

ROYAL PORT ALFRED GOLF CLUB WEEKLY RESULTS
Wednesday April 8
Sponsor: Efficient Insure
Competition: Betterball Stableford
No of Players: 87
Results: 1st: Norman Phillips and Paul Mills - 44
2nd: Mike Stadler and Keith Rugg - 42
3rd: Ockie Pieterse and Nick Fox - 42
4th: Harold Horne and Leon Evans - 41
Best Gross: Norman Phillips – 70 Best Nett: Norman Phillips - 70
Nearest the Pins:
6th: Sponsor Fishaways/Debonairs: Nick Fox
8th: Sponsor Efficient Insure: Roly Clayton
11th: Sponsor Bram's @ The 19th: Sys Van Niekerk
13th: Sponsor The Firm: Berny Loggenberg
The Firmest Drive 18th: Sponsor The Firm: Alex Marais
Remax Kowie Nearest for 2 on the 1st: Dave Painting
Two Clubs: 6th: Nick Fox
8th: Mark Janse Van Rensburg, Stewart Dorrington, Ross Grainger, Harold Horne
13th: Dave Hawkins

ROYAL PORT ALFRED GOLF CLUB WEEKLY RESULTS
Saturday April 11
Sponsor: Lew Geffen Sothebys International Realty
Competition: Individual Stableford
No of Players: 77
Results: 1st: John Crandon - 44
2nd: Terry Counihan - 39
3rd: Jarrod Hartly - 38
4th: Jan Engelbrecht - 38
Best Gross: Jonah Sanders - 71
Best Nett: John Crandon - 64
Nearest the Pins:
6th: Sponsor Moonfontein Quarry: Roger Coates
8th: Sponsor Juan Pretorius Architecture: Charlie Poulton
11th: Sponsor Bram's @ The 19th: Lew James
13th: Sponsor Fishaways/Debonairs: Dave Painting

The Firmest Drive 14th: Sponsor The Firm: Dave Painting
Bram's @ The 19th Nearest for 2 on the 1st: Geoff Bladen
Two Clubs:
6th: Paul Griffiths
8th: Brett Herselman, Charlie Poulton
11th: Zola Mgidwa, Lew James

RPAGC LADIES GOLF RESULTS
April 7
Sponsor: Top Carpets and Flooring
Trophy: Paterson Cup
Competition: Individual Medal
No of players: 35
Results:
Silver Division:
1st: Chante Van Zyl – 71 nett
2nd: Jenny Dukas - 72 nett
Putting Prize: Chante Van Zyl - 31 putts
Bronze Division:
1st: Mo Marsay – 74 nett
2nd: Kim Gardner – 75 nett
Putting Prize: Michelle Guest - 28putts
Copper Division:
1st: Helen Tester – 72 nett
2nd: Maureen McGarvie – 76 putts
Putting Prize: Sandy Fryer – 31 putts
Two Clubs: 8th Hole: Sue Kennedy
13th Hole: Trish Barwick
Nearest the pins: 6th: Sponsored by the Royal St Andrews – Jenny Dukas
8th: Sponsored by Hoelson Sisters – Yvonne Hill
11th: Sponsored by Ladies Section – Kim Gardner
13th: Sponsored by Carara – Trish Barwick
Longest Drive: Hole 14
0-18 handicap division – Jenny Dukas
19-40 handicap division – Donne Piguet
Winner of the "Roll it to the Hole Putter Award": Megan McCullum putts
Best nett of the day: chante van zyl – 71 nett
TROPHY WINNER: Chante Van Zyl
RPAGC 1820s GOLF RESULTS

GOLF WEEKLY

April 6
21 Players
Winners – 42: Ansu Househam, Craig Househam, Nick Van Der Merwe, Dudley Kieser
Moosehead – 47: Trevor Stotter, Rick Hill, Patrick O'Kelly, Peter Rinaldi
Two clubs – Nick Van Der Merwe
Spar Chicken: Nick Van Der Merwe
KENTON GOLF BROTHERHOOD (KGB) Tuesday 7 April 2026
 A cool morning initially saw 45 players drawn in three 3-balls and nine 4-balls to contest an Alliance Stableford 2-scores-to-count, with a bonus point for a "sandy", a par from a bunker.
 James Lobban, Jimmy van Rensburg, Keith Buttemer and Peter Longhurst really warmed up, turning on after burners, to post a winning 94 points. Sharing second, in their swirling dust, were Steve Kennedy, Don Thomson, Michael Collins and John Dell along with Mark Warren, Roland Le Sueur, Dennis Herhold and Colin Tucker as both teams finished on 89 points.
 As much as the winners were acclaimed Wayne Harris, Andy Manson, Bob Shaw and Heinz Czepluch made a valiant attempt to disguise identities and stay under the radar, disposing of their first names on the result sheet, as their 77 points earned the Hamer & Sukkel. Mike Stadler, Czepluch and Keith Buttemer all birdied the par three 8th; as Roland Le Sueur with his birdie on the par three 6th took the 2-club pool for his covey.
 Craig Harebottle shot an individual 78 gross. Keith Rugg, Russell Warren, Greg Thomas and Colin Tucker shot individual 70 netts; Dave Curran shot an individual 69 net; Peter Reed, Keith Buttemer and Peter Longhurst shot individual 68 netts, as player of the day John Dell shot a stunning individual 66 net.

Friday April 10
 Golfing weather to delight, as 50 players reporting to the starter were drawn in two 3-balls and eleven 4-balls to participate in an Alliance Stableford 2-scores-to-count format with a bonus point for a "sandy", a par from a bunker.
 Ian MacDonald, Berny Loggenberg, Michael Collins and Keith Rugg combined splendidly to post a winning 91 points. In second Craig Harebottle, Wayne Harris, Peter Longhurst and James Lobban finished with 89 points.
 The cut and thrust at the other end of the field saw the Hamer & Sukkel move on multiple occasions, possibly due to some questionable accounting practices, until finally residing with Gaby Hausmann, Jimmy van Rensburg, Phillip van der Byl and Brian Reid as reward for posting 75 points.
 Daan Slabbert and Peter Longhurst birdied the par three 8th; Eugene Erasmus birdied the par three 6th; Berny Loggenberg birdied the par three 11th; as Keith Rugg and James Lobban both birdied the par three 13th. Berny and Keith, playing together captured the 2-club pool, and all financial spoils on offer, for their team.
 Craig Harebottle shot an individual 78 gross. Berny Loggenberg shot an individual 70 net; Dave Curran, Keith Buttemer and Jenny Ralph shot individual 69 net; as player of the day was Colin Tucker with an individual 67 net.

KOWIESTRIDERS

TIME TRIAL RESULTS:
April 7; 42 runners
5km Run
 Richard Daneel 22:53
 Graham Howarth 24:04
 Alison Heyerdahl 24:04
 Pierr Schweyer 24:04
 Luniko Mbambisa 25:12
 Jason Gipson 26:47
 John Cox 28:29
 Mike Varela 28:29
 Sarah Harford 28:49
 Ian Knight 30:30
 Ben Gaunt 30:30
 Katie Downey 32:32
 Lance Parker 33:00
 Gail Stroebel 34:00
 Marietjie Robb 38:16
5km Walk
 Sue Robertson 49:27
 Kobus Munro 49:49
3km Run
 Mathew Steck 14:55
 Nathan Downey 15:50
 Sarah Cohen 22:00
 Cynthia Butterworth 23:40
1km Run
 Gareth Downey 5:15
 Gabrielle Schweyer 5:15
3km Walk
 Lynn Howarth 24:04
 Alan Parmar 24:04
 Lillian Parmar 24:14
 Sharon Cox 25:13
 Jo Betts 27:25
 Mark Downey 27:30
 Nicola Griffin 31:00
 Eddie Wepener 33:27
8km Run
 Joarsh Magutsa 31:00
 Xabiso Mazatzisi 32:06
 Chris Pike 45:30
 Liesl van Zyl 45:30

Alex Weed 48:58
 Ian Robertson 48:58
10km Run
 Unathi Stamper 45:54
 Zukisa Petwana 45:54
 Lukhanya Mafani 45:54
 Kate Arnold 51:22
 Rick Betts 51:22

FORM JJJ
LOST OR DESTROYED DEED

Notice is hereby given in terms of Regulation 68 of the Deeds Registries Act, 1937, of the intention to apply for the issue of a certified copy of **DEED OF TRANSFER NUMBER T60819/2008CTN** passed by **JOHAN LOUIS BLOM, IDENTITY NUMBER 640704 5024 081, UNMARRIED** in favour of **LORCOM 181 (PTY) LTD, REGISTRATION NUMBER 2007/024567/07**, in respect of certain 1. **ERF 205 LANGHOLM, IN THE AREA OF NDLAMBE MUNICIPALITY, DIVISION OF BATHURST, EASTERN CAPE PROVINCE** 2. **ERF 206 LANGHOLM, IN THE AREA OF NDLAMBE MUNICIPALITY, DIVISION OF BATHURST, EASTERN CAPE PROVINCE**, which has been lost or destroyed.

All person having objection to the issue of such copy are hereby required to lodge the same in writing with the REGISTRAR OF DEEDS: EASTERN CAPE at QONCE within two weeks after the date of the publication of this notice.

DATED at PORT ALFRED this 9TH day of APRIL 2026.

GRIESEL & ASSOCIATES
 (REF:LOR2/26)
 Attorneys for the Applicant
 39 Campbell Street
 PORT ALFRED
 6170
jannes@grieselattorneys.co.za
 Tel: 046 624 2600

Help Guide

BIKES & E-BIKES SALES & SERVICE QUALIFIED TECHNICIAN

The Cycle Asylum
 All Brands - Collect & Deliver
Tel: 046 624 8358
072 727 7382

ELECTRICIAN

DN Electrical
Devon Nicholson: 084 058 2222

ESTATE AGENTS

RE/MAX Kowie
Tel: 046 624 1110

FINANCE AND TAX

Roelof Siegers CA(SA)
Cell: 082 772 6713

GAS SUPPLIES & SERVICES

LP Gaz Port Alfred
Tel: 046 624 8070
072 188 2633

Gas Wize
Cell: 084 504 0761

TYRES

Supa Quick
Tel: 082 455 9071

NDLAMBE MUNICIPALITY PORT ALFRED

REQUEST TO REGULARISE THE USE OF A PORTION OF ERF 3306 (145 JOE SLOVO STREET), NKWENKWEZI

Notice is hereby given in terms of Section 21(a) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), read together with the Municipal Asset Transfer Regulations, 2008, that the Ndlambe Municipal Council has approved the initiation of a public participation process.

This follows a request submitted by Stenden South Africa for the continued operation of Inqubo Children's Haven (Registration No. 125-985 NPO), which provides care and support services to vulnerable children and youth in Nkwenkwezi.

The proposal involves the leasing of a portion of the municipal-owned property described as Erf 3306, Marselle (145 Joe Slovo Street) for the ongoing provision of developmental and welfare services.

Supporting documentation relating to this proposal will be available for inspection during normal office hours at the Estates Section, Directorate: Infrastructure Development Services, Ndlambe Municipality, Causeway, Port Alfred. Documents may also be requested via email at sboshoff@ndlambe.gov.za.

Interested parties are invited to submit written comments or objections to: The Municipal Manager Ndlambe Municipality, P.O. Box 13, Port Alfred, 6170.

Alternatively, submissions may be sent via email to sboshoff@ndlambe.gov.za.

All comments and objections must be received on or before Wednesday, 06 May 2026.

NOTICE NUMBER: 83/2026
ADVOCATE. R DUMEZWENI MUNICIPAL MANAGER

NDLAMBE MUNICIPALITY PORT ALFRED

APPLICATION FOR THE REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND DEPARTURE TO RELAX THE STREET AND LATERAL BUILDING LINES ON ERF 11. CANNON ROCKS.

Applicant: MIRINDA DE BEER TOWN AND REGIONAL PLANNERS

Owner: DAVID CHARLES PETZER AND RENÉE PETZER

Property Description: ERF 11, CANNON ROCKS

Physical Address: 86 POTGIETER ROAD, CANNON ROCKS, 6186

Detailed description of proposal:
 The matter for consideration is an Application for the Removal of Restrictive Title Deed Conditions and Departure to Relax the Street and Lateral Building Lines on Erf 11, Cannon Rocks as per the provisions of the Ndlambe Municipality Spatial Planning and Land Use Management By-laws (2016) and Ndlambe Municipality Integrated Land Use Scheme, 2019.

Notice is hereby given in terms of Section 93 of the Ndlambe Municipality Spatial Planning and Land Use Management By-law (2016) that the abovementioned application has been received and is available for inspection during weekdays between 09:00 to 15:00 at the Ndlambe Municipality, Civic Centre, Causeway, and Port Alfred Municipal Office. The application can also be viewed on the Town Planning Portal on Ndlambe Municipal website (<https://www.ndlambe.gov.za/town-planning-portal/>) under Public Participation. Any written comments may be addressed in terms of Section 98 of the said Bylaw to The MUNICIPAL MANAGER, Causeway, Port Alfred, 6170 or emailed to townplanning@ndlambe.gov.za on or before **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: 86/2026
ADV. ROLLY DUMEZWENI MUNICIPAL MANAGER

Ndlambe Municipality
Corporate Services

NDLAMBE MUNICIPALITY

21 JAN 2026



RECEIVED

LAND USE APPLICATION FORM

PART A: TYPE(S) OF APPLICATION

TICK	APPLICATION TYPE	FEE AS PER FEE LIST
	Rezoning	R
	Consolidation	R
X	Requirements for amendment, suspension or removal of restrictive conditions or obsolete Condition, servitude or reservation registered against title of land	R 10 729.68
	Departure Application: Permanent or Temporary Departure (for Land Use Change)	R
X	Departure Relaxation Building Line	R 5 110.89
	Departure for Relaxation of Development Parameters (Height and/or Coverage)	R
	Consent use in terms of the Land Use Scheme	R
	Extension for validity of an approval	R
	Subdivision	R
	Road closure or Closure of Public Open Space	R
	Approval of Architectural Design Manual, Homeowners Constitution, Site Development Plan	R
	Amendment of Conditions of Approval	R
	Cancellation/Amendment of General Plan	R
	Other	R
TOTAL ON FEES PAYABLE		R 15 840.57

INSTRUCTIONS:

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

Applicant's Initials: MdB

PART B: GENERAL INSTRUCTIONS

(These instructions should be read before completing the form)

1. GENERAL REMARKS

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

2. PRIOR LIAISON WITH OTHER INTERESTED PARTIES

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

3. SUBMISSION OF APPLICATION

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

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

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

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

3.3.1. Details in respect of the application

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

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

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

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

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

3.3.4. Motivation

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

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

3.3.5. Supporting information and documentation

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

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

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

PART C: INFORMATION TO BE COMPLETED BY THE APPLICANT

NOTE: Complete this form using BLOCK letters and ticking the appropriate boxes	
PART C.1: APPLICANT DETAILS	
First name(s)	Mirinda
Surname	de Beer
Company name <i>(If applicable)</i>	Mirinda de Beer Town & Regional Planners
Street or Postal Address	117 Cape Road Mill Park Port Elizabeth
Email Address	mirinda@mdbtownplanner.co.za
Contact Number	082 896 2686
PART C.2: REGISTERED LANDOWNER(S) DETAILS <i>(If different from applicant)</i>	
Registered owner(s) Name	David Charles and Reneé Petzer
Street or Postal Address	11 Potgieter Road, Cannon Rocks
E-mail Address	
Contact Number	

PART D: PROPERTY DETAILS

NOTE: Property details must be in accordance with title deed				
Erf No	11	Suburb/Town/Area	Cannon Rocks	
Farm No		Portion (if applicable)		
Physical or Street Address	11 Potgieter Road, Cannon Rocks			
Current Zoning	Residential Zone 1			
Proposed Zoning	N/A			
Additional Rights or Consent Uses Approved	None			
Current activities	Residential			
Are any departures applicable to the land unit?	No			
Is there any building or other development on the land unit? If so, what are the nature and condition of these improvements?	Yes. A residential home 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	699m ²			
Title Deed Number				
Any additional/relevant information in regard to the property	N/A			
Any restrictions ito Conveyance's Certificate?	X	N	If yes, list condition(s) in motivation report.	
Are the restrictive conditions in favour of a third party?	Y	X	If yes, list the party(ies) in motivation report.	
Is the property owned by Council?	Y	X	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)	Y	X	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?	Y	X	Is the building older than 60 years?	Y X
Does the property fall inside the urban edge in terms of the SDF?	X	N	Does the property fall within the service edge in terms of SDF?	X N
Is the property encumbered with a bond	Y	X	If yes, is bond/mortgage holders consent attached	Y N
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y	X	If yes, is this application to legalise the building / land use?	Y N
NOTE: A contravention penalty may be imposed				
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y	X	Are there any land claim(s) registered on the subject property(ies)?	Y X

Applicant's Initials: MdB

PART E: DETAILS OF THE APPLICATION

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

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 11, Cannon Rocks.

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?

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

No

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 ...1,5... m to ...0,8... m; and / or (eastern lateral)
- ii. Rear building line from m to m; and / or
- iii. Street building line from ...⁵..... m to ...⁰..... m; and / or (as per the Site Development Plan)
- iv. Coverage factor from % to %; and / or
- v. Building height restriction from m to m; and / or
- vi. Street boundary wall / fence height restriction from m to m;
- vii. Relaxation of parking requirements from.....bays to..... bays
- viii. Other zoning scheme condition(s) (as specified).....

5. RESTRICTING FACTORS

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

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

If so, furnish details:

.....
Conditions D.7 (i) and (ii) and E from Title Deed
.....
.....

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

If so, furnish details:

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

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

If so, furnish details:

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

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

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

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

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

.....
No
.....
.....

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

Please answer the following questions and provide comments:

QUESTIONS REGARDING PLANNING POLICY CONTEXT	YES	NO	COMMENT
Is any Municipal Integrated Development Plan (IDP)/Spatial Development Framework (SDF) and/or any other Municipal policies/guidelines applicable? If yes, is the proposal in line with the aforementioned documentation/plans?	X		Ndlambe Spatial Development Framework: Cannon Rocks
Any applicable restrictive condition(s) prohibiting the proposal? If yes, is/are the condition(s) in favour of a third party(ies)? List condition numbers and third party(ies)]	X		Conditions D. 7 (i) and (ii) and E from Title Deed
Any other Municipal by-law that may be relevant to application? (If yes, specify)		X	
Does the proposal fall within the provisions/parameters of the land use scheme?	X		
Are additional applications required to deviate from the land use scheme? (if yes, specify)	X		

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

Please answer the following questions and provide comments:

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

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

PART H: SERVICE REQUIREMENTS

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

NOTE: Provide more detailed information in the motivation report.

Applicant's Initials: MdB

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

Please indicate if the following Annexures are attached

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

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

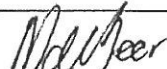
.....

Applicant's Initials: MdB



PART J: DECLARATION BY THE APPLICANT

I hereby wish to confirm the following:

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

Full Name(s)	Mirinda de Beer		
Professional Capacity & Registration Number	Professional Town and Regional Planner (A/1037/1998)		
Statutory Body	SACPLAN	Are you In Good Standing with the Statutory Body?	Yes
Applicant's Signature		Date	15/01/2026

Applicant's Initials: MdB

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

POWER OF ATTORNEY FOR LAND USE APPLICATIONS

This Power of Attorney is made on this 10th day of September 2025, by:

Principal:

David Charles Petzer

ID No.: _____

&

Renée Petzer

ID No.: _____

Agent:

Mirinda de Beer Town & Regional Planners

117 Cape Road

Port Elizabeth

6000

ID: _____

Whereas, the Principals own certain real property known as Erf 11, Cannon Rocks (hereinafter referred to as the "Property");

Whereas, the Principals desire 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 Principals hereby appoint the Agent to act as the Principals 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 Permanent Departure from Building Lines, 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 Principals;
 - 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 Principals. The Principals 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 Principals have executed this Power of Attorney as of the day and year first written above.

Principals Signatures:  _____

Name: David Charles Petzer

 _____

Name: Renee Petzer

Date: 11 September 2025

Agent Signature: _____

Date: 10 September 2025

Witness Signature:  _____

Witness Name: Moniruzzaman Moni

Date: 11 September 2025

126
 Andre duPlessis
 082 779 6533

Hanekom &
 6 Church Street
 P O Box 19
 Burgersdorp
 9744

Fee Endorsement		
	Amount	Office Fee
Purchase Price/Value		R 1283,00
Mortgage Capital Amt.	R.....	R.....
ALL OTHER REGISTRATIONS		
		R.....
Reason For Exemption	Category Exemption.....	Exempt i.t.o Sect/Reg Act/Proc.....

1

Prepared by me



CONVEYANCER
 ANDRE DU PLESSIS
 (79763)

T

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

André du Plessis (79763)



appeared before me, REGISTRAR OF DEEDS at KING WILLIAM'S TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

JEANNE KOEN (Formerly VERMAAK)
 Identity Number

which said Power of Attorney was signed at Burgersdorp on 17 January 2022

51

And the appearer declared that his/her said principal had, on 26 December 2021, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

1. **DAVID CHARLES PETZER**
Identity Number

2. **RENÉE PETZER**
Identity Number

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

**ERF 11 CANNON ROCKS
IN THE AREA OF NDLAMBE MUNICIPALITY
DIVISION OF ALEXANDRIA
PROVINCE OF THE EASTERN CAPE**

IN EXTENT 699 (SIX HUNDRED AND NINETY-NINE) Square metres

FIRST TRANSFERRED by Deed of Transfer Number T37242/1976 with General Plan T.P. 7155 relating thereto and held by Deed of Transfer No. T72001/2003CTN.

- A. SUBJECT to the conditions referred to in Deed of Transfer No. T6799/1921, save in so far these may have since lapsed or been cancelled.

- B. ENTITLED to the following conditions mentioned in Deed of Transfer No. T6410/1967, namely:

"The Transferee and its successors in title as the owners of the property above set out are entitled to a servitude borehole and power f house lettered I. on diagram No. 7735/64 and to the extent of 13650 litres per hour, as well as a servitude reservoir lettered M on said diagram over the property known as

CERTAIN redeemed quitrent land, being the remainder of Lot A 2, portion, of the farm BOSCHFONTEIN, situate in the Division of ALEXANDRIA, measuring 77,5447 hectares, and held by the Transferor under Deed of Transfer No. T3480/1946;

The Transferee or tis successors in title are entitled to a pipe line servitude 9,45 metres wide marked M – N on said diagram and which represents the North-Eastern side of the said pipeline over the property set out above and held by the Transferor as aforesaid, and also entitled to a pipe line servitude 9,45 metres wide NO on said diagram and which represents the North-Eastern side of the said pipeline over the property known as THE REMAINING EXTENT of certain redeemed quitrent land called MIDDELPLAATS, situate in the Division of ALEXANDRIA, being a subdivision of Portion A now called GLENFILLAN of the farm BOSCHFONTEIN, measuring 202,3600 hectares, as held by the Transferor under Deed of Transfer No. T3480/1946, and a pipe line servitude marked O.E. over the property known as

CERTAIN piece of abolished quitrent land, being the remainder of Portion 42 of the farm RICHMOND, situate in the Division of ALEXANDRIA

MEASURING as per remainder 81,5497 hectares, and held by Alice Alexandra Potgieter, born McEwan, married out of community of property to Johannes Christoffel Potgieter under Certificate of Consolidated Title No. T6409/1967;"

- C. SUBJECT FURTHER to the servitude endorsement dated 11th April, 1969, endorsed on said Certificate of Registered Title No. 8392/1968, which endorsement reads as follows:

"By Not. Deed No. 152/1969 dd. 21/2/1969 the benefits of servitudes mentioned herein to which the property held under para. 1 herein is entitled to have been ceded to the Administration of the Province of the Cape of Good Hope in trust for such Local Authority as shall or may hereafter be established for the CANNON ROCKS TOWNSHIP and any extension thereof for the benefit of the erfholders in the Township and extensions thereof, and of such local authority subject to conditions as will more fully appear from the said No. Deed."

- D. **SUBJECT FURTHER** to the following conditions imposed in Deed of Transfer No T37242/1976 the Administrator of the Province of the Cape of Good Hope when approving of CANNON ROCKS TOWNSHIP in terms of Ordinance 33 of 1934:

1. 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. 383 dated 13th June 1958.
2. 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 condition 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.
3. The owner of this erf shall, without compensation, be obliged to allow electricity, telephone and television cables and/or wires and main and/or other waterpipes and the sewage 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.
4. 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.



5. No building on this erf shall be used or converted to use for any purpose other than that permitted in terms of these conditions.
 6. This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purpose as the Administrator may, from time to time after reference to the Townships Board and the 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.
 7. 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 4,72 metres to the street line which forms a boundary of this erf, nor within 3,15 metres of the rear or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority –
 - (i) An outbuilding used for the housing of motor vehicles and not exceeding 3,05 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 and side space for a distance of 11,02 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 11,02 metres shall be measured from the point furthest from the streets abutting the erf;
 - (ii) An outbuilding in terms of sub paragraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no window or doors are inserted in any wall facing such boundary.
 8. 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 was one erf.
 9. 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 it were the original erf.
- E. SUBJECT FURTHER to the following conditions imposed in Deed of Transfer No. T37242/1976, by and enforceable by CANNON ROCKS PLEASURE RESORT (PROPRIETARY) LIMITED, namely:
- “That the Company reserves to itself the right of controlling, the nature and value of the buildings to be erected on this erf. No building shall be erected unless plans and specifications have been submitted to and approved by the Company. The decision of the Company shall be final and binding notwithstanding the value of the buildings to be erected. No galvanized iron roofs may be erected on the erf and all buildings including servants' quarters shall have water closets.”

APL

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

JEANNE KOEN (Formerly VERMAAK)

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

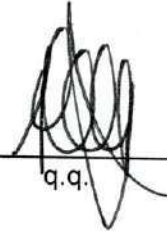
1. **DAVID CHARLES PETZER,**
2. **RENÉE PETZER,**

their Heirs, Executors, Administrators or Assigns, now are and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R1 950 000,00 (ONE MILLION NINE HUNDRED AND FIFTY THOUSAND RAND) .

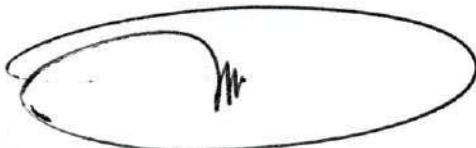
IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at KING WILLIAM'S TOWN on

2022 -02- 01


_____ q.q.

In my presence



REGISTRAR OF DEEDS

R
g

1

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 11 CANNON ROCKS**, Ndlambe Local Municipality, Division of Alexandra, Province of the Eastern Cape, measuring 699 (six hundred and ninety nine) square metres was registered in the name of **1. DAVID CHARLES PETZER**, Identity number _____ Married
and **2. RENÉE PETZER**, Identity number _____ Married
on 1st February 2022 under Deed of Transfer No _____

2. There are no mortgage bonds registered over the above property;
3. The following conditions affect the owners' use and development of the above property and an application for departure from the building line restrictions to formalise the existing development footprint and should be removed:

"D SUBJECT FURTHER to the following conditions imposed in Deed of Transfer Number _____ the Administrator of the Cape of Good Hope when approving of CANNON ROCKS TOWNSHIP, in terms of Ordinance 33 of 1934:

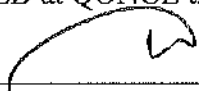
7. No building or structure or any portion thereof except boundary walls and fences, shall, except with the consent of the Administrator, be erected nearer than 4,72 metres to the street line which forms a boundary of this erf, nor within 3,15 metres of the rear or 1,57 metres of the lateral boundary 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 3,05 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 and side space for a distance of 11,02 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 11,02 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 window or doors are inserted in any wall facing such boundary.



E. SUBJECT FURTHER to the following conditions imposed in Deed of Transfer No. _____ by and enforceable by CANNON ROCKS PLEASURE RESORT (PROPRIETARY) LIMITED¹, namely:

"That the Company reserves to itself the right of controlling the nature and value of the buildings to be erected on this erf. No building shall be erected unless plans and specifications have been submitted to and approved by the Company. The decision of the Company shall be final and binding notwithstanding the value of the buildings to be erected. No galvanized iron roofs may be erected on the erf and all buildings including servants' quarters shall have water closets.

DATED at QONCE this 19th day of SEPTEMBER 2025.



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

¹ Cannon Rocks Pleasure Resort (Pty) Ltd, Reg. No. 1961/000147/07 has been deregistered.

MOTIVATIONAL REPORT

ERF 11, CANNON ROCKS

Application for:

- **Removal of Restrictive Title Deed Conditions D. 7. (i) and (ii) and E. in Title Deed [REDACTED]**
- **Permanent Departure from the 1,5m eastern lateral building line to a 0,8m eastern lateral building line.**
- **Permanent Departure from the street building line to 0m for screening walls.**

Compiled by:



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

Contact Details:

Email: mirinda@mdbtownplanner.co.za

Cell: 082 896 2686

117 Cape Road, Mill Park

Port Elizabeth, 6001

www.mdbtownplanner.co.za

DECEMBER 2025

EXECUTIVE SUMMARY

Erf 11, Cannon Rocks is located in the western part of Cannon Rocks, situated at 11 Potgieter Street. 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 11, Cannon Rocks.

Summary:

Existing Zoning	Residential Zone 1
Area	699m ²
Title Deed	
Owners	David Charles Petzer and Reneé Petzer
Address	11 Potgieter Road, Cannon Rocks
Bond	There is no bond registered on the property
Applications required	Application in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), Ndlambe Municipality Spatial Planning and Land Use Management By-Laws (2016) and the Ndlambe Municipality Integrated Land Use Scheme (2019) for: <ul style="list-style-type: none">• Removal of Restrictive Title Deed Conditions D. 7. (i) and (ii) and E. from Title Deed in terms of Section 69 of the Ndlambe Municipality SPLUMA By-Laws (2016).• Permanent Departure from the 1,5m eastern lateral building line to a 0,8m eastern lateral building line, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).• Permanent Departure from the street building line to 0m for the screening wall, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).



Erf 11, Cannon Rocks – 11 Potgieter Street

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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. Beacon and Height Certificate (M.E.H Sulte and Son Inc.)

D. CONSENT LETTERS FROM NEIGHBOURS

1. The Applicant

Mirinda de Beer Town and Regional Planners (MDB) is appointed by the owners of Erf 11, Cannon Rocks, to prepare and submit an application to the Ndlambe Municipality for the Removal of Restrictive Title Deed Conditions and Permanent Departure from the street and eastern lateral building lines as per the Site Development Plan.

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

2. The Site

▶ Cadastral information:

The subject property is described as Erf 11, Cannon Rocks, situated in the Ndlambe Municipal jurisdiction. The cadastral diagram (General Plan T.P. No. 7155) is attached as **Annexure C.3**.

▶ Ownership:

David Charles Petzer and Reneé Petzer.

▶ Property size:

699m²

3. Locality

The property is located in the western part of Cannon Rocks, situated at 11 Potgieter Street.

Map 1: Locality



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

4. Existing Zonings & Land Uses

A dwelling unit and outbuildings are situated on the property, as illustrated below. Potgieter Street borders the property in the north and access is obtained from Potgieter Street in the north-eastern 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:

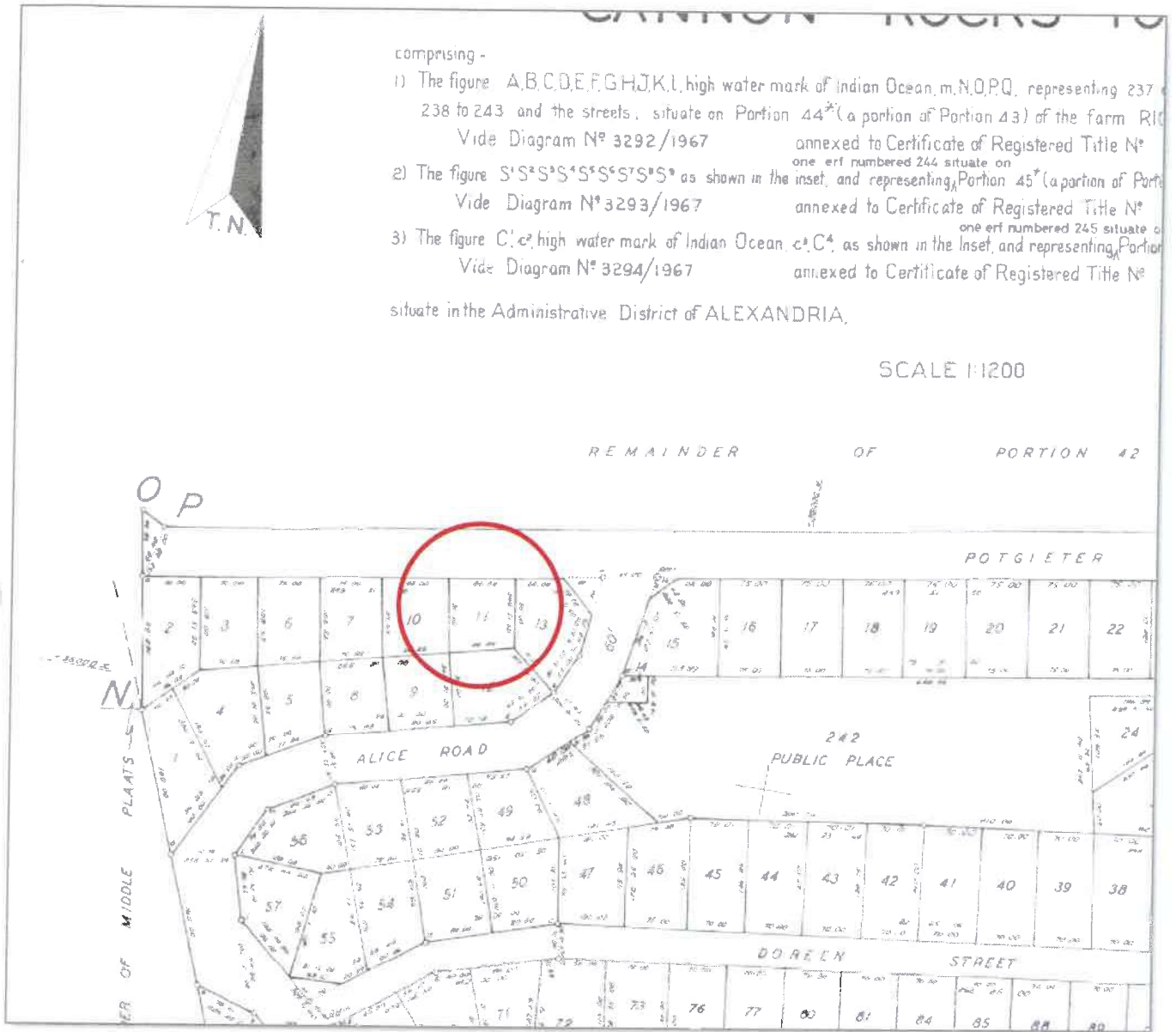
Zoning	Residential Zone 1
Primary Use	Dwelling Unit means a self-contained inter-leading group of rooms with not more than one kitchen used for human habitation and includes such outbuildings as are ordinarily used therewith and permit a home occupation for a single household.
Coverage	50%
Height	8,5m
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 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. 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**.

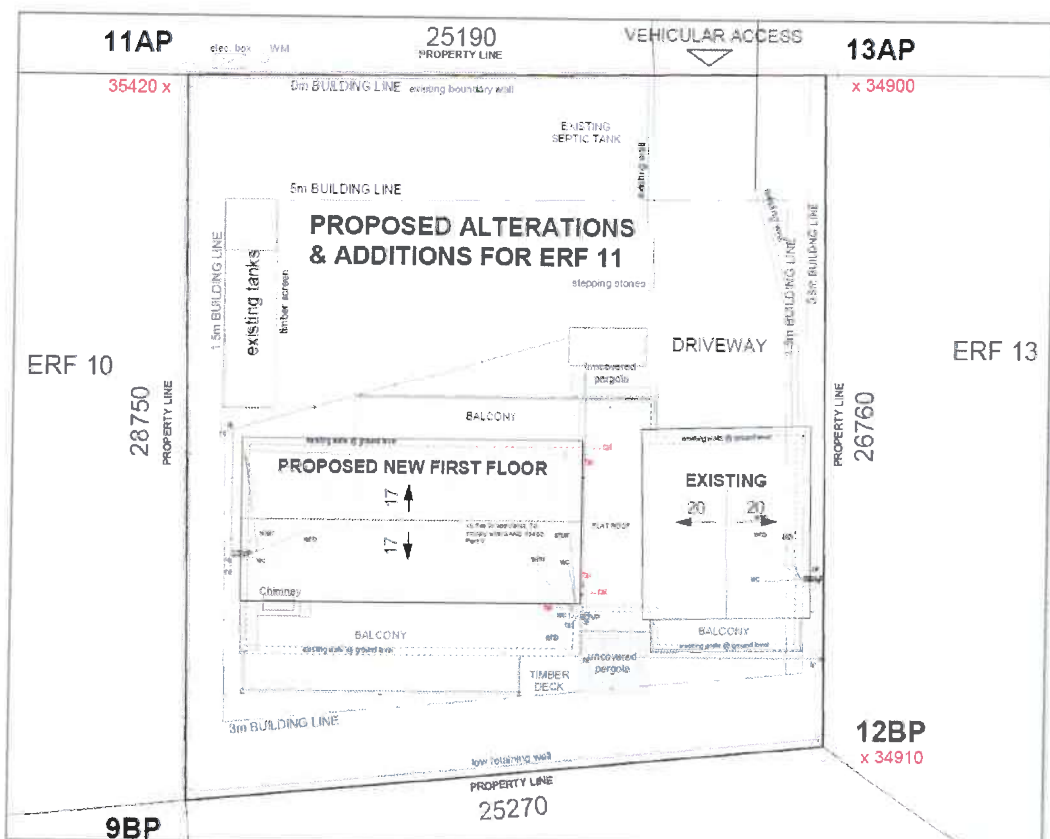
There is no bond registered on the property. Subsequently, consent from a bond holder is not required.

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 11, Cannon Rocks:**

1. **Removal of Restrictive Title Deed Conditions** D. 7. (i) and (ii) and E. from Title Deed in terms of Section 69 of the Ndlambe Municipality SPLUMA By-Laws (2016).
2. **Permanent Departure** from the 1,5m eastern lateral building line to a 0,8m eastern lateral building line, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).
3. **Permanent Departure** from the street building line to 0m for the screening walls, in terms of Sector 76 of the Ndlambe Municipality SPLUMA By-Laws (2016).

Proposed development parameters on Erf 11, Cannon Rocks:

Zoning	Residential Zone 1
Primary Land Use	Dwelling Unit
Street Building Line	5m 0m for screening walls
Lateral Building Lines	Eastern Lateral Building Line: 0,8m Western Lateral Building Line: 1,5m
Rear Building Line	3m
Height	8,5m
Floor Factor	1.0
Parking	1 space / dwelling unit





- ▶ The Conveyancer Certificate confirmed that Conditions D. 7. (i) and (ii) and E. from Title Deed should be removed:

"D. - SUBJECT FURTHER to the following conditions imposed in Deed of Transfer No T37242/1976 the Administrator of the Province of the Cape of Good Hope when approving of CANNON ROCKS TOWNSHIP in terms of Ordinance 33 of 1934:

7. 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 4, 72 metres to the street line which forms a boundary of this erf, nor within 3,15 metres of the rear or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority -

(i) An outbuilding used for the housing of motor vehicles and not exceeding 3,05 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 building of the same height may be erected within the rear and side space for a distance of 11,02 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 11,02 metres shall be measured from the point furthest from the streets abutting the erf;

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

E. - SUBJECT FURTHER to the following conditions imposed in Deed of Transfer No. T37242/1976, by and enforceable by CANNON ROCKS PLEASURE RESORT (PROPRIETARY) LIMITED, namely:

"That the Company reserves to itself the right of controlling, the nature and value of the buildings to be erected on this erf. No building shall be erected unless plans and specifications have been submitted to and approved by the Company. The decision of the Company shall be final and binding notwithstanding the value of the buildings to be erected. No galvanized iron roofs may be erected on the erf and all buildings including servants' quarters shall have water closets." "

▶ Removal of Condition D. 7 (i) and (ii):

- Condition D. 7 (i) and (ii) in the Title Deed stipulates the following building lines:
 - o 4,72m street building line
 - o 3,15m rear building line
 - o 1,57m 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 and proposed extension of the existing dwelling unit along the eastern boundary is encroaching the 1,5m eastern lateral building line.

- To permit the proposed departure from the eastern lateral building line, the removal of this conditions is required.

▶ **Removal of Condition E.:**

- Condition E. grants Cannon Rocks Pleasure Resort (Proprietary) Limited the ability to determine the nature and value of any building on Erf 11, Cannon Rocks.
- The restrictive conditions are outdated and legally redundant. The property is governed by a modern statutory planning regime and the condition creates unreasonable limitations on development and investment.
- The Conveyance Certificate confirmed that the Cannon Rocks Pleasure Resort (Proprietary) Limited has been deregistered and Conditions E. is obsolete.

▶ 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 conditions primarily benefit the Cannon Rocks Pleasure Resort Proprietary Limited, which is no longer the registered owner or active stakeholder in the property or surrounding land. Most conditions are outdated private title deed conditions that no longer hold financial value or real

enforceability due to the original transferor company no longer existing in a functional or controlling capacity.

- 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 Potgieter Road in the north and Alice Road in the south and a dwelling is situated on the property, as illustrated on the Site Plan.
- ▶ After surveying the property and existing buildings the Beacon and Height Certificate confirmed that the existing structures encroach the eastern lateral building line and rear building line.
- ▶ The existing steps along the southern boundary of the garage currently encroach the rear building line. However, these steps will be relocated to the area between the dwelling and the garage. Subsequently the development will comply with the required 3m rear building line.
- ▶ 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:
 - Reconfigure the internal layout.
 - Relocate the staircase providing access to the flat from the southern side of the garage to the western side.
 - Relocate the kitchen to a new addition on the first floor.
 - On the first floor level:
 - Convert the existing flat above the double garage into a master bedroom.
 - Construct a new first-floor storey above the existing dwelling.
 - Add a new deck (less than 1m in height, thus not requiring a permanent departure) and an outdoor area along the southern side of the dwelling.
- ▶ It is envisioned that the total development on the property will comprise of the following:
 - Ground floor
 - Double garage
 - 3 Bedrooms
 - 2 Bathrooms
 - Lounge
 - Utility room
 - First storey
 - Kitchen
 - Scullery
 - Dining / living area
 - Master bedroom
 - Guest bathroom
 - Balconies
- ▶ The double garage will accommodate two on-site parking spaces. This will provide sufficient parking as per the requirements of the Ndlambe Integrated Land Use Scheme (2019).
- ▶ The proposed development will comply with the 8,5m height restriction as per the Ndlambe Integrated Land Use Scheme (2019). The **Beacon and Height Certificate** is attached as **Annexure C.5**.
- ▶ The proposed alterations will not change the existing residential character of Potgieter Road or the greater Cannon Rocks area, as numerous properties in the vicinity already encroach either the street, lateral, rear or all building lines.

2. Permanent Departure from Building Lines

- ▶ Conditions in the Title Deed of the subject property stipulate a 4,72m street building line, 3,15m rear building line and 1,57m lateral building lines for Erf 11, Cannon Rocks. 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 1,5m eastern lateral building line. This application includes the permanent departure from the eastern lateral building line 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.
- ▶ The existing steps along the southern boundary of the garage currently encroach the rear building line. However, these steps will be relocated to the area between the dwelling and the garage. Subsequently the development will comply with the required 3m rear building line.
- ▶ **Proposed 0,8m eastern lateral building line:**
 - The existing garage building encroaches the 1,5m eastern lateral building line.
 - It is the intention of the owners to renovate the garage, converting the first floor into a master bedroom.
 - No windows are proposed along the eastern lateral boundary to protect the privacy of neighboring property.
 - Access to the master bedroom will be relocated from the current staircase along the southern boundary of the garage to the western boundary of the garage.
 - Permanent Departure from the 1,5m eastern lateral building line will formalize the existing encroachments of the development footprint on the eastern portion of the site.
 - The purpose of the proposed 0,8m eastern lateral building line relaxation is to accommodate the existing development footprint and permit the proposed alterations, as per the Site Development Plan.
 - This request does not apply to the entire eastern lateral boundary, and the remainder of the eastern lateral boundary will continue to comply with the prescribed building lines.
- ▶ **Proposed 0m building lines:**
 - The existing screening walls encroach the 5m street building line along Potgieter Road, as per the Site Development Plan.
 - This departure will only be applicable to the screening walls as indicated on the Site Development Plan. All future development will comply with the building lines as per the Ndlambe Integrated Land Use Scheme (2019).

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 Cannon Rocks.
	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 Cannon Rocks Precinct.
	The development is within the urban edge of the Cannon Rocks 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 Cannon Rocks 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 relaxations 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**

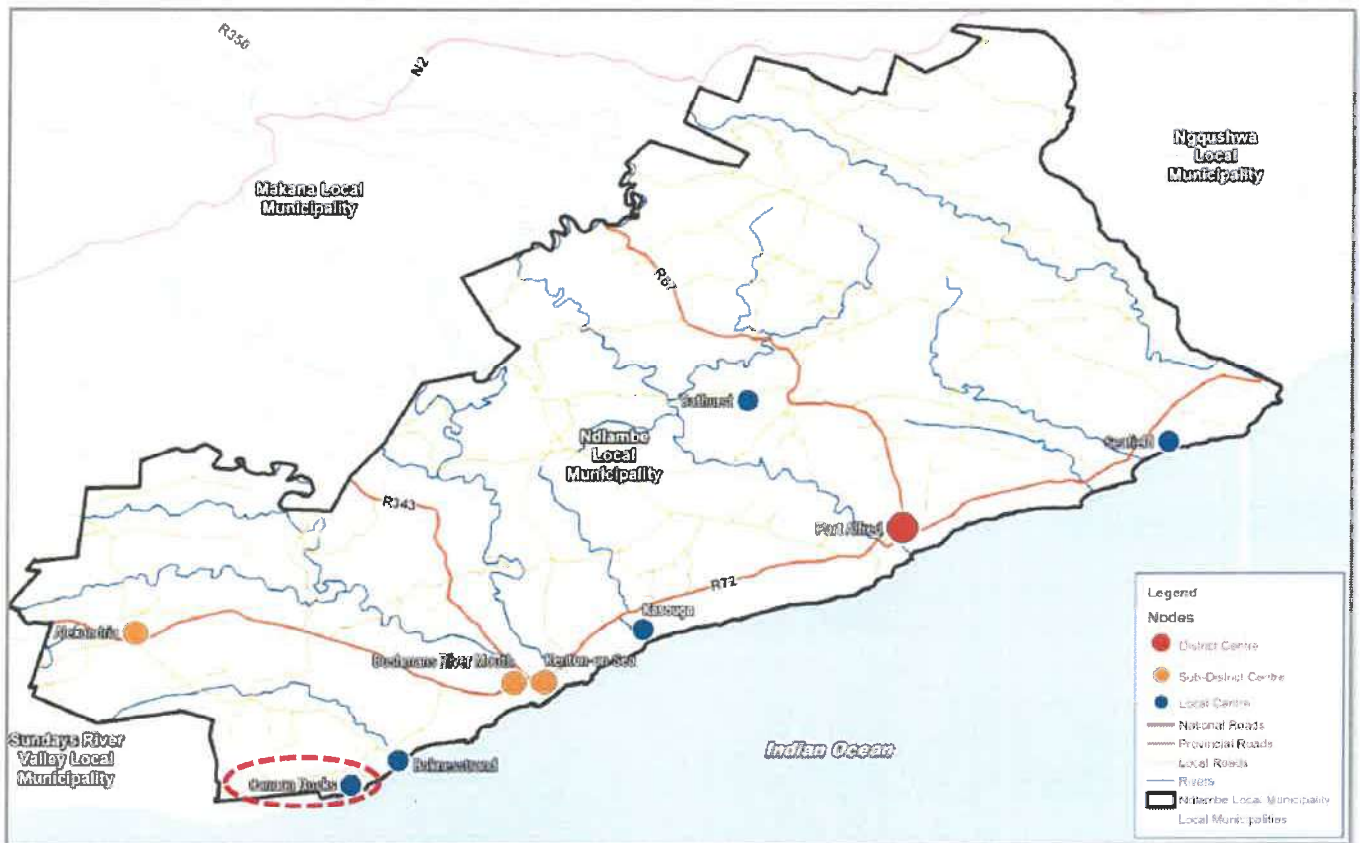
- ▶ **Services Edge**
- ▶ Transition Zone
- ▶ Town Revitalization
- ▶ Infill Development
- ▶ Natural Features
- ▶ Smart Growth

Nodes

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

According to the Eastern Cape Provincial Spatial Development Framework, **Cannon Rocks** has been classified as a **Local Centre**, as illustrated below.

Ndlambe SDF: Nodal Plan



The functions of a Local Centre and associated land uses:

- Municipal scale Administrative Centre
- Local-scale service centre for commercial and social goods and services
- Residential development covering limited range of economic bands (middle-income – low-income)
- Potential for value-adding agro-industrial processes

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: Cannon Rocks



Land Use Proposals: Cannon Rocks

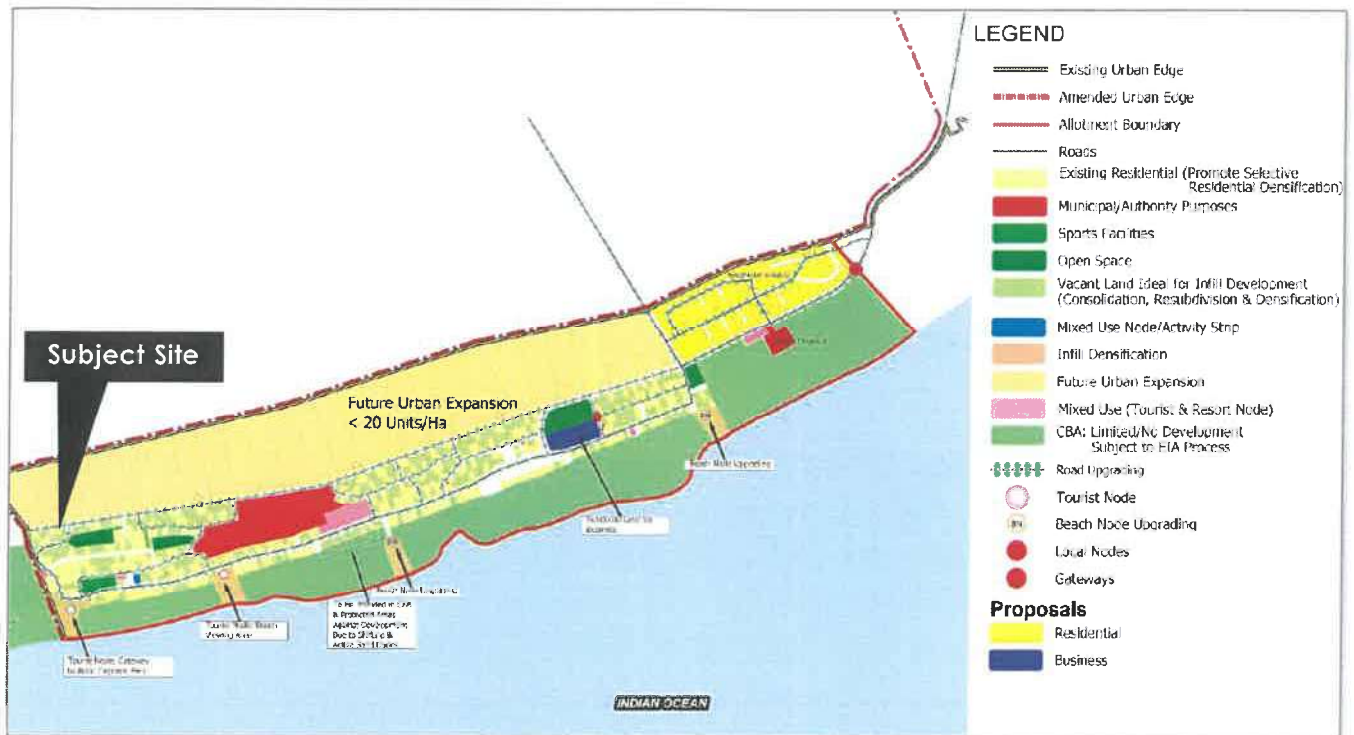
The following Land Use Proposals have been developed through a detailed study of understanding the current land use patterns of the towns of Ndlambe as well as unpacking Land use development trends within these towns and likelihood of development guidelines and future trends and direction of growth.

The "Cannon Rocks" urban concentration has been identified as a "*Local Centre*" owing to its location along the coast and tourism activities found in the town.

Residential:

Cannon Rocks lies spatially adjacent to Boknesstrand and border the Addo National Park. The settlement is predominantly residential with very limited retail. Community facilities include community hall, tennis court and beaches. All available erven have been developed and zoned and are in the ownership of private property owners.

Erf 11, Cannon Rocks is earmarked for Residential and promotion of selective residential densification.



Consistency with the Ndlambe SDF: Cannon Rocks

- ▶ Erf 11, Cannon Rocks is situated within the urban edge and service edge of Cannon Rocks.
- ▶ The Removal of Restrictive Title Deed Conditions and Permanent Departure from the eastern lateral building line 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 relaxation allows for better use of limited erf space, especially in older, established coastal towns like Cannon Rocks. It promotes infill development without the need to expand urban boundaries or extend costly infrastructure.
Strengthen the form and function of existing settlements.	Relaxing eastern lateral may allow buildings to conform to the character of existing streetscapes or neighbouring structures. Many properties in Cannon Rocks 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 Cannon Rocks 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 Cannon Rocks, 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 11, Cannon Rocks is currently zoned for Residential Zone 1 purposes.
- ▶ It is the intention of the owners to obtain the necessary building line relaxation 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 11, Cannon Rocks:

Zoning	Residential Zone 1
Primary Land Use	Dwelling Unit
Street Building Line	5m 0m for screening walls
Lateral Building Lines	Eastern Lateral: 0,8m Western Lateral: 1,5m
Rear Building Line	3m
Height	8,5m
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 699m² in size. A dwelling and outbuilding are situated on the site. Potgieter Road borders the property in the north and access to the property is obtained from Potgieter Road in the north-eastern corner of the site.
- ▶ The building line relaxation will allow the owners to proceed with the submission of building plans for the proposed extension of the existing dwelling.
- ▶ The property slopes in a northerly direction towards Potgieter Road. The proposed renovations and enlargement of the existing dwelling will not exceed the height restriction of 8,5m for Residential Zone 1 properties.
- ▶ The current structures were developed in good faith, and the building line encroachments were only discovered after M.E.H Sulter & Sons Land Surveyors surveyed the property boundaries and all structures.
- ▶ The proposed relaxation of the eastern lateral building line will only be applicable to the existing and proposed development as per the Site Development Plan. Future development will adhere to the 1,5m eastern lateral building line.
- ▶ The development proposal will make more effective use of land, which is a scarce resource, especially in an established environment and well sought-after Cannon Rocks.
- ▶ It is hereby concluded that the proposal will not have any material and undue impact on the subject property or surrounding properties.

2. Compatibility with surrounding area

- ▶ Cannon Rocks is a holiday town with a growing number of permanent residents. The area is characterized by mild slopes towards the Indian Ocean.

Elevation Profile: Cannon Rocks



- ▶ The property is situated in an area predominantly characterized by larger residential dwellings including double storey dwellings.
- ▶ Potgieter Road reflects the informal, coastal village character of Cannon Rocks, characterized by a mix of freestanding homes, varied building setbacks, mature landscaping, and 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. Relaxation of building lines is visible on various properties in the vicinity of the subject site, as reflected below. These properties are, amongst others:
 - Erf 5, Cannon Rocks (Alice Road)
 - Erf 10, Cannon Rocks (Potgieter Road)
 - Erf 58, Cannon Rocks (Alice Road)
 - Erf 70, Cannon Rocks (Doreen Street)
 - Erf 71, Cannon Rocks (Doreen Street)
 - Erf 76, Cannon Rocks (Doreen Street)
 - Erf 77, Cannon Rocks (Doreen Street)
 - Erf 81, Cannon Rocks (Doreen Street)

Aerial View: Erf 11, Cannon Rocks



- ▶ The proposed development will not change the character of the area and have no detrimental impact on the surrounding properties.
- ▶ It can be concluded that the removal of conditions in the Title Deed, relaxation of the street building line and eastern lateral building line will not lead to a loss in property value or the quality of life in terms of the right to privacy and sunlight.
- ▶ The proposal will not have any negative impact on the rights currently enjoyed by the surrounding properties, built character, land values and the privacy of the neighbors.

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 eastern lateral building line 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.
- ▶ The proposed renovations 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.

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 eastern lateral building line on Erf 11, Cannon Rocks.

In light of this motivation and the information contained in the foregoing report, it is clear that the application for Erf 11, Cannon Rocks:

- ▶ **Removal of Restrictive Title Deed Conditions** D. 7. (i) and (ii) and E. from Title Deed in terms of Section 69 of the Ndlambe Municipality SPLUMA By-Laws (2016),
- ▶ **Permanent Departure** from a 1,5m eastern lateral building line to a 0,8m eastern lateral building line, in terms of Section 76 of the Ndlambe Municipality SPLUMA By-Laws (2016),
- ▶ **Permanent Departure** from the street building line to 0m for the screening walls, 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 11, Cannon Rocks is situated within the urban edge and service edge of Cannon Rocks.
- ▶ 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, which is a scarce resource, 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 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 Cannon Rocks 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 and Elevations**

LOCALITY

MAP 1



ERF 11, CANNON ROCKS

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SITE PLAN

MAP 2



ERF 11, CANNON ROCKS

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EXISTING LAND USES AND ZONINGS

MAP 3



ERF 11, CANNON ROCKS

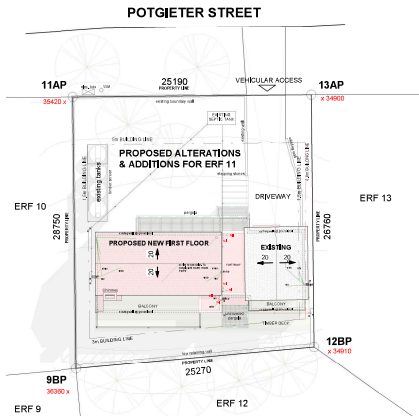
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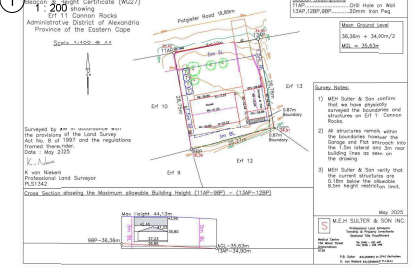
Mirinda de Beer
TOWN & REGIONAL PLANNERS

082 896 2686

mirinda@mbtownplanner.co.za



1 SITE PLAN



GENERAL NOTES:

1. All work to be done in accordance with the latest editions of the relevant building codes and regulations.
2. The proposed alterations and additions shall be in accordance with the site plan and the approved building plans.
3. The proposed alterations and additions shall be in accordance with the approved building plans and the approved building regulations.
4. The proposed alterations and additions shall be in accordance with the approved building plans and the approved building regulations.

ROOF CONSTRUCTION:

WALLS:

FLOOR CONSTRUCTION:

CEILING:

PAINTS & FINISHES:

GLAZING:

MECHANICAL & ELECTRICAL:

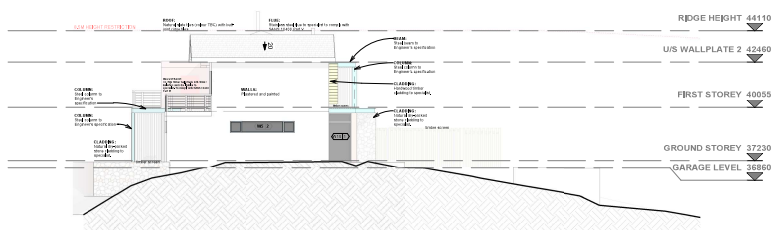
PLUMBING & SANITARY:

DRIVEWAY:

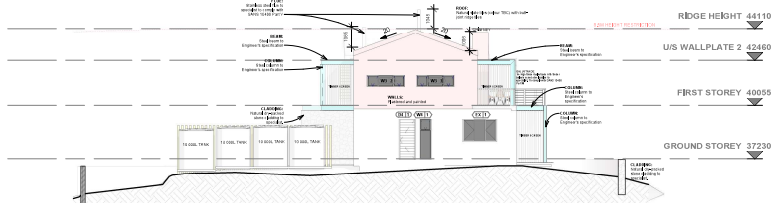
LANDSCAPE:

UTILITIES:

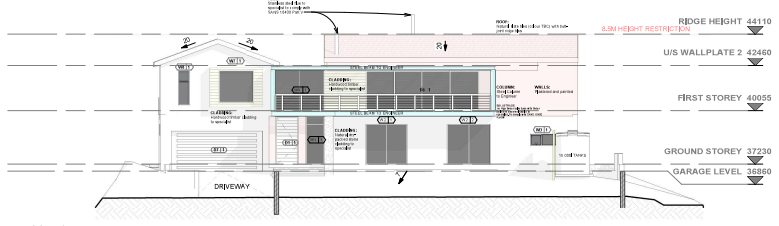
GENERAL:



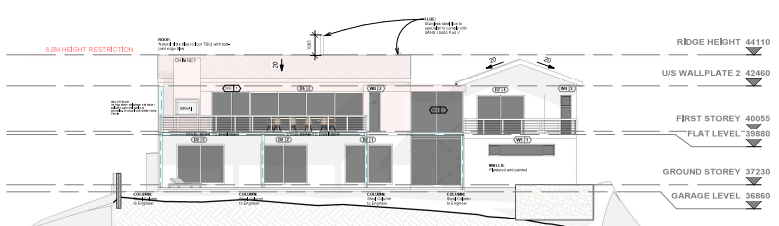
2 East 1:100



3 West 1:100



4 North 1:100



5 South 1:100

FLOOR AREA DATA

Level	Area	Volume
Garage & Mezz. Shop	42.17	
Ground Storey (ex. Garage)	100.47	
Proposed New Floor Area	31.47	
Ground Storey (ex. Garage)	23.44	
First Storey	82.47	
Total New Floor Area (ex. Garage)	107.47	
Mezz. Shop	42.17	
Roof	32.47	
Building Coverage	258.47	
Site Coverage	700.47	
Total Erf Coverage	93.7%	

CATEGORY 1: CLASS H1 (DWELLING HOUSE)

Item	Value
Street Building Lines	5m
Lateral Building Lines	0m
Rear Building Lines	5m
Height	5.2m

CHRIS HATTINGH FRANCH, 24748915

fluid
ARCHITECTS

OFFICE: 7A WITBEEK ROAD, 406 KENTON ROAD, KENTON, JOHANNESBURG, SOUTH AFRICA
084 844 5788 / 082 488 3520 / 083 965 3022

PROJECT: PROPOSED ALTERATIONS AND ADDITIONS FOR ERF 11 CANNON ROCKS

CLIENT: DAVE & RENEE PETERZ

DATE: 15/05/2025

SITE PLAN & ELEVATIONS

Project Name	Scale	Project No.	Project Date
FLU-0137	100		
Client	Approved By	Contract No.	Project No.
DAVE & RENEE PETERZ	BP		CAH

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 AND DEPARTURE FROM BUILDING LINES

SITUATED ON ERF ¹¹....., **STREET & NO.** 11 POTGIETER ROAD....., **TOWNSHIP** CANNON ROCKS

It is confirmed that I (Name in Full of affected land owner), M C DE LANGE.....
 being the registered owner of Erf ¹²..... Township CANNON ROCKS.....

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

- a) A relaxation of the lateral building line from 1,5 m to 0,8 m from our common side; (ALONG THE EASTERN BOUNDARY)
- ~~b) A relaxation of the rear building line from m to m;~~
- c) A relaxation of the street building line from 5 m to 0 m; (ONLY TO PERMIT THE EXISTING SCREENING WALL)
- ~~d) A relaxation of building height from m to m;~~
- ~~e) A second dwelling unit not exceeding m²;~~
- ~~f) A relaxation of the lateral / street boundary wall / fence height restriction from m to m;~~
- ~~g) Other (Give details)~~

shown on plan number 100 & 101 undated 12/11/2025.....

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: M de Lange.....

Date: 21 Nov 2025

Home Tel:

Work Tel:

WITNESSES

1. Maureen Struwig
 Full Name

2. Caraine Oosthuizen
 Full Name

.....
 Signature

.....
 Signature



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 AND DEPARTURE FROM BUILDING LINES

SITUATED ON ERF 11 **, STREET & NO.** 11 POTGIETER ROAD **, TOWNSHIP** CANNON ROCKS

It is confirmed that I (Name in Full of affected land owner), P M JOHNSON

being the registered owner of Erf 13 Township CANNON ROCKS

have **NO OBJECTION** to the above proposal being (Delete which is not applicable):
STRICTLY SUBJECT TO THE CONDITIONS OUTLINED BY MYSELF BELOW

- * a) A relaxation of the lateral building line from 1,5 m to 0,8 m from our common side; (ALONG THE EASTERN BOUNDARY) → NB
- b) ~~A relaxation of the rear building line from m to m;~~ *ONLY IF RELAXATION APPLIES EXCLUSIVELY TO THE EXISTING STRUCTURE*
- c) A relaxation of the street building line from 5 m to 0 m; (ONLY TO PERMIT THE EXISTING SCREENING WALLS)
- ~~d) A relaxation of building height from m to m;~~
- e) ~~A second dwelling unit not exceeding m²;~~
- f) ~~A relaxation of the lateral / street boundary wall / fence height restriction from m to m;~~
- g) ~~Other (Give details)~~

shown on plan number 100 & 101 undated 12/11/2025

Additional comments by consenting owner to the above consent:

* I DO NOT CONSENT TO A RELAXATION OF THE LATERAL BUILDING LINE FROM OUR COMMON SIDE (AS PER (a) ABOVE). I CONSENT EXCLUSIVELY TO ITS RELAXATION FOR THE PURPOSE OF

(If additional space is required a separate sheet may be attached)
 ENABLING THE EXISTING BUILDING (GARAGE + FLATLET) TO BE RETAINED IN ITS CURRENT FORM. SEE EMAIL SENT BY MYSELF

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: *P M Johnson*

Date: 20 NOVEMBER 2025

Home Tel:

Work Tel:

WITNESSES

1. *Michael van Vuuren*
 Full Name

2. *Andrea van Vuuren*
 Full Name

CHRISTO DE WET BOTHA
 Kommissaris van Ede / Commissioner of Oaths
 Ref: 9/1/8/2 Nelspruit
 31/10/2006
 47 West Street / West Straat 47
 Middelburg 1050

Signature: *[Signature]*

Signature: *[Signature]*

Gesertifiseer 'n ware afskrif van die oorspronklike
 Certified a true copy of the original

[Signature]
 25/11/2025