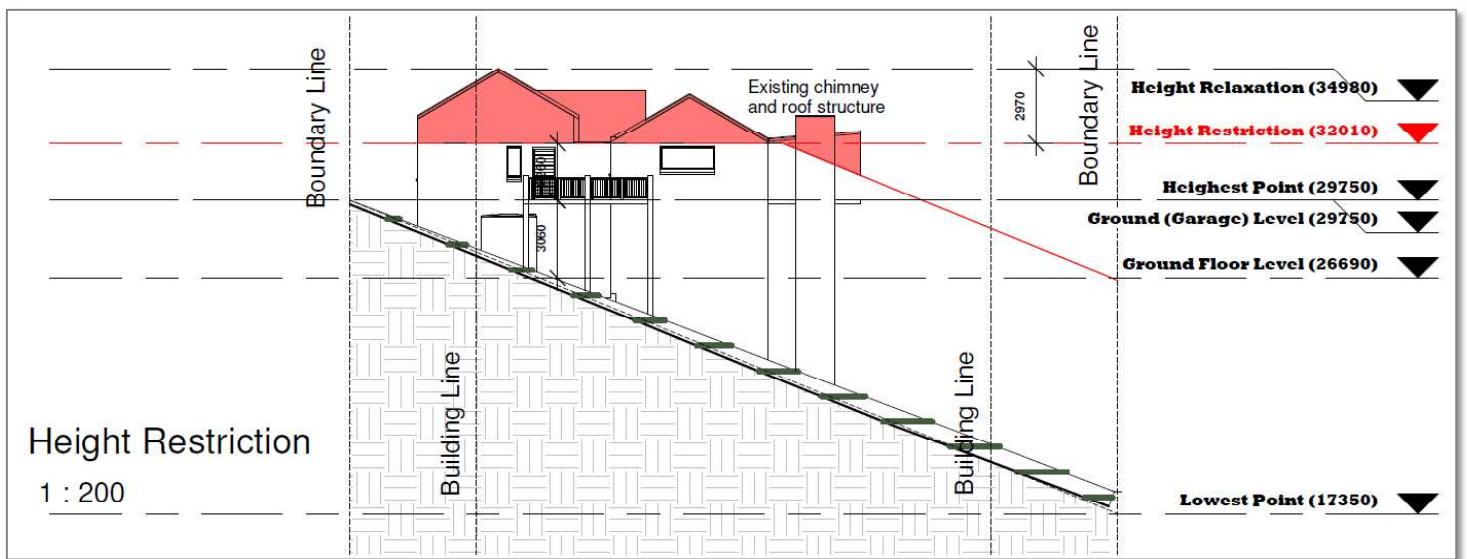
1. Development Proposal

- ▶ The subject site is situated between 5th Avenue in the north-west and 4th Avenue in the south-east and a dwelling is situated in the northern corner of the property, as illustrated on the Site Plan.
- ▶ After surveying the property and existing building envelope the Land Surveyors, M.E.H. Sulter and Sons Inc., confirmed that the existing structures encroach the 5m street building line along 5th Avenue and the 8,5m height restriction.
- ▶ The existing double garage currently encroaches the 5m street building line along 5th Avenue.
- ▶ The purpose of this application is to regularize the existing encroachments of the development footprint on the property. This will allow the owners to proceed with the submission of building plans for the proposed extension of the existing dwelling.
- ▶ The following architecturally designed amendments/additions are proposed on the property:
 - On the ground floor level:
 - Convert the existing garage into the main bedroom.
 - New garages obtaining access from the north-western corner of the property.
 - New games room.
 - New dining room.
 - On the basement level:
 - New TV room.
 - New En-suite bedroom.
 - New Bunk room.
- ▶ It is envisioned that the total development after alterations and renovations will comprise of the following components:
 - Basement level
 - TV room
 - En-suite bedroom
 - Bunk room
 - 2 en-suite bedrooms
 - Balcony
 - Ground floor
 - Double garage
 - Single garage
 - Main bedroom
 - Gamesroom
 - Dining room
 - Main bedroom
 - Kitchen and living area
- ▶ The proposed alterations will not change the existing residential character of 5th Avenue or 4th Avenue or the greater Bushmans River Mouth area, as numerous properties in the vicinity already encroach either the street, lateral, rear or all building lines.

Site Development Plan: Erf 1187, Boesmansriviermond



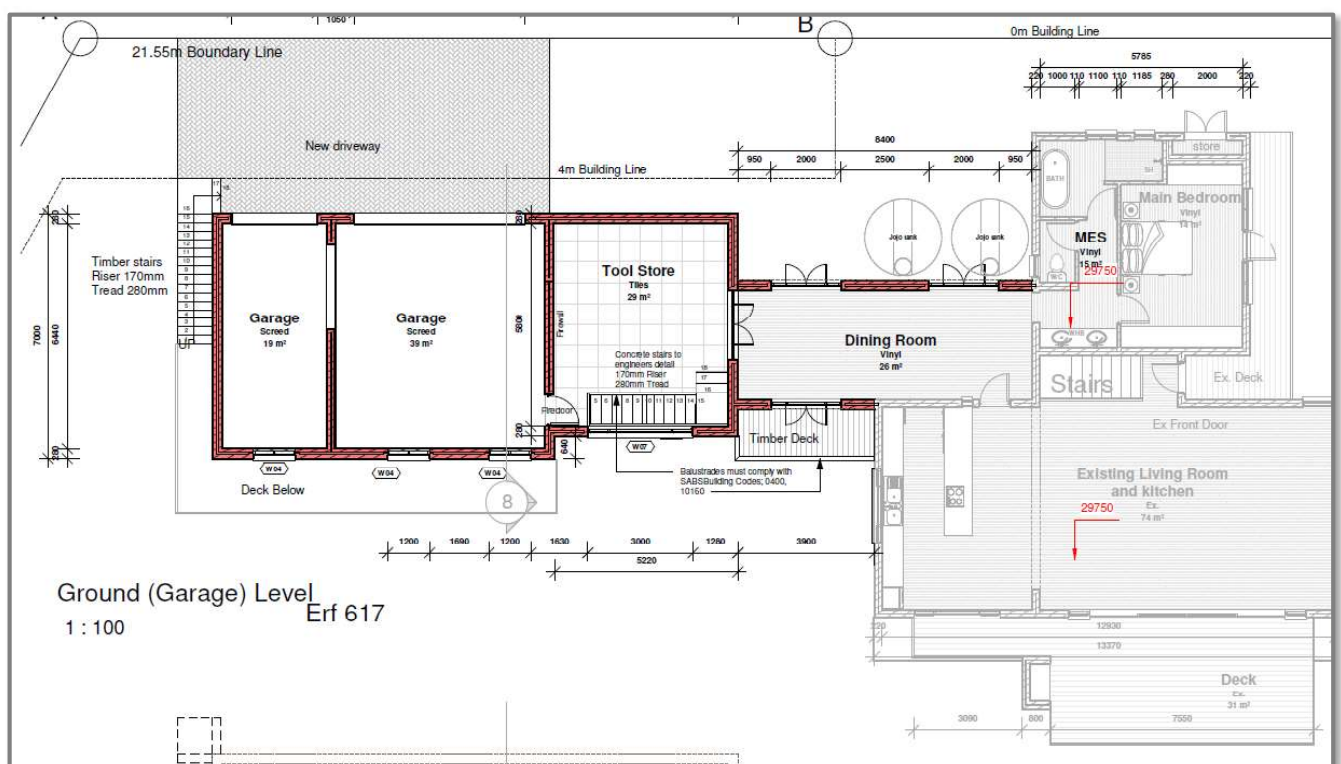
Height Restriction: Erf 1187, Boesmansriviermond (Existing Buildings)



2. Permanent Departure from the Street Building Line

- ▶ Conditions in the Title Deed of the subject property stipulate a 5m street building line, 3m rear building line and 1,5m lateral building lines for Erf 1187, Boesmansriviermond. This application includes the removal of these conditions from the Title Deed. Following the removal of the restrictive conditions in the Title Deed, development on the property will be regulated in terms of the Ndlambe Municipality Integrated Land Use Scheme (2019). The relevant Scheme provides sufficient development control to regulate land use, building lines, coverage, height, density, etc.
- ▶ The Ndlambe Municipality Integrated Land Use Scheme (2019) stipulates the following building lines for Residential Zone 1 properties:
 - 5m street building line
 - 1,5m lateral building line
 - 3m rear building line
- ▶ The existing garage encroaches the 5m street building line along 5th Avenue. This application includes the permanent departure from the 5m street building line along 5th Avenue to regularize the existing encroachments of the development footprint on the property. The street building line relaxation will allow the owner to proceed with the submission of building plans for the proposed extension of the existing dwelling.
- ▶ **Proposed 2,5m street building line along 5th Avenue for existing development and proposed 4m street building line for future development:**
 - The existing double garage encroaches the 5m street building line along 5th Avenue.
 - It is the intention of the owners to convert the double garage into the main en-suite bedroom.
 - Permanent Departure from the 5m street building line along 5th Avenue will formalize the existing encroachments of the development footprint in the northern portion of the site.
 - The purpose of the proposed 2,5m street building line relaxation is to accommodate the existing development footprint, as per the Site Development Plan.
 - The proposed 4m street building line for future development is to accommodate the roof overhang and stairs.

Proposed street building lines:

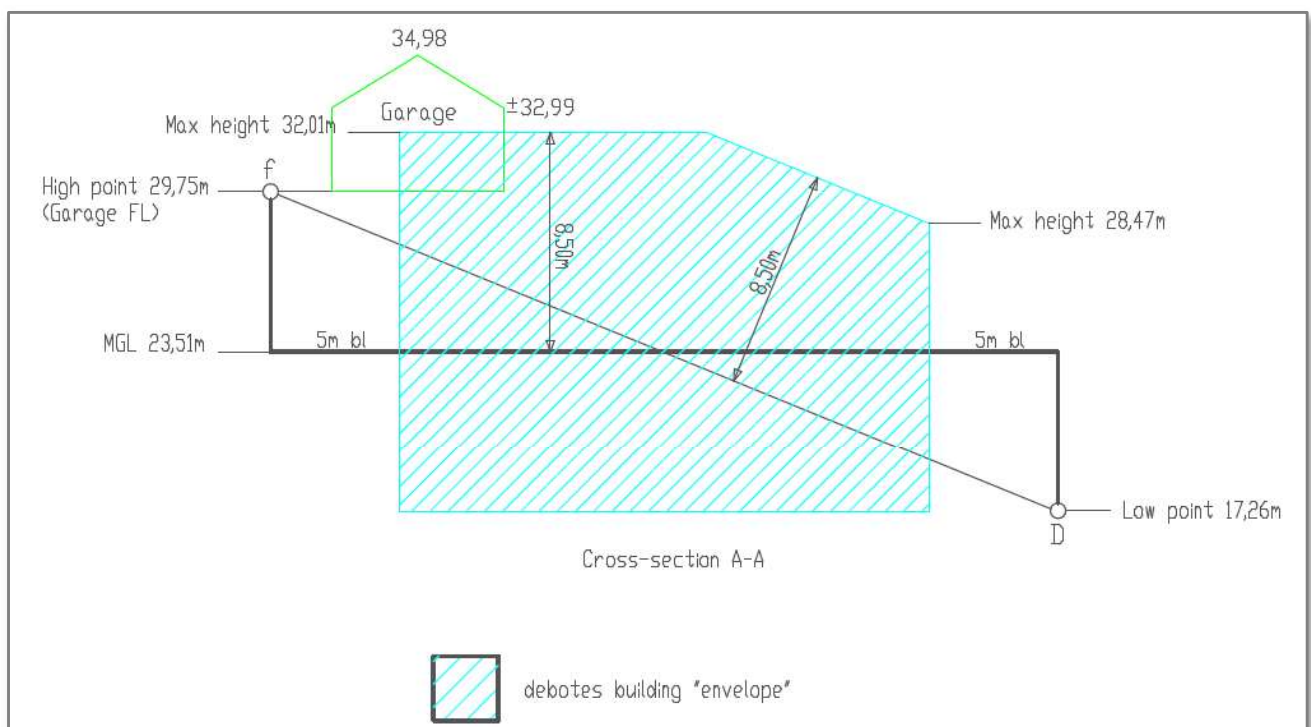


3. Permanent Departure from the Height Restriction

- ▶ The Ndlambe Municipality Integrated Land Use Scheme (2019) stipulates a height restriction of 8,5m for properties with a Residential 1 zoning.
- ▶ Definition of height : *the maximum permissible vertical dimension of any building to be constructed on a land unit, which vertical dimension shall be measured from the determined ground level to the highest externally visible point of the building and shall not exceed a parallel line drawn at the maximum height above the ground level, and a horizontal line drawn at the maximum height above the ground level, provided that:*
 - (a) *Chimneys, flues, satellite dishes, masts and antennae having a total accumulated diameter of less than 1.5 metres shall be excluded from the calculation of the height of the structure.*
 - (b) *Elevator motor rooms, ventilation shafts, water tanks, air conditioning plants vehicles and equipment attached to or parked on top of a structure are included when determining the height of the structure.*
- ▶ Definition of Ground Level: *the average between the highest and the lowest natural undisturbed level of the land unit, as determined by a registered surveyor.*
- ▶ M.E.H Sulter & Son Inc. Professional Land Surveyor surveyed the slope of the subject site and the height of the existing building. The **Height Certificate** is attached as **Annexure C.5**.
- ▶ The **height restriction** is calculated in the following manner:
 - The mean ground level has been calculated at 23,55m above sea level (the average between the highest level (29,75m) and the lowest (17,35m) natural undisturbed level of the subject property).
 - The height restriction of 8,5m from mean ground level results in 32,05m above sea level.
 - The 8,5m height restriction is 32,05m above sea level and the height of the existing building and proposed extension are as follows:

	Height above Sea Level	Height
Dwelling:	34,98m	11,47m
Proposed Extension:	34,15m	10,64m

Height Certificate of the existing dwelling on Erf 1187, Boesmansriviermond:



- ▶ As indicated on the Height Certificate (above) the existing garage was constructed to ensure safe and level access from the street. Lowering the garage to comply strictly with height limitations would have resulted in a dangerously steep and unsafe driveway gradient.
- ▶ When the original dwelling was constructed the steepness of the slope of Erf 1187, Boesmansriviermond necessitated a ground floor level of 26,69m, which exceeds the calculated mean ground level of 23,55m by 3,14m.
- ▶ For practical and cost-related reasons, the proposed extension will be developed at the same level as the existing ground floor. Lowering the extension to align with the mean ground level would not only increase construction complexity and cost but may also result in damp and substandard living conditions, potentially affecting the health and safety of future occupants.
- ▶ Constructing the proposed extension at a lower level than the existing structure could lead to significant structural complications and could negatively impact the integrity of the current building.
- ▶ Therefore, continuing the development at the existing ground floor level necessitates a relaxation of the 8,5m height restriction to accommodate the vertical extent of the proposed addition.
- ▶ The proposed height of the extended dwelling will be 11,47m – exceeding the height restriction by 2,97m. However, this does not introduce a new or greater height encroachment, as the existing structure already exceeds the height limit by the same margin.
- ▶ Importantly, due to the slope of the site, the proposed extension will only project 4,4m above the street level along 5th Avenue. This is clearly illustrated in the Site Development Plan and demonstrates that the visual impact of the proposed height will be minimal from the street frontage.
- ▶ The surrounding Bushmans River Mouth area is characterised by varied topography and includes numerous three-storey dwellings that were constructed in response to similar slope conditions. As such, the proposed extension will not appear out of character with the existing built environment.
- ▶ The purpose of this application for height departure is twofold:
 - To regularise the existing building's height encroachment; and
 - To permit the proposed renovations and additions in a safe, structurally sound, and visually compatible manner.
- ▶ In light of the above, it is submitted that the proposed height relaxation will not result in any unreasonable impact on the streetscape or surrounding properties and is appropriate given the site's topography and context.

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 within a residential neighborhood known as Boesmansriviermond.
	The location of the property and the type of land use envisaged cannot directly contribute to spatial reform. These matters are best addressed through Spatial Development Frameworks, Integrated Land Use Schemes and other management systems.
	The nature of this application is such that this principle has no bearing as the application only seeks to enable the current landowners to develop the properties to their full potential.

The principle of spatial sustainability:

Criteria:	Compliance: Planning Implication
Section 7 (b) deals with: (i) promotion of land development in strategic location, protecting the environment, stimulation of land markets and viable communities. (v) consider all current and future costs to all parties for the provision of infrastructure and social services in land developments. (vi) promote land development in locations that are sustainable and limit urban sprawl. (vii) result in communities that are viable.	The development proposal is fully Ndlambe SDF compliant. The proposal does not intend to change the residential land use on the subject property or contradict the proposals of the Boesmansriviermond Precinct.
	The development is within the urban edge of the Boesmansriviermond area and within an established urban environment.
	Given the need to contain urban sprawl, effective utilization of properties located within the urban edge is regarded as one of the approaches to realise spatial sustainability.
	The 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 Boesmansriviermond 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, as well as regularize the existing encroachments of the development footprint on the property.
	The proposal will not have a negative impact regarding financial, social, economic or environmental considerations for the relevant authority.
	In terms of Section 76 of the Ndlambe Municipality SPLUMA 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 building line relaxation and height relaxation can support resilient design choices without compromising overall planning integrity.
	The application maintains the long-term usability and adaptability of the development by legalizing existing structures, avoiding legal or functional uncertainty in future planning or sales.

The principle of good administration:

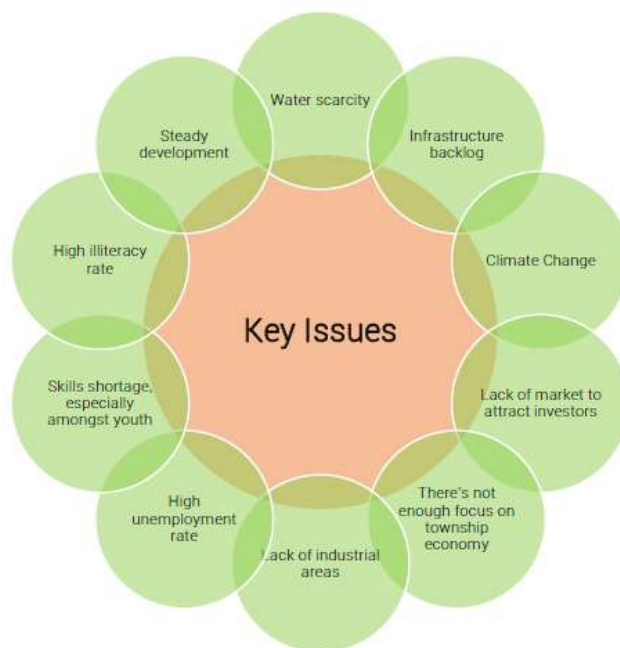
Criteria:	Compliance: Planning Implication
Section 7 (e) refers to the promotion of administrative actions, procedure and consultative planning practices for all the relevant role players.	The proposed development complies with the Spatial Planning and Land Use Management Act as demonstrated in the report.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

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



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

Vision 2023

The vision of the Ndlambe Municipality is as follows:

Vision

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

Spatial Objectives

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

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

The following objectives have been identified specifically for Urban areas:

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

Development Strategies

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

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

Spatial Planning Principles

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

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

Spatial Structuring Elements

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

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

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

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

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.

Urban Edge and Service Edge: Bushmans River Mouth



Land Use Proposals: Bushmans River Mouth

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

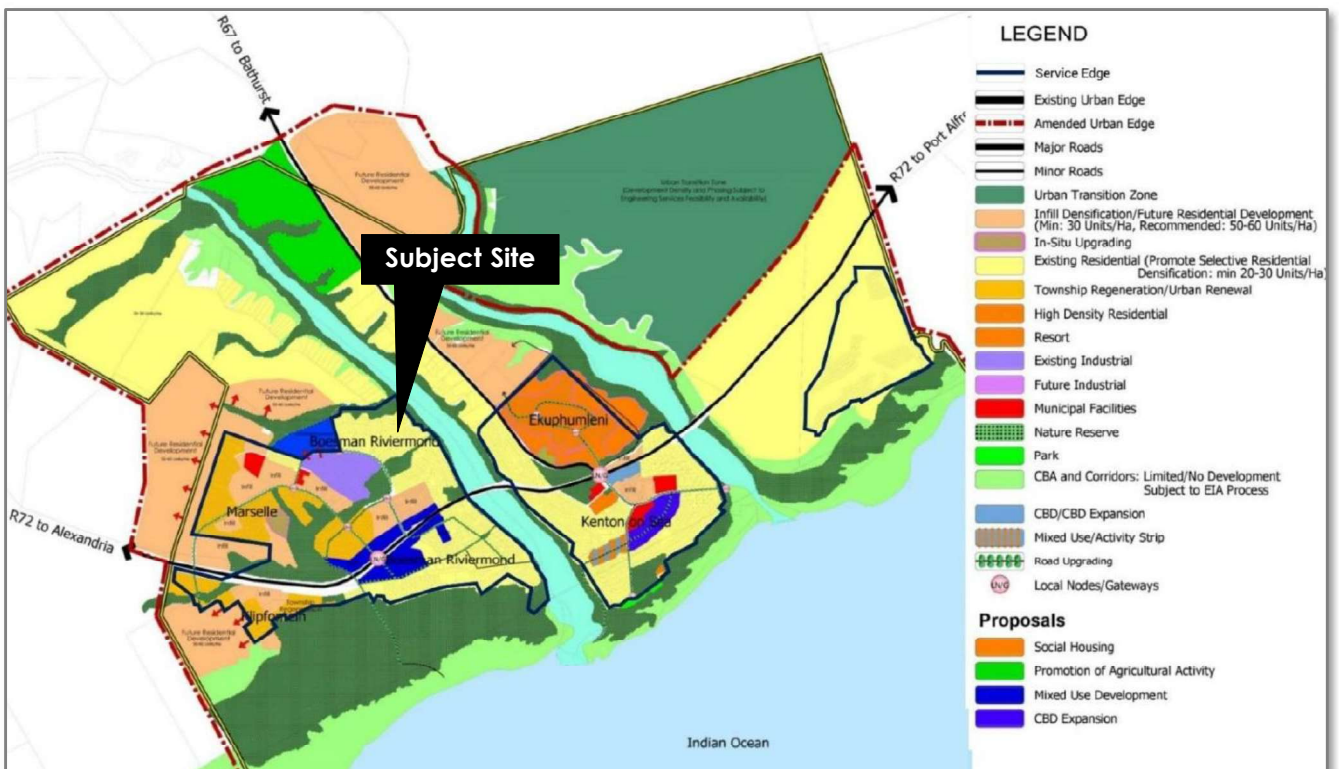
The “Bushmans River Mouth” urban concentration has been identified as a “*Sub-District Centre*” owing to its location along the coast and tourism activities found in the town.

Residential:

Bushmans River Mouth lies spatially adjacent to Kenton-on-Sea. With a limited range of housing typologies, which has led to very low-density development and promotions of urban sprawl.

Erf 1187, Boesmansriviermond is earmarked for Residential and promotion of selective residential densification.

Ndlambe Spatial Development Framework: Boesmansriviermond



Consistency with the Ndlambe SDF: Boesmansriviermond

- ▶ Erf 1187, Boesmansriviermond is situated within the urban edge and service edge of Boesmansriviermond.
- ▶ The Removal of Restrictive Title Deed Conditions and Permanent Departure from the street building line and height restriction will not change the residential land use or character of the surrounding area.
- ▶ The proposed development supports the broader spatial planning goals of the municipality:

SDF Goals:	Support:
Promote efficient use of urban land and prevent unnecessary sprawl.	A building line and height restriction relaxation allows for better use of limited erf space, especially in older, established coastal towns like Bushmans River Mouth. It promotes infill development without the need to expand urban boundaries or extend costly infrastructure.
Strengthen the form and function of existing settlements.	Relaxing the street building line along 5 th Avenue may allow buildings to conform to the character of existing streetscapes or neighbouring structures. Many properties in Bushmans River Mouth have historic or irregular layouts, so minor relaxations can support consistency in design and function.
Encourage adaptable and sustainable built forms that respect environmental constraints.	Building closer to a boundary may allow better orientation for sunlight, wind protection, or slope stability.

- ▶ The proposed building line relaxation on the property in Bushmans River Mouth aligns with the Ndlambe Municipality Spatial Development Framework in several key respects. It promotes efficient land use by enabling infill development on an existing urban erf, supports the compact urban form of Bushmans River Mouth, and allows for practical improvements that enhance livability and property value.

- ▶ Furthermore, the proposal respects the surrounding built environment and does not compromise environmental sustainability or service provision.
- ▶ It is clear from the above that the development on the site supports and promotes the goals and principles of the existing planning vision and proposals applicable to the area.

3. Ndlambe Municipality Integrated Land Use Scheme (2019)

- ▶ Land use and land use parameters applicable to the subject site are managed through the Ndlambe Municipality Integrated Land Use Scheme (2019). Erf 1187, Boesmansriviermond is currently zoned for Residential Zone 1 purposes.
- ▶ It is the intention of the owners to obtain the necessary building line and height restriction relaxations from the Municipality to regularise the existing encroachments of the development footprint on the property. This will allow the owners to proceed with the submission of building plans for the proposed extension of the existing dwelling, with the following development parameters applicable to Erf 1187, Boesmansriviermond:

Zoning	Residential Zone 1
Primary Land Use	Dwelling Unit
Street Building Line	5th Avenue: 2,5m for existing development and 4m for future development 4th Avenue: 5m
Lateral Building Lines	1,5m
Rear Building Line	N/A
Height	11,47m
Coverage	50%
Floor Factor	1,0
Parking	1 space / dwelling unit

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

1. Potential of the property

The subject site is 1500m² in size. A dwelling unit is situated in the northern corner of the site. 5th Avenue borders the property in the north-west and access to the property is obtained from 5th Avenue in the northern corner.

Street Building Line Relaxation:

- The relaxation of the 5-metre street building line along 5th Avenue is requested specifically to regularise the position of the existing garage, which was developed at street level to ensure safe and direct access to the property.
- Had the garage been constructed in compliance with the 5-metre setback, it would have required a steep and potentially hazardous driveway due to the site's slope, compromising both accessibility and safety.
- Importantly, the encroachment was not intentional. It was only identified following a detailed survey of the site and existing structures conducted by M.E.H Sulter & Sons Land Surveyors.
- The proposed 4m street building line will accommodate the roof overhang and stairs.
- This approach enables the property owner to proceed with the submission of building plans without the need for demolition or costly alterations to existing structures that function safely and effectively in their current configuration.

Height Restriction Relaxation:

- The site slopes significantly in an easterly and south-easterly direction towards 4th Avenue, resulting in a natural elevation difference across the property. This topographical condition affects the vertical measurement of the existing dwelling.
- The existing dwelling currently exceeds the 8,5m height restriction due to its positioning on elevated ground, with the ground floor established at a level that accommodates the slope.
- The proposed extensions and renovations will follow the same ground floor level for consistency and structural practicality. As such, the new additions will **not exceed the height of the existing building**.
- The requested height relaxation is therefore required to legalise both the existing exceedance and to accommodate the continuation of the dwelling expansion on the same level, without introducing a greater height or visual impact than what already exists.

Maximising the Site's Potential:

- The proposed relaxations will allow for more effective and efficient use of the large 1,500m² site, especially in a high-demand coastal area like Bushmans River Mouth where land use optimisation is critical.
- The development enhances the property's value and liveability without creating undue or material negative impact on the surrounding properties or streetscape.
- The proposed relaxations are contextually appropriate, responding sensitively to the site's slope, existing development pattern, and neighbourhood character, which includes other multi-storey dwellings on similarly sloped sites.

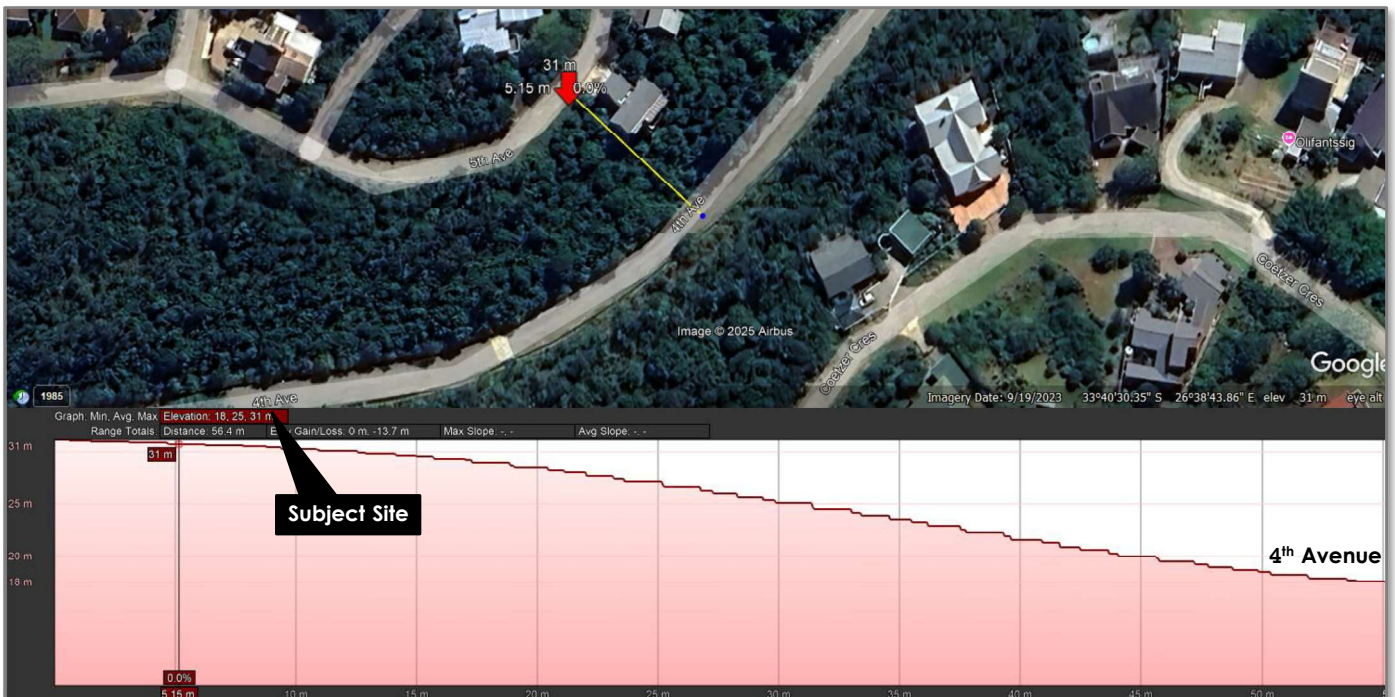
Conclusion:

In light of the above, the proposed street building line and height relaxation are considered reasonable, necessary, and in keeping with the character and potential of the property. The proposal represents a balanced approach to land use, promoting safety, structural integrity, and functional living space, while maintaining harmony with the surrounding environment.

2. Compatibility with surrounding area

Bushmans River Mouth is a coastal village that has evolved from a predominantly holiday destination into a community with a growing number of permanent residents. The area is defined by its natural topography, with mild to steep slopes leading towards the Indian Ocean and the Bushmans River. This topographical character has directly influenced the built environment, resulting in a landscape of varied dwelling scales and forms.

Elevation Profile: Erf 1187, Boesmansriviermond



The subject property is located in an established residential area where larger homes—many of them double- and triple-storey—are common. This form of development responds to the slope of the terrain, optimising views, access, and living space.

5th Avenue and 4th Avenue in particular reflect the informal and coastal character of Bushmans River Mouth. These streets are characterised by:

- A mix of freestanding homes
- Varied architectural styles and building setbacks
- Mature landscaping
- Non-uniform boundary treatments

The scale and design of the proposal should be taken into consideration when assessing the impact on the surrounding area. The opinion is offered that the proposal is consistent with the character of the surrounding area.

Street Building Line Relaxation:

The requested relaxation of the 5-metre street building line along 5th Avenue pertains specifically to the existing garage structure, which was built at street level to promote safe and accessible entry to the property. This minor encroachment aligns with the informal, varied streetscape and does not disrupt the rhythm or character of the surrounding built environment.

All future development will comply with the prescribed building lines, and the relaxation is therefore limited in scope and impact.

Height Restriction Relaxation:

Due to the natural slope of the property, the existing dwelling slightly exceeds the 8.5m height restriction. The proposed development will maintain the current ground floor level to ensure structural continuity and practicality but will not exceed the existing building's height.

This modest height departure is not visually intrusive and remains compatible with the scale of other nearby double- and triple-storey homes. From 5th Avenue, the proposed development will only extend approximately 4.4 metres above street level, which limits its visual impact and maintains the human scale along the streetscape.

Impact on surrounding properties:

The proposed street building line and height restriction relaxations are contextually appropriate and compatible with the built character of Bushmans River Mouth. The development responds thoughtfully to the site's natural slope and existing building patterns, while maintaining the visual and environmental quality of the area.

It is therefore submitted that the proposed relaxations, along with the removal of relevant Title Deed conditions, will not result in any adverse impacts on neighbouring properties or the character of the area. On the contrary, the proposal supports sensible densification and the ongoing evolution of Bushmans River Mouth as a vibrant, yet sensitive, coastal residential community.

3. Engineering Services

The application area is located within the existing urban fabric with all necessary municipal 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.

The removal of conditions in the Title Deed and departure from the street building line and height restriction will not have any effect on the existing Municipal services.

4. Economic Impact

Renovating a house can significantly contribute to capital investment in an area by increasing the property value, attracting new residents, and potentially stimulating further development or improvement on nearby properties, thereby improving the overall attractiveness and market value of the neighborhood.

The renovations and modernization of the property will result in increased rates and will have a direct positive impact for the Municipality in increased rates and revenue.

It is anticipated that a number of short-term construction and downstream jobs will be created during the implementation of services and construction.

The market value of the property as well as the surrounding properties will increase due to investment in the area.

As Bushmans River Mouth transitions from a seasonal holiday town to a more permanent residential community, the demand for high-quality, functional housing is increasing. This development contributes to:

- Meeting the housing needs of long-term residents seeking permanent dwellings rather than seasonal accommodation,
- Improving the quality and availability of housing stock,
- Supporting broader spatial planning objectives and land use efficiency in a high-demand coastal area.

Quality development such as this enhances the reputation of the area and encourages further investment by others, strengthening the local economy.

In summary, the proposed development will generate tangible economic benefits through job creation, increased property values, and greater municipal revenue. It also contributes to the long-term sustainability and attractiveness of Bushmans River Mouth as both a residential and tourism node.

The street building line and height relaxation—facilitating the development—are therefore not only justified from a planning and design perspective but are also economically beneficial for the wider community.

This report has provided background, a statement of the current situation and motivation which supports the Removal of Restrictive Title Deed Conditions and Permanent Departure from the street building line and height restriction on Erf 1187, Boesmansriviermond.

In light of this motivation and the information contained in the foregoing report, it is clear that the application for Erf 1187, Boesmansriviermond:

- ▶ **Removal of Restrictive Title Deed Conditions** I. A. (g) (i) & (ii) and II. A. (g) (i) & (ii) from Title Deed in terms of Section 69 of the Ndlambe Municipality SPLUMA By-Laws (2016),
- ▶ **Permanent Departure** from the 5m street building line to a 2,5m street building line, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016),
- ▶ **Permanent Departure** from the 8,5m height restriction to 11,47m, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016),

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

To conclude:

- ▶ Erf 1187, Boesmansriviermond is situated within the urban edge and service edge of Bushmans River Mouth.
- ▶ It is clear that the proposed Permanent Departure permits the existing development footprints and proposed addition will not have a negative impact on the physical characteristics of the subject property but will make more effective use of land, especially in an established environment.
- ▶ The conditions listed in the Title Deed relate to restrictive development parameters which were imposed at a time when a Town Planning Scheme was not yet available.
- ▶ The removal of the restrictive conditions in the Title Deed will not have a negative or detrimental effect on the property and surrounding area.
- ▶ The purpose of this application is to regularize the existing encroachments of the development footprint on the property. This will allow the owners to proceed with the submission of building plans for the proposed extension of the existing dwelling.
- ▶ The proposal is not in conflict with the SPLUMA principles and Ndlambe Municipality SDF for the Bushmans River Mouth Precinct and will promote optimal use of existing resources and infrastructure. There are no significant negative impacts that are envisaged from the proposed development.

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

ANNEXURE A

MAPS

- 1. Locality**
- 2. Site Plan**
- 3. Existing Zonings**
- 4. Site Development Plan**



ERF 1187, BOESMANSRIVIERMOND

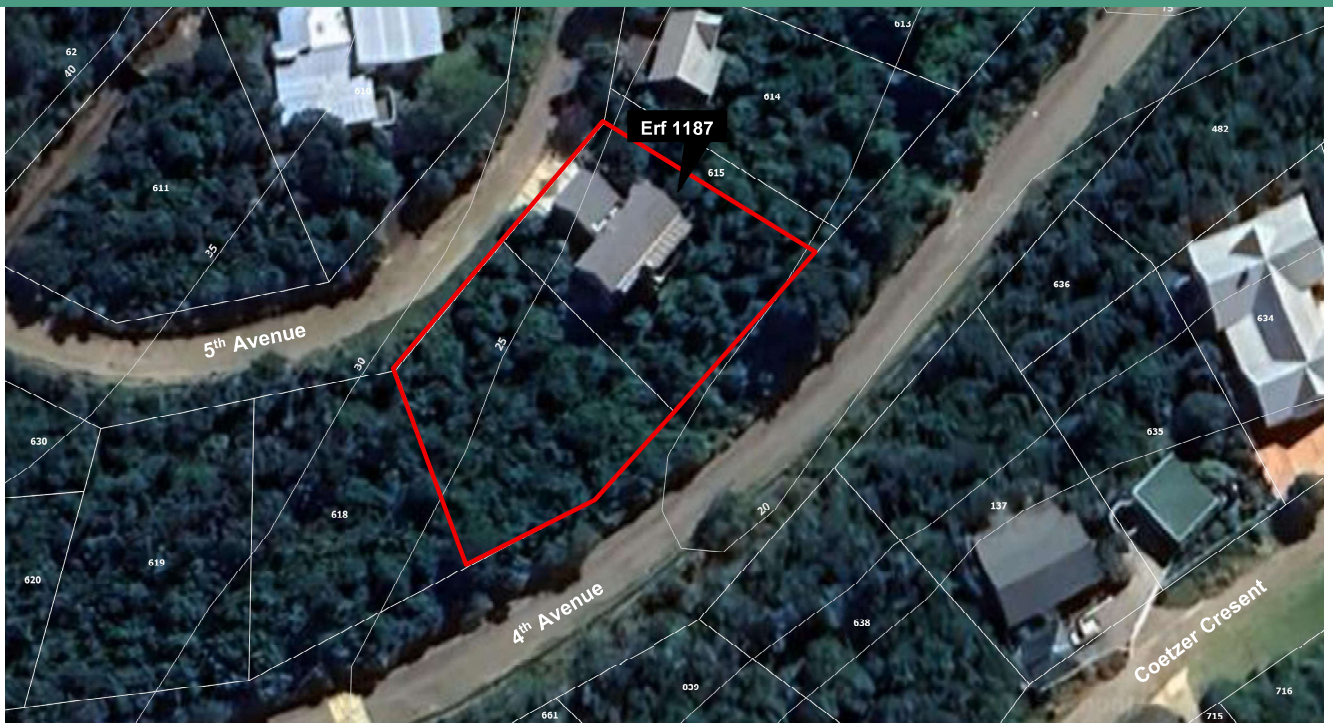


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Mirinda de Beer
TOWN & REGIONAL PLANNERS

082 896 2686
mirinda@mbtownplanner.co.za



ERF 1187, BOESMANSRIVIERMOND



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Mirinda de Beer
TOWN & REGIONAL PLANNERS



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mirinda@mbtownplanner.co.za

EXISTING ZONINGS

MAP 3



ERF 1187, BOESMANSRIVIERMOND



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Mirinda de Beer
TOWN & REGIONAL PLANNERS

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mirinda@mbtownplanner.co.za

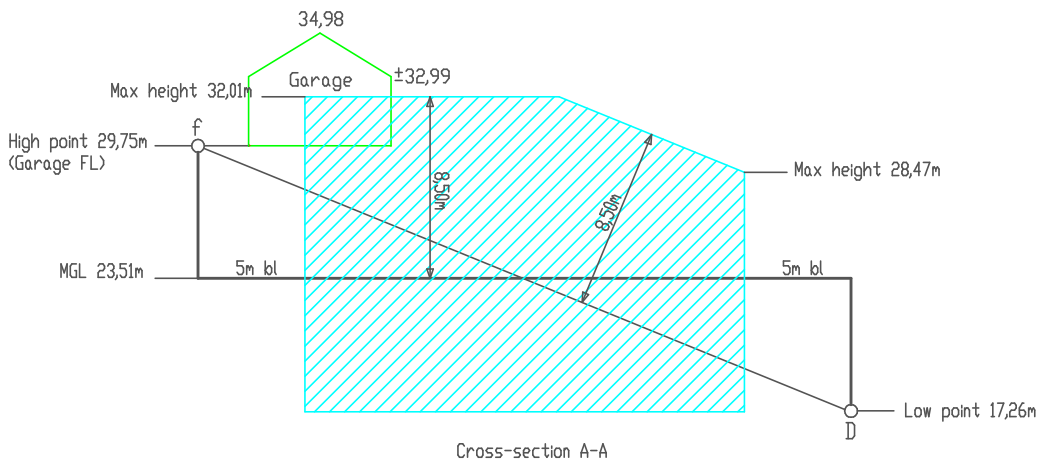
Height Certificate
of erf 1187 Bushmansrivermouth
Administrative District of Alexandria
Province of the Eastern Cape
Scale: 1/250 (@A3)




Highest point = 29,75m
Lowest point = 17,26m
Mean Ground Level = 23,51m

Maximum height determination

BL = Building line
FL = Floor level
MGL = Mean Ground Level
RR = Roof ridge



 debotes building 'envelope'

Date: November 2024



M.E.H SULTER & SON INC.

Professional Land Surveyors
Township & Property Consultants
Sectional Title Practitioners

3D scanning and building information modelling

Medical Centre
15A Milner Street
Grahamstown
6139

Tel: 046 - 622 4441
e-mail: peter@surveyec.co.za

P.B. Sulter
K. van Niekerk

B.Sc.(SURVEY) Pr.L.(S.A.G.C.) Dip.Proj.Man.
B.Sc.(GEO MATICS) Pr.L.(S.A.G.C.)



ANNEXURE D

CONSENT LETTERS 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: REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE FROM STREET BUILDING LINE AND HEIGHT RESTRICTION
SITUATED ON ERF ...1187..., STREET & NO. 46 5TH AVENUE, TOWNSHIP ..BOESMANSRIVIERMOND..

It is confirmed that I (Name in Full of affected land owner), E R BALARIN
 being the registered owner of Erf 614 Township BOESMANSRIVIERMOND
 have **NO OBJECTION** to the above proposal being (Delete which is not applicable):

- a) ~~A relaxation of the lateral building line from m to m from our common side;~~
- b) ~~A relaxation of the rear building line from m to m;~~
- c) A relaxation of the street building line from 5 m to 2.5 & 4 m; (AS PER THE SITE DEVELOPMENT PLAN)
- d) A relaxation of building height from 8.5 m to 11.47 m;
- e) ~~A second dwelling unit not exceeding m²;~~
- f) ~~A relaxation of the lateral / street boundary wall / fence height restriction from m to m;~~
- g) ~~Other (Give details)~~

shown on plan number 101 undated 05/11/2025

Additional comments by consenting owner to the above consent:

.....

.....

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

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

Signed: 

Date: 12/12/2025

Residential Address (Of owner giving consent):


.....

Home Tel:

Work Tel:

WITNESSES

1. Lynia Norman
 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: REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE FROM STREET BUILDING LINE AND HEIGHT RESTRICTION

SITUATED ON ERF ...1187... **STREET & NO.** ...46 5TH AVENUE... **TOWNSHIP** ...BOESMANSRIVIERMOND...

It is confirmed that I (Name in Full of affected land owner)..... S C PIET.....

being the registered owner of Erf618..... Township BOESMANSRIVIERMOND.....

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

- ~~a) A relaxation of the lateral building line from m to m from our common side;~~
- ~~b) A relaxation of the rear building line from m to m;~~
- c) A relaxation of the street building line from ...5..... m to 2,5 & 4.. m; (AS PER THE SITE DEVELOPMENT PLAN)
- d) A relaxation of building height from ...8,5... m to 11,47... m;
- ~~e) A second dwelling unit not exceeding m²;~~
- ~~f) A relaxation of the lateral / street boundary wall / fence height restriction from m to m;~~
- ~~g) Other (Give details)~~

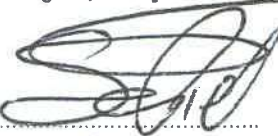
shown on plan number101..... undated05/11/2025.....

Additional comments by consenting owner to the above consent:

.....
NONE

(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: 08/12/25

Home Tel:

Work Tel:

WITNESSES

1. ZIYANDA PIET
 Full Name


 Signature

2. BULEWA MIMU
 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: REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE FROM STREET BUILDING LINE AND HEIGHT RESTRICTION

SITUATED ON ERF ...1187... **, STREET & NO.** ...46 5TH AVENUE... **, TOWNSHIP** ...BOESMANSRIVIERMOND...

It is confirmed that I (Name in Full of affected land owner), J J TUCKER

being the registered owner of Erf ...609... Township ...BOESMANSRIVIERMOND...

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

- a) A relaxation of the lateral building line from m to m from our common side;
- b) A relaxation of the rear building line from m to m;
- c) A relaxation of the street building line from ...5... m to ...2,5 & 4... m; (AS PER THE SITE DEVELOPMENT PLAN)
- d) A relaxation of building height from ...8,5... m to ...11,47... m;
- e) A second dwelling unit not exceeding m²;
- f) A relaxation of the lateral / street boundary wall / fence height restriction from m to m;
- g) Other (Give details)

shown on plan number ...101... undated ...05/11/2025...

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: J J Tucker

Date: 15/12/25

Home Tel:

Work Tel:

WITNESSES

1. J J Tucker
 Full Name

[Signature]
 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: REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, DEPARTURE FROM STREET BUILDING LINE AND HEIGHT RESTRICTION
 SITUATED ON ERF 1187, STREET & NO. 46 5TH AVENUE, TOWNSHIP BOESMANSRIVIERMOND

It is confirmed that I (Name in Full of affected land owner) L M BAKER
 being the registered owner of Erf 611 Township BOESMANSRIVIERMOND

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


- ~~a) A relaxation of the lateral building line from m to m from our common side;~~
- ~~b) A relaxation of the rear building line from m to m;~~
- c) A relaxation of the street building line from 5 m to 2,5 & 4 m; (AS PER THE SITE DEVELOPMENT PLAN)
- d) A relaxation of building height from 8,5 m to 11,47 m;
- ~~e) A second dwelling unit not exceeding m²;~~
- ~~f) A relaxation of the lateral / street boundary wall / fence height restriction from m to m;~~
- g) Other (Give details)

shown on plan number 101 undated 05/11/2025

Additional comments by consenting owner to the above consent:

This approval is subject to there being no adjustments
 or changes to the plans submitted.
 (If additional space is required a separate sheet may be attached)

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



Signed: 
 Date: 04/01/2026

Residential Address (Of owner giving consent):

Home Tel: ...
 Work Tel: ...

WITNESSES

1. Jane Green
 Full Name
 2. Matthew Shedlock
 Full Name


 Signature

 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: REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS DEPARTURE FROM STREET BUILDING LINE AND HEIGHT RESTRICTION
 SITUATED ON ERF 1187, STREET & NO. 46 5TH AVENUE, TOWNSHIP BOESMANSRIVIERMOND

It is confirmed that I (Name in Full of affected land owner) L BAKER
 being the registered owner of Erf 610 Township BOESMANSRIVIERMOND

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

- a) A relaxation of the lateral building line from _____ m to _____ m from our common side;
- b) A relaxation of the rear building line from _____ m to _____ m;
- c) A relaxation of the street building line from 5 m to 2,5 & 4 m; (AS PER THE SITE DEVELOPMENT PLAN)
- d) A relaxation of building height from 8,5 m to 11,47 m;
- e) A second dwelling unit not exceeding _____ m²;
- f) A relaxation of the lateral / street boundary wall / fence height restriction from _____ m to _____ m;
- g) Other (Give details) _____

shown on plan number 101 undated 05/11/2025

Additional comments by consenting owner to the above consent:

This approval is subject to there being no adjustments or changes to the plans submitted.

(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: *L Baker*
 Date: *4/01/26*

Residential Address (Of owner giving consent) _____

Home Tel: _____

Work Tel: _____

WITNESSES

1. *Jane Green*
 Full Name

J Green
 Signature

2. *Matthew Shedlock*
 Full Name

[Signature]
 Signature